



Agenda

Ordinary Council Meeting

Thursday 28 October 2021

Question Time

Rules

Please note that the following rules apply to Question Time:

1. The person asking the question is requested to complete a Public Question Time Form prior to asking a question at the Council meeting. This will assist in a more informed and detailed response being given at this meeting. This form is available on the Shire's website and on the desk in the gallery area of Council Chambers.
2. Questions are to be directed through the Chair, with the Chairperson having the discretion of accepting or rejecting a question or taking it on notice.
3. To enable all members of the public a fair and equal opportunity to participate in Question Time, each person shall, in the first instance, ask a maximum of Two Questions.
4. If a question is taken on notice at the meeting, it will be answered in writing and included in the following meeting's Minutes.

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Notice of Meeting

Notice is hereby given that the Ordinary Meeting of Council will be held at the Murray Shire Council, 1915 Pinjarra Road, Pinjarra on Thursday 28 October 2021 commencing at 5.30pm.

**Dean Unsworth
Chief Executive Officer**

- 1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**
- 2. ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE**
- 3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
- 4. PUBLIC QUESTION TIME**
- 5. PETITIONS AND APPROVED DEPUTATIONS**

6. CONFIRMATION OF MINUTES

6.1 Special Council Meeting – 18 October 2021

Recommendation

That the Minutes of the Special Council Meeting held on 18 October 2021 be confirmed as a true and correct record.

6.2 Ordinary Council Meeting – 23 September 2021

Recommendation

That the Minutes of the Ordinary Council Meeting held on 23 September 2021 be confirmed as a true and correct record.

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER

The Shire President's announcements will be provided as an attachment to the Minutes.

8. ANNOUNCEMENTS BY ELECTED MEMBERS

The Elected Members' announcements will be provided as an attachment to the Minutes.

9. ACKNOWLEDGEMENT OF RECEIPT OF DISCLOSURE OF INTERESTS (BY PRESIDING MEMBER)

10. RECEPTION OF MINUTES AND RECOMMENDATIONS OF COMMITTEES HELD SINCE PREVIOUS MEETING OF COUNCIL

11. APPOINTMENT OF COMMITTEES OF COUNCILLORS ONLY

11.1 Audit & Risk Committee

Currently: All Councillors are members of this Committee.

Meetings are held periodically during the year to discuss and review financial audits, relevant reports from the Office of the Auditor General and other items pertaining to risk management as they arise.

Recommendation

That Council appoints all Elected Members to the Audit & Risk Committee, for a term expiring on 21 October 2023.

12. APPOINTMENT TO COMMITTEES - COUNCILLORS

12.1 Bush Fire Advisory Committee (BFAC)

Currently: Cr A Rogers - Cr S Kirkham (proxy)

Committee Purpose: To provide broad advice to Council on matters pertaining to obligations within the Bush Fires Act 1954 relating to bushfire, where a formal Council determination is required.

Meetings are held once per year, or as required.

Recommendation

That Cr with Cr (proxy) be appointed to the Bush Fire Advisory Committee for a term expiring on 21 October 2023.

12.2 Local Emergency Management Committee (LEMC)

Currently Cr S Kirkham

Committee Purpose: Having a LEMC is required under the Emergency Management Act 2005. A LEMC provides the opportunity for inter-agency co-ordination with relevant stakeholders to facilitate broad input into the development and review structured high-level local emergency plans and participating local governments policies for emergency management.

Meetings are held quarterly, as per statutory requirements.

Recommendation

That Cr be appointed to the Local Emergency Services Management Committee for a term expiring on 21 October 2023.

13. APPOINTMENT OF DELEGATES TO EXTERNAL ORGANISATIONS (COUNCILLORS, EMPLOYEES AND OTHER PERSONS)

13.1 Western Australian Local Government Association (WALGA) – Peel Zone

Currently Cr D Bolt, Cr D McLarty (Cr Lee, Councillor Proxy)

Committee Purpose: State Councillors are elected to State Council from one of 17 Zones, which are groupings of Local Governments convened together on the basis of population, commonalities of interest and geographical alignment. The relationship between State Council and Zones within the Western Australian Local Government Association is a critical one in the political representation of Local Government at the State and Federal levels. Zones have an integral role in shaping the political and strategic direction of WALGA. Not only are Zones responsible for bringing relevant local and regional issues to the State Council decision making table, they are a key player in developing policy and legislative initiatives for Local Government. WALGA’s Constitution outlines that the functions of Zones are to:

- Elect one or more State Councillors;
- Consider the State Council agenda;
- Provide direction and feedback to their State Councillor; and,
- Any other function deemed appropriate by the Zone.

Additional activities undertaken by Zones include:

- Developing and advocating on positions on regional issues affecting Local Government;
- Progressing regional Local Government initiatives;
- Identifying relevant issues for action by WALGA;
- Networking and information sharing; and
- Contributing to policy development through policy forums and other channels.

The Peel Country Zone is made up of representatives from City of Mandurah, Shires of Murray, Waroona, Boddington and Serpentine Jarrahdale.

Meetings are held bi-monthly.

Recommendation

That Cr and Cr be appointed to the Western Australian Local Government Association – Peel Zone, (with Cr as proxy), for terms expiring on 21 October 2023.

13.2 Rivers Regional Council

Currently Cr D Bolt (Cr D McLarty as deputy for Cr D Bolt) and Cr S Lee with (Cr B Cardilini as deputy for Cr S Lee)

Committee Purpose: The Rivers Regional Council incorporates a number of metropolitan and Peel Local Governments to align waste strategies and opportunities. Each Member Council elects two Councillors to be Regional Councillors. The Regional Council makes decisions relating to Strategic Waste Management issues. The Regional Council is advised on technical matters associated with waste management by the Technical Advisory Committee comprising of the relevant Director and Manager of waste from each member of Council.

Meetings are held six times a year, every two months at alternating member councils. Meetings are held from 18:00 hours and includes ad-hoc presentations/workshops.

Recommendation

That Cr (Cr as deputy for Cr) and Cr (Cr as deputy for Cr) be appointed to the Rivers Regional Council for terms expiring on 21 October 2023.

13.3 Peel Mosquito Management Group (CLAG)

Currently Cr D McLarty and Cr S Kirkham (deputy)

Committee Purpose: The Peel Mosquito Management Group (PMMG / CLAG) consists of representatives from the Shire of Murray, City of Mandurah, City of Rockingham, Shire of Waroona and Department of Health. It meets quarterly to discuss how to best mitigate mosquito impacts in the Peel region. Topics of discussion generally include environmental conditions, mosquito virus activity, mosquito abundance, helicopter operations, and safety. Meetings give an opportunity to review mosquito activity from the last quarter and to plan the implementation of the mosquito monitoring and treatment program for the next quarter. By working together with input from various agencies, the PMMG is able to best use its budget for larvicide, equipment and staff to protect residents and tourists from mosquito borne viruses in the Peel region including the Shire of Murray.

Meetings are held quarterly, typically at 1pm on a Thursday at alternating member Council's.

Recommendation

That Cr and Cr (deputy), and the Manager Environmental Health Services, be appointed to the Peel Mosquito Management Group (CLAG), for terms expiring 21 October 2023.

13.4 Coolup Land Conservation District Committee

Currently Cr S Kirkham

Committee Purpose: Land Conservation District Committees (LCDCs) are statutory committees appointed by the Commissioner of Soil and Land Conservation to administer Land Conservation Districts in accordance with an Order proclaimed by the Governor. Their main function is to promote sustainable land management and undertake projects. There is one LCDC operating within the Shire, Coolup, and it comprise representatives of the Commissioner of Soil and land Conservation, the relevant local government/s, the Farmer's Federation and the local community. The LCDC's meet on an irregular ad-hoc basis.

Meetings are held on an irregular, ad-hoc basis, typically in Waroona.

Recommendation

That Cr be appointed to the Coolup Land Conservation District Committee, for a term expiring on 21 October 2023.

13.5 District Emergency Management Committee (DEMC)

Note: It is recommended that the Councillor representative of DEMC should be the same member as the LEMC representative.

Currently Cr S Kirkham

Committee Purpose: DEMCs focus on risk and ensure information received from the State flow down to the Local Emergency Management Committees (LEMCs). They support the LEMCs with advice on emergency management arrangements, as well as participating in exercises and testing of arrangements.

Meetings are held quarterly.

Recommendation

That Cr be appointed to the District Emergency Management Committee, for a term expiring on 21 October 2023.

13.6 South West Regional Road Group

Currently Cr D McLarty, Cr A Rogers (proxy)

Committee Purpose: The South West Regional Road Group consists of Local Governments in the South West and Peel (excluding Serpentine Jarrahdale). The Group oversee funding, safety and transport priorities for the regions. Responsible for assessing road-funding submissions from its member Local Governments, the annual distribution of funds to Local Government roads and monitoring and reporting on the effectiveness of applying funds to Local Government roads in its regions.

Meetings are held three times over the year at the Shire of Dardanup with representatives from all local councils.

Recommendation

That Cr be appointed to the South West Regional Road Group, (with Cr as proxy), for a terms expiring on 21 October 2023.

13.7 Dwellingup Community Village Inc. Management Committee

Currently Cr B Beacham

Committee Purpose: The purpose of the DCV Management Committee is to provide a management structure across the seven units that are housed at the site. The Committee are now aiming to increase this number to nineteen.

Meetings are held as required.

Recommendation

That Cr be appointed to the Dwellingup Community Village Inc. Management Committee, for a term expiring on 21 October 2023.

13.8 Outer Metropolitan - Joint Development Assessment Panel (JDAP)

Formerly called the Metro South West Joint Development Assessment Panel. Currently Cr C Rose and Cr D Bolt are appointed, with Cr B Cardilini being the first alternate member and Cr A Rogers being the second alternate member.

Committee Purpose: An independent decision-making body comprised of technical experts and elected local government members who determine significant development applications.

Meeting times are based on applications received, typically 2 - 4 meetings per annum held during office hours either online or at Shire of Murray Offices.

Introduction/Background

Shire of Murray representation on the Joint Development Assessment Panel are from Council nominations to the Minister for formal appointment. Note compulsory training is required. Current membership relates to Cr C Rose, Cr D Bolt, Cr B Cardilini and Cr A Rogers with these appointments all expiring on 26 January 2022.

Recommendation

That Cr and Cr be nominated as Shire of Murray local government members on the Outer Metropolitan - Joint Development Assessment Panel prior to the expiry of the current membership term, with Cr being the first alternate member and Cr being the second alternate member, with an application being forwarded to the Minister for Planning in accordance with the Planning and Development (Development Assessment Panels) Regulations 2011.

13.9 Peron Naturaliste Partnership Inc. (PNP)

Currently Cr D McLarty – Cr S Lee (proxy), and Tom Lerner

Committee Purpose: The Peron-Naturaliste Partnership (PNP) is an incorporated collective group of nine local governments between Cape Peron and Cape Naturaliste comprising the Cities of Bunbury, Busselton, Mandurah, Rockingham and the Shire's of Capel, Dardanup, Harvey, Murray and Waroona. The PNP take a regional collaborative and integrated adaptation approach to the impacts of climate change. The partnership was formed in 2011 through a volunteer Memorandum of Understanding and recognising the long-term benefits of the partnership and the importance of dealing with coastal matters, the PNP became an incorporated group in 2015. The PNP is governed by a Board of Governors comprising a Councillor representative from each of its member local governments, with technical input provided through Committees and Working Groups comprising member local government officers and others as needed. The PNP meet on a bi-monthly basis.

Meetings are held bi-monthly, typically on a Friday morning at alternating member Council's.

Recommendation

That Cr, be appointed as Council's representative on the Peron Naturaliste Partnership Inc. with Cr, and the Coordinator Environmental Services, being proxy members for terms expiring on 21 October 2023.

13.10 ALCOA Community Consultation Network (CCN)

File Ref: 1/2324

Currently Cr B Beacham - Cr B Cardilini (proxy)

Committee Purpose: To provide an opportunity to discuss the sites decommissioning and rehabilitation activities, and ongoing community engagement activities.

Meetings are held bi-monthly from 5.30pm - 7:00pm in Pinjarra.

Recommendation

That the Cr with Cr (proxy) be appointed as Council's representative on the ALCOA Community Consultation Network (CCN) for a term expiring on 21 October 2023.

13.11 Peel Harvey Catchment Council – Call for Local Government Nominations

File Ref:	5210
Previous Item:	Nil
Applicant:	Nil
Author and Title:	Rod Peake, Director Planning and Sustainability
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Appendix 1

In Brief

- Councillors have been invited to nominate for local government representation on the Peel Harvey Catchment Council board for a two-year term.
- The current local government representatives are Cr Brad Cardilini representing coastal local governments, and Cr Robert Harris from Shire of Cuballing representing inland local governments.

Background

The Peel-Harvey Catchment encompasses an area of more than 1.1 million hectares south of Perth and extends from the Peel Harvey Estuary at Mandurah up to 150 km into the Wheatbelt. Defined by the catchments of the Serpentine, Harvey and Murray Rivers, the catchment is host to extensive agricultural areas, residential populations, state forests, mining and an array of ecosystems across three distinct bioregions. The catchment encompasses all of the Peel Region and parts of the Perth Metropolitan Region and Wheatbelt Region.

Peel Harvey Catchment Council (PHCC) is a not-for-profit community based natural resource management organisation that promotes an integrated approach to catchment management and how the Peel Harvey catchment environment is protected and restored. PHCC have a strong emphasis on partnerships, working with landholders, community groups, Industry, Federal Government, State Government and Local Government to affect change 'on-ground' and in environmental management. Their activities address sustainable natural resource management including climate change, river and wetland restoration, biodiversity protection, sustainable agriculture and building community capacity. PHCC believe that the past ecological collapse of the Peel Harvey Estuarine System demands a continued emphasis on water quality issues.

Report Detail

PHCC has invited councillors from local governments in the catchment area to nominate for two local government representative positions on the PHCC Board, with a term of tenure of two years. The successful nominees will join ten community members, one representative from key State Government agencies with environmental responsibilities and the Peel Development Commission. Meetings are held on the third Thursday of every second month with some recompense made for the cost of travel to meetings.

Interested councillors must complete and submit the nomination form, accompanied by a letter addressing relevant and the Association Liability Insurance Questions for Members/Proposed Members:

Nominations must be received by PHCC by 10am on Thursday 18 November 2021.

The Nomination Form, Selection Criteria and Association Liability Insurance Questions for Members/Proposed Members are included at **Appendix 1**.

Options

Council has the option of:

1. Nominating a Councillor representative.
2. Not nominating a Councillor representative.

Conclusion

More information regarding the Peel Harvey Catchment Council, including the constitution, strategic directions, previous meeting minutes, policies and annual reports is available at www.peel-harvey.org.au or by contacting PHCC Manager Corporate Services/Executive Support Deborah Chard on 6369 8800 or Deborah.chard@peel-harvey.org.au.

Meetings are held at 1pm on the third Thursday of every second month in Mandurah.

Recommendation

That Council endorses Cr’s nomination as a local government representative for the Peel Harvey Catchment Council Board.

14. WORKING GROUPS

14.1 Edenvale Homestead Working Group

Currently Cr G Black, one representative from The Friends of Edenvale, The Murray Districts Historical Society, Murray Arts & Crafts Society WA, Pinjarra Patchwork & Quilters Club, Roger May Machinery Museum, Edenvale Heritage Tea Rooms, Shire of Murray Manager Community Development and Manager Building Services, plus five community representatives.

Committee Purpose: The Edenvale Heritage Precinct Working Group (EHPWG) is both the strategic and operational leadership group of the Edenvale Precinct. Meeting monthly, the group includes representatives from each User Group, two community members, and one Councillor. The EHPWG facilitate actions and activities to achieve the outcomes of the *Edenvale Heritage Precinct Place and Activation Plan 2021-2031* and the EHPWG aims to identify, promote and encourage collaboration and communicate information to the whole Precinct.

Meetings are held monthly on the second Wednesday of every month 10.00am – 11.30am at the Edenvale Precinct.

Recommendation

That Cr, be appointed to the Edenvale Homestead Working Group with the balance of the Group being made up of one representative from The Friends of Edenvale, The Murray Districts Historical Society, Murray District Arts & Crafts Society WA, Pinjarra Patchwork & Quilters Club, Roger May Machinery Museum, Fairbridge Western Australia (Edenvale Heritage Tea Rooms), with the Shire representation being the Manager Building Services and an officer from the Place and Community team, plus up to five community representatives, as determined by the CEO, with all terms expiring on 21 October 2023.

14.2 Murray Aged Access and Inclusion Group (MAAIG)

Currently Cr C Rose and Cr B Beacham (proxy)

Committee Purpose: The Murray Aged Access and Inclusion Group meets as required to drive the implementation of the Disability Access and Inclusion Plan, consult on Shire run events, Seniors programs, and through consultation, identify potential access improvements to Shire run and owned buildings, facilities and outdoor spaces.

Meetings are held quarterly.

Recommendation

That Cr with Cr (proxy) and the Shire of Murray Place and Community Administration Officer be appointed to the Murray Access and Inclusion Group for a term expiring 21 October 2023.

14.3 Crime Prevention and Community Safety Reference Group

Currently Cr D McLarty, Shire of Murray Place and Community Officer and Manager Governance, Dwellingup Community Compact, WA Police - Peel Metropolitan District, Pinjarra Primary School, Pinjarra Progress Association, Principal Pinjarra High School, Ravenswood Community Association, Roadwise – Bunbury, SDERA (School Drug Education and Road Aware), Senior Officer Dwellingup Police, Senior Officer Pinjarra Police, Streetnet Officer, the WA Health Department - Mandurah Community Health Centre and North Pinjarra Progress Association and other community representatives as invited by the committee.

Committee Purpose: The Community Safety and Crime Prevention working group currently meets on an as-needs basis to provide advice to the Shire of Murray to guide initiatives to enhance community safety and reduce anti-social behaviour.

Meetings are held as required.

Recommendation

That Cr, Shire of Murray Place and Community Officer and Manager Ranger and Emergency Services, Dwellingup Community Compact, North Pinjarra Progress Association, Principal Pinjarra High School, Ravenswood Community Association, Roadwise – Bunbury, SDERA (School Drug Education and Road Aware), Senior Officer Dwellingup Police, Senior Officer Pinjarra Police, Streetnet and other community representatives as invited by the committee be appointed to the Crime Prevention and Community Safety Reference Group, for a terms expiring on 21 October 2023.

14.4 Peel Mobile Health Service Reference Group

Currently Cr C Rose, Cr B Beacham (proxy)

Committee Purpose: The Peel Mobile Health Service Reference Group represents the interests of the community by assessing local health care needs, identifying gaps and lobbying for a suitable configuration of services offered by the Peel Mobile Health Service. By focusing on sectors of the Peel community that may be disadvantaged socially, geographically or financially, the group aims to improve community accessibility to appropriate medical services. This allows local government to facilitate a helpful link between the local community and health service providers.

Meetings are held as required.

Recommendation

That Cr be appointed to the Peel Mobile Health Services Reference Group with Cr as proxy, for terms expiring on 21 October 2023.

14.5 Keysbrook Community Consultation Group

Currently Cr B Beacham, Cr C Rose (proxy)

Committee Purpose: A forum for two way communication between the Doral and the community in relation to the Doral mineral sands mine in Keysbrook/North Dandalup. Topics covered include project updates, environmental updates, community updates, and consideration of Doral sponsorship submissions.

Meetings are held quarterly, typically at 4pm on the first Wednesday of February, May, August and November at the Keysbrook Community Hall.

Recommendation

That Cr be appointed to the Keysbrook Community Consultation Group with Cr as proxy for terms expiring on 21 October 2023.

14.6 Annual Volunteer Awards Selection Panel

Currently Cr A Rogers, Cr G Black, Cr C Rose and Cr B Cardilini

Committee Purpose: A panel of representatives who attend meetings as required, to determine who will be the finalists for the Murray Volunteer Sundowner and Awards. This is to celebrate the work of volunteers from throughout the Shire and to provide the opportunity to network with local organisations.

Meetings are held as required.

Recommendation

That Cr, Cr, Cr and Cr be appointed to the Annual Volunteer Awards Selection Panel for terms expiring on 21 October 2023.

14.7 Selection Panel for the Australia Day, WA Community Citizenship Awards

Currently Cr S Lee, Cr D McLarty, Cr B Cardilini and Cr C Rose

Committee Purpose: A panel of representatives who attend meetings as required, to determine who will be the finalists for the Australia Day, WA Community Citizenship Awards. This is to celebrate the work of volunteers from throughout the Shire and to provide the opportunity to network with local organisations.

Meetings are held annually.

Recommendation

That Cr, Cr, Cr and Cr be appointed to the Selection Panel for Australia Day WA Community Citizenship Awards for terms expiring on 21 October 2023.

14.8 Local Recovery Management Committee (LRMC)

Currently Cr G Black

Committee Purpose: The LRMC is a sub-committee of the Local Emergency Management Committee that functions broadly support strategic emergency planning and preparedness by reviewing processes and structures for the timely and effectual administration of recovery management.

The LRMC also aids the Local Recovery Coordination Group during an emergency events and members of the LRMC may be activated to the LRCG, as and when required.

Meetings are held biannually or as required.

Recommendation

That Cr be appointed to the Local Recovery Management Committee for a term expiring on 21 October 2023.

14.9 Coastal Hazard Risk Management and Adaption Plan Project Steering Group (CHRMAP)

Currently Shire President D Bolt as its Councillor representative, Cr D McLarty proxy member and Nancy Delfos, Linda Gregory and Alistair McKechnie as the community representatives on the Coastal Hazard Risk Management and Adaptation Plan Project Steering Group.

Committee Purpose: The CHRMAP Steering group was formed to oversee the development of the Murray CHRMAP. A CHRMAP is needed to mitigate the impacts and risks of coastal hazards including erosion and inundation, on the Peel Harvey Estuary and tidally influenced portions of the Murray and Serpentine Rivers. The group meets on an ad hoc basis as required throughout the CHRMAP process.

Meetings are at key times throughout project until approximately March 2022. Meetings held during office hours either online or at Shire of Murray Administration Offices.

Recommendation

That Cr and Cr (proxy) be appointed to the Coastal Hazard Risk Management and Adaption Plan Project Steering Group for terms expiring on 21 October 2023.

14.10 Peel Harvey Biosecurity Group

Currently Cr A Rogers, Shire’s Coordinator Environmental Services Officer (proxy)

Committee Purpose: The Peel Harvey Biosecurity Group is a recognised incorporated group under the Biosecurity and Agriculture Management act that deals with the management of declared pests in the Shires of Serpentine Jarrahdale, Murray, Waroona, Harvey and the City of Mandurah. The Shire of Murray has a permanent place on the committee which is filled by an elected member with a relevant officer as proxy.

Meetings are held on the 3rd Wednesday of every second month at 6pm typically in Waroona.

Recommendation

That Cr and the Shire’s Coordinator Environmental Services, as proxy be appointed to the Peel Harvey Biosecurity Group for terms expiring on 21 October 2023.

14.11 Local Planning Strategy Reference Group

Currently Cr S Lee and Cr C Rose. The group comprises two Councillors, a representative from each of the Local Community Groups, and five general community members. The Group's first meeting was held in October 2019 will meet every one to two months during the project preparation.

Meeting are at key times throughout project which will run through to approximately June 2022. Typically during office hours at Shire of Murray Offices.

Recommendation

That Cr and Cr be appointed to the Local Planning Strategy Reference Group for terms expiring on 21 October 2023.

15. REPORTS OF CHIEF EXECUTIVE OFFICER AND OFFICERS

Planning and Sustainability

15.1 Dwellingup Futures Road Map 2021-2036 – Endorsement for Final Approval

File Ref:	1/2364
Previous Items:	Item 15.1 OCM 24 Jun 2021 (OCM21/097)
Applicant:	Shire of Murray
Author and Title:	Brett Flugge Executive Manager Strategic Development & Environmental Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Appendix 2 - 4 (Appendix 2 under separate confidential cover)

Recommendation

That Council:

1. notes the submissions received on the Dwellingup Futures Road Map as presented in the “Schedule of Submissions” circulated under separate cover with Shire of Murray and Farlane consultant comments supplied;
2. endorses the final Dwellingup Futures Road Map with minor report and mapping modifications as supported by the Technical Advisory Committee/Stakeholder Working Group at its meeting held on 5 October 2021;
3. notifies all the submitters who responded to the community survey as well as the Dwellingup Futures Technical Advisory Committee and Stakeholder Working Group members of this decision;
4. authorises the Chief Executive Officer and Shire President to brief the Member for Murray-Wellington and Chairman of the Western Australian Planning Commission of the finalised Road Map reports;
5. forwards a copy of the final endorsed Road Map report to the Peel Development Commission to seek approval of the Minister for Regional Development and if necessary obtain broader whole of Government support towards the community aspirations contained in the Road map findings.

In Brief

- The Dwellingup Futures Road Map reports have been considered by the Technical Advisory Committee (TAC) and Stakeholder Working Group (SWG) at a combined meeting held on 5 October 2021 wherein the submissions received during public advertising were considered and discussed in detail.
- At the close of public advertising, a total of 55 community survey responses had been received, along with a late written submission from Department of Jobs Tourism Science and Innovation and a separate letter received from the Chairman of Western Australian Planning Commission.
- The project has now reached the stage where the final updated Road Map reports can be endorsed by Council and be forwarded onto State Government for final approval.

Background

The Shire of Murray, in partnership with Peel Development Commission, established the Dwellingup Futures project with the aim to develop a Road Map outlining a vision and strategic intent for the future of Dwellingup and work towards capturing the aspirations and priorities of the Dwellingup community and industry stakeholders.

An Expression of Interest process was carried out in accordance with an agreed Project Scope of works to seek suitably qualified consultants to undertake the study. A TAC and SWG comprising a wide range of community, Government agency and industry stakeholders was established, each with their own Terms of Reference.

The Road Map is a two-part report that describes a vision for Greater Dwellingup's future with Part 1 outlining two growth scenarios, plus a business as usual status quo approach. Each scenario has been examined using detailed social and economic modelling indicators relevant to the proposed vision and strategic intent for the future growth of Greater Dwellingup.

A detailed Road Map Action Plan is also part of the report documents, which lists short term priority projects (next 1-3 years) and longer-term project activities (4-10 years duration) under coordination of a Dwellingup Futures Governance Group. This Governance Group would include representatives of the Dwellingup Community Compact, local Traditional Owners, local business and industry representatives and with input and support from key agencies and other supporting partners as required (using resources from the current list of TAC members).

Report Detail

The draft Road Map reports prepared by Farlane Consultant team were released for public comment for a 28-day period from 11 August to 10 September 2021. A public forum at the Dwellingup Community Hall was held on 11 August to officially release the Road Map reports, with consultants and Shire officers in attendance. This can be viewed at **Appendix 4**. Approximately 85 people attended the Road Map release event, with presentations supplied from Shire officers, Farlane on the Road Map findings and Hatch Roberts Day consultants on the next phase of work in reviewing the Dwellingup Structure Plan.

At the close of the public advertising period, a total of 51 submissions were received on the Shire's 'Your Say' website on-line portal with completed survey responses. A detailed Schedule of Submissions has been circulated under separate confidential cover which outlines all the comments received and includes Shire of Murray and Farlane consultant responses which is shown at **Appendix 2**, and additional submissions were received from the Chairman of the Western Australian Planning Commission (WAPC), The Jobs Tourism Science and Innovation (JTSI), and the Department of Water Environmental Regulations (DWER), which can be viewed at **Appendix 3**.

There were a number of different themes raised in the submissions which can be summarised as follows:

- Strong consensus that Scenario 3 (Diversified Economy) was favoured by the community.
- Broad concerns raised around mining encroachment closer to town, with some respondents seeking establishment of a mining free zone. The current Public Environmental Review (PER) for the Alcoa Huntly mining expansion area and increased bauxite production for the Pinjarra Alumina Refinery is considered the best means of addressing these concerns.
- Emphasis on retaining Dwellingup's small town charm. This is reflected in the Road Map vision, with appreciation that growth is important but not at the expense of harming the small town charm.

- Value of the natural environment, with appreciation that more needs to be done to understand cultural values and natural environment town.
- Bush fire management was highlighted as a concern with a separate study being undertaken by Emerge consultants on the overall risk assessment for the town.
- Ideas around sewerage, iconic entry statement and utilisation of existing assets such as the Forest Discovery Centre.
- Recognition of resources economy as a major employer.
- Suggestions for updates to the mapping around additional assets.

On the basis of all the comments received it is recommended that only minor changes be made to the Road Map report and mapping to strengthen statements around diversification of the economy and that many of the issues raised can be addressed in the next phase of work via the Structure Plan review and examination of townsite growth consolidation options.

A letter was received from the Western Australian Planning Commission Chairman acknowledging that the growth of Dwellingup beyond the existing footprint is inconsistent with the South Metropolitan Peel Sub-regional Planning Framework. If the work that is being undertaken on Dwellingup results in a departure from the existing State Planning Framework it will need to be supported by an analysis of a range of other factors, including but not limited to the protection and avoidance of environmental values, bushfire risk and where appropriate management, servicing requirements and separation distances between mining, agricultural and residential uses. Sustainable growth represents a number of challenges, requiring the strategic application of State Planning Policies.

Prior to progressing any amendments to the Region Scheme, the letter recommends that these investigations are completed and further advice be obtained from Department of Planning Lands and Heritage (DPLH) officers to assist at key milestones to ensure the existing State Planning Framework is appropriately addressed. Shire officers in liaison with Hatch Roberts Day consultant team are currently engaging with DPLH staff to address these matters and explore suitable solutions to the challenges of increasing townsite growth.

A late formal written submission was also received from Department of Jobs Tourism Science and Innovation (JTSI), which commends the scenario presented and offers support for the way forward identified in the document. JTSI also recommends that the Shire and Peel Development Commission continue to work with JTSI and other government agencies to progress the community ambitions.

JTSI also notes that the expectations identified within Dwellingup Futures around the significance of tourism growth could be more actively and successfully achieved by considering the clustering or combining of the Dwellingup experiences with those of Collie and Margaret River to provide aspirational trail and tourism itineraries. It is worth noting the Shire is actively engaged in wider marketing and tourism event objectives.

The State Government's recent announcement and intent to cease logging of native timber Forest in the South West of the State and transitioning the timber industry towards alternate timber plantation growing, is further vindication to pursue Scenario 3 for a Diversified Economy under Dwellingup Futures.

Murray 2031 Strategic Community Plan

Focus Area	Places for People
Aspiration	Ensure local planning strategies and Town Planning Scheme facilitates quality and diverse planning outcomes.
Strategy	Prepare District Structure Plans for new growth areas.
Focus Area	Thriving Economy
Aspiration	Maximise Murray's natural assets and heritage as a driver for tourism development.
Strategy	Develop Dwellingup into a nationally recognised trails town.
Focus Area	Environment, Character and Heritage
Aspiration	Protect and enhance our existing natural assets, waterways, bushland and biodiversity.
Strategy	Lead the Dwellingup Futures group to ensure a balanced approach to development in and around Dwellingup.

Murray 2021-2025 Corporate Business Plan

Focus Area	Socially connected safe and cohesive community.
Objective	Ensure quality diverse and innovative planning outcomes that meet community aspirations.
Strategy	Prepare District Structure Plans for new growth areas.
Actions	Prepare a District Structure Plan for Dwellingup.
Focus Area	An economy that is focussed on key success factors for growth; knowledge and innovation; export income and investment; infrastructure and local capacity.
Objective	Maximise Murray's natural assets and heritage as a driver for tourism development.
Strategy	Develop Dwellingup into a nationally recognised Trails town. Lead the Dwellingup Futures Group to ensure a balanced approach to development in and around Dwellingup.
Actions	Transform Dwellingup into a national Trails town. Develop an evidenced based Dwellingup Strategic plan and vision for State Government endorsement.
Focus Area	In 2031 Murray will be effective stewards of our environment, history, heritage, natural landscape and rural character.
Objective	Protect and enhance our existing natural assets waterways bushland and biodiversity.
Strategy	Lead the Dwellingup Futures group to ensure a balanced approach to development in and around Dwellingup.
Actions	Develop an evidence based Dwellingup strategic plan and vision for State Government endorsement.

Other Strategic Links

- Peel Regional Blueprint
- South Metropolitan and Peel Sub-regional Planning Framework
- Draft Local Planning Strategy
- Dwellingup Structure Plan 2012 (currently under revision in tandem with the Road Map)
- Forest Management Plan 2014-2023 review, with particular reference to recent State Government announcement of proposed cessation of logging Old Growth forest in the South West and transitioning towards pine plantation growing.

Statutory Environment

The Dwellingup Futures Road Map is a non-statutory document which outlines a strategic intent and vision for the future growth of various industry sectors in and around the Dwellingup locality.

Sustainability & Risk Considerations

Economic - (Impact on the Economy of the Shire and Region)

The Dwellingup Futures Road Map have developed economic modelling indicators relevant to the proposed vision and strategic intent for the future growth of Dwellingup.

Social - (Quality of life to community and/or affected landowners)

Social modelling indicators and trends relevant to the proposed vision and strategic intent have been developed in the Road Map to inform future economic growth decision making.

Environment – (Impact on environment’s sustainability)

A supplementary Environmental analysis to bolster the Road Map report and supply a separate consolidated report for this specialist body of work will be undertaken.

Policy Implications

Nil

Risk Management Implications

Risk Level	Comment
Moderate	There is a level of urgency in getting the Road Map in front of Government due to the parallel Dwellingup Structure Plan review work and the Alcoa PER Huntly Bauxite mining approval process which is scheduled for public release in late 2021/early 2022.

Consultation

The Dwellingup Futures project has been subject of a Community Visioning exercise; Workshops with stakeholders and Zoom meetings in place of regular face to face consultation due to Covid public meeting restrictions.

A Communications Plan has been developed for the Road Map public release through various Shire communication avenues including using Your Say website portal, Facebook, community survey and news media channels. The Shire has endeavoured to engage with the South West Aboriginal Land and Sea Council (SWALSC) during the advertising phase of the Road Map. Consultation with SWALSC however has been limited due to Interim Working Group members no longer operating and soon to be replaced with the Gnarla Karla Boodja Regional Corporation. The Shire has requested assistance from Department of Planning Lands and Heritage in the interim period to present the report findings to the appropriate Regional Corporation members once they are established.

Resource Implications

Financial

Funding for the Dwellingup Futures project has been sourced through an Agreement with Shire of Boddington in partnership with PDC and Department of Primary Industry and Regional Development for transfer of unused Super Towns funds.

Workforce

Shire officers are working in partnership with PDC staff and the consultant team to manage and coordinate this final phase of the project in consultation with key stakeholders.

Options

Council has the option of:

1. Endorsing the Road Map report documents and notifying affected community members, industry/business sectors and other stakeholders of this important milestone.
2. Not endorsing the Road Map reports and awaiting additional supplementary environmental assessment report findings that can be factored into the final documentation.

The second option listed here is not viewed as a feasible approach as these processes are subject of separate assessment by Government and it is imperative that the community aspirations contained in these Road Map reports be conveyed to Government in an earlier timely manner.

Conclusion

Council is requested to consider endorsing the final Dwellingup Futures Road Map reports following comprehensive engagement, consultation and discussions with key stakeholders, industry and business sectors and community representatives over the past 18 months.

There is also an urgency in finalising the Road Map reports before the Environmental Protection Authority commences the PER assessment process for the Alcoa Huntly Bauxite Mine and Pinjarra Alumina Refinery, with a range of detailed studies being undertaken into potential impacts on flora fauna, water, air quality, greenhouse gases and social surrounds. The EPA has announced that the PER is due for public release in mid-December 2021 for an eight-week public comment period until mid-February 2022.

15.2 Rationalisation of Road Reserves in State Forest

File Ref:	MA05/577-01
Previous Items:	N/A
Applicant:	N/A
Author and Title:	Greg Delahunty, Manager Planning Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Appendix 5

Recommendation

That Council:

1. **advises the Department of Biodiversity, Conservation and Attractions that it supports the proposed rationalisation of road reserves within the State Forest as shown on the plan at Appendix 5 subject to the following; and**
 - **Area E being the preferred option for the Western Road option; and**
 - **Council will bear no costs for the rationalisation of the road reserve(s) or for their construction.**
2. **advises the landowner of Lot 577 Marrinup Road, Teesdale that Council's support for the proposed road rationalisation should not be construed as support for a future subdivision application, which would be considered on its merits against the planning framework at the time of lodgement.**

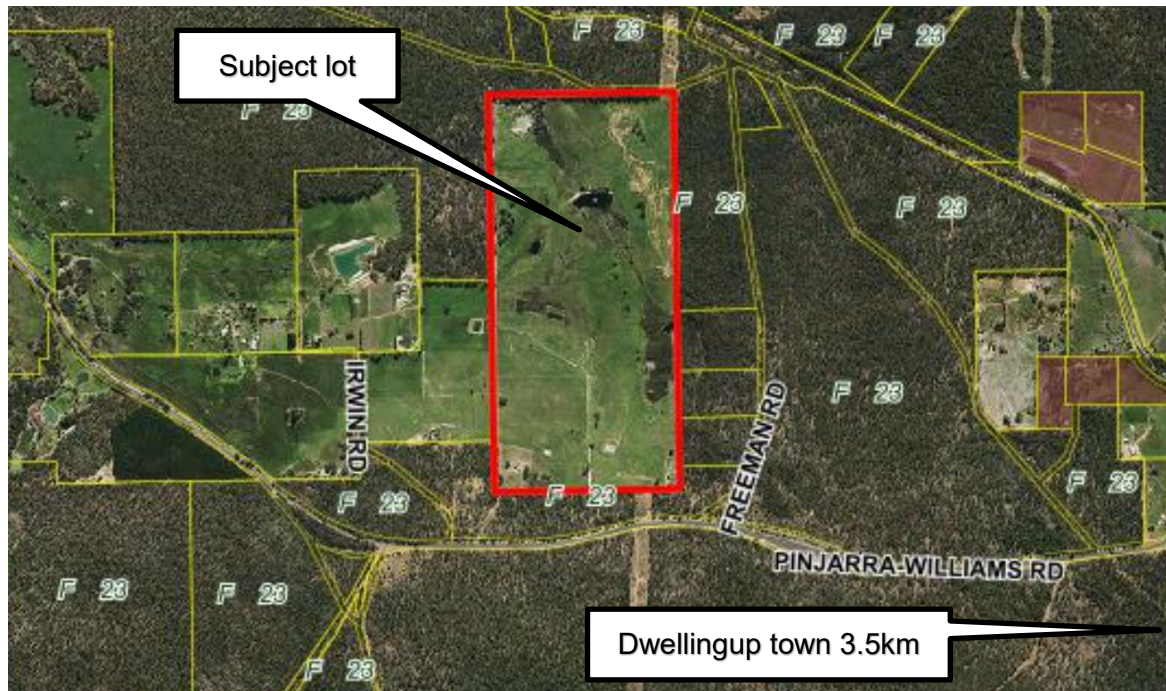
In Brief

- The owner of Lot 577 Marrinup Road, Teesdale (the subject lot) has approached the Shire seeking support for the rationalisation of road reserves in the State Forest, that could potentially facilitate the subdivision of the subject lot.
- The Department of Biodiversity, Conservation and Attractions (DBCA) has advised that, should Shire support be provided, it will be responsible for progressing the proposal.
- It is therefore recommended that the Shire supports the proposal subject to the advice that the Shire will bear no associated costs.

Background

The subject lot has an area of approximately 81Ha and is zoned Rural under both the Shire of Murray Town Planning Scheme No.4 and the Peel Region Scheme.

The subject lot has no legal access. Informal access to the lot has been historically obtained through the State Forest through two access tracks.



Two previous subdivision applications have been refused by the Western Australian Planning Commission (WAPC) for the subject lot, as no legal access is available (Application references: 125662 and 135024). A further subdivision application (ref: 156870) submitted in 2018 was later cancelled, upon advice from the Department of Planning Lands and Heritage (DPLH), regarding the lack of legal access was provided.

Report Detail

The owner of the subject lot, Ms GM Hill, has approached the Shire seeking support for the rationalisation of road reserves as shown on the plan at **Appendix 5**. The proposal seeks to reposition the Freeman Road, road reserve along the actual constructed road alignment as well as providing a new road reserve connecting to the western side of the subject lot.

The process to amend State Forest can be a lengthy one including:

- Stakeholder consultation (including the Forest Products Commission, Department of Planning, Lands and Heritage and Department of Mines, Industry Regulation and Safety);
- Conservation and Parks Commission consideration;
- Deposited Plan prepared;
- Minister for Environment approval;
- Minister for Forestry approval;
- Advertising for 30 days; and
- Publication in the Government Gazette.

DBCA has advised that it will manage the process, should the Shire support the proposal.

The landowner of the subject lot has advised that it will bear all costs associated with the proposal.

Murray 2031 Strategic Community Plan

Focus Area	Connected and Accessible
Aspiration	In 2031 Murray will have enhanced our transport linkages and opportunities to share information using a variety of travel and technology options.
Strategy	Investigate all alternative options to facilitate a transport network that services all towns.

Murray 2021-2025 Corporate Business Plan

Focus Area	Connected and Accessible
Objective	Promote an efficient and accessible local and regional transport network.
Strategy	Investigate all alternative options to facilitate a transport network that services all towns.

Other Strategic Links

Nil

Statutory Environment

Conservation and Land Management Act 1984 (CALM Act).

Changes to State Forest are dealt with under the CALM Act. As the area of land proposed to be excised from the State Forest is less than 5% or 5 hectares, the proposal will not have to go before Parliament.

Sustainability & Risk Considerations

Economic - (Impact on the Economy of the Shire and Region)

If the road reserves are not dedicated, access to a proposed subdivision will not be possible and new development opportunities will be difficult.

Social - (Quality of life to community and/or affected landowners)

Dedicated road access via two points will improve access and egress during a bushfire.

Environment – (Impact on environment's sustainability)

It is likely that trees will be required to be removed in order to facilitate the western alignment. It will be necessary to obtain a clearing permit from the Department of Water and Environmental Regulation.

Policy Implications

Nil

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	Given that the process will be controlled by the DBCA the risk to the Shire is low.

Consultation

Consultation has occurred with the following agencies:

- DPLH;
- DBCA;
- Main Roads Western Australia (MRWA);

DPLH

DPLH outlined the matters that would have to be addressed as part of a future subdivision application, including:

- land capability for agricultural purposes;
- addressing and meeting the requirements of *State Planning Policy 3.7 - Planning in Bushfire Prone Areas*;
- adequate water supply; and
- legal access being provided.

It is recommended that the applicant be made aware of these matters and advised that, although the road rationalisation may be supported, this does not amount to the support of a future subdivision application, which will be considered on its merits.

DBCA

DBCA has stated that that it will take control of the process should Shire support be forthcoming.

MRWA

MRWA has advised that it supports proposed Option E for the western access, as this will result in a safer traffic outcome. As such, it is recommended that this option be supported by the Shire.

Resource Implications

Financial

The costs associated with the road rationalisation and any construction works need as a result of any potential subdivision will be met by the owner of the subject land. The roads will become under the management of the Shire and it will therefore be responsible for ongoing maintenance and any liability for the road reserves, although given the low traffic volumes that would be experienced this would be considered very low.

Workforce

The Shire's input is relatively minor and can be accommodated within existing staff resource levels.

Options

Council has the option of:

1. Advising the DBCA and the landowner that it supports the proposed road rationalisation.
2. Advising the DBCA and the landowner that it does not support the proposed road rationalisation.

Conclusion

The rationalisation of the road reserves will formalise access tracks that have been historically used. It may also facilitate a subdivision of the subject lot, which does have the potential to be subdivided under the planning framework, subject to the landowner addressing the matters identified in this report. It is anticipated that the construction of the roads would only occur as a result of a subdivision approval and that the requirement for this construction would fall to the landowner of the subject lot. As such, it is recommended that

the Shire advises the DBCA and the landowner that it supports the proposal, but will not be responsible for any associated costs with the process.

15.3 Tender 21/10 – Provision of Cleaning Services for Shire Owned Buildings

File Ref: T21/10
 Previous Item: Item 11.1 22 Jul 21 OCM21/109
 Applicant: Nil
 Author and Title: Dale Burton, Manager Building Services
 Declaration of Interest: Nil
 Voting Requirements: Simple Majority

Appendix 6 under Separate Confidential Cover

Recommendation

That Council considers the Confidential Assessment Report by the Evaluation Panel.

In Brief

- The Shire of Murray contracts the cleaning of a number of its building facilities.
- The overall costs associated with cleaning of Shire owned buildings has reached the threshold where it has become necessary to tender for this service.
- Tenders were called for suitably qualified contractors and at the close of the advertising period seven submissions were received, six of which were complaint.

Background

The Shire currently owns 26 buildings that are cleaned under various contracts. These buildings range from small toilet blocks to the Shire Administration Centre and the recently completed Dwellingup Trails and Visitor Centre.

Over the years the overall use of Shire buildings has been increasing due to a number of factors including:

- A growing population;
- Increasing tourist visitation; and
- Increasing sporting group usage.

In recent times with COVID19, additional and elevated cleaning regimes have been necessary to ensure that facilities meet community expectations and public health requirements.

These increasing demands have increased the overall cost of cleaning to the point where the provision of cleaning services will need to be sources through a public tender.

In July 2021, Council endorsed the selection criteria for the tender.

Report Detail

The Confidential Assessment Report at **Appendix 6** contains a detailed evaluation of the tenders.

Murray 2031 Strategic Community Plan

Focus Area	Capable and Accountable
Objective	Respond efficiently and effectively to the evolving needs of the community.
Strategy	Deliver efficient and effective Council services to the community.

Murray 2021-2025 Corporate Business Plan

Nil

Other Strategic Links

Nil

Statutory Environment

Tendering is dealt with in Section 3.57 of the *Local Government Act 1995* (Tenders for providing goods or services) and Part 4, Division 2 of the *Local Government (Functions and General) Regulations 1996*.

Sustainability & Risk Considerations

Economic - (Impact on the Economy of the Shire and Region)

Maintaining a high level of facility cleanliness helps to attract and retain visitors.

Social - (Quality of life to community and/or affected landowners)

The provision of basic cleaning services is an integral part of maintaining Shire managed facilities, public health and quality of life for the community.

Environment – (Impact on environment’s sustainability)

Nil

Policy Implications

Policy G11 Purchasing deals with purchasing generally, including Tendering.

Policy F1 Regional Price Preference provides a price preference for regional and local service providers.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	The framework for this invitation to tender is in accordance with the <i>Local Government Act 1995</i> and Council Policy. The risk implications are therefore considered low.

Consultation

The tender was advertised in the West Australian newspaper Saturday 31 July 2021.

Resource Implications

Financial

Funding for cleaning services is provided for each relevant building in the annual budget process.

Workforce

The management of the tender and contract supervision for the proposed services will be undertaken within existing staff resources.

Options

Council has the option of:

1. Accepting the recommended tenderer outlined in the Confidential Assessment Report.
2. Accepting another tenderer.
3. Rejecting all tenderers.

Conclusion

All details are contained within the Confidential Assessment Report.

Corporate Governance

15.4 Payments from Municipal and Trust Funds – September 2021

File Ref: 8013-01
Author and Title: Tracie Unsworth Director Corporate Services / Tamara Tabor
Finance Coordinator
Voting Requirements: Simple Majority

Appendix 7

Recommendation

That Council receives the Payments from Municipal and Trust Funds report for September 2021 as presented.

In Brief

This report of payments made from the Shire's Municipal and Trust bank accounts is presented to Council, in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996*.

Background

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* requires that:

- 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 payment; and
 - d) sufficient information to identify the transaction.
- 2) A list of accounts for approval to be paid is to be prepared each month showing:
 - a) for each account which requires council authorisation in that month:
 - (i) the payee's name;
 - (ii) the amount of the payment;
 - (iii) sufficient information to identify the transaction; and
 - b) the date of the meeting of the council to which the list is to be presented.
- 3) A list prepared under sub regulation (1) or (2) is to be:
 - a) presented to the Council at the next ordinary meeting of the council after the list is prepared; and
 - b) recorded in the minutes of that meeting.

Report Detail

Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the Shire's Municipal and Trust Funds and, as required, a list of accounts paid by the Chief Executive Office is provided to Council.

The information report contains the list of payments made from the Shire of Murray's Municipal and Trust bank accounts for the month of September 2021.

This list includes details for each payment made, incorporating:

- The payees name
- The description of the payment
- The date of the payment
- The amount of the payment
- A certificate signed by the Chief Executive Officer, stating that all invoices and vouchers presented to Council have been certified as to the receipt of goods and the rendition of services and as to prices, computations and costing and that the amounts shown were due for payment.

Invoices supporting all payments are available for the inspection of Council.

Murray 2031 Strategic Community Plan

Focus Area	Capable and Accountable
Aspiration	To develop strong leadership through good governance, effective communication and ensuring value for money.
Strategy	Establish a strong corporate governance framework to ensure high standards of integrity, ethics and accountability.

Other Strategic Links

Nil

Statutory Environment

Section 6.4(1) of the *Local Government Act 1995* requires the Shire of Murray to prepare financial reports as prescribed. Regulation 13 of the *Local Government (Financial Management) Regulations 1996* governs the requirement to provide to Council a detailed listing of all payments made from the Municipal and Trust bank accounts and outlines the form, content and timing of this report.

Sustainability & Risk Considerations

Economic - (Impact on the Economy of the Shire and Region)

Nil

Social - (Quality of life to community and/or affected landowners)

Nil

Environment – (Impact on environment's sustainability)

Nil

Policy Implications

Nil

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	Failure to present a detailed listing of payments made from the Shire bank accounts in the prescribed form would result in non-compliance with the Local Government (Financial Management) Regulations 1996, which may result in a qualified audit.

Consultation

Nil

Resource Implications

Financial

Nil

Workforce

Nil

Options

Council has the option of:

1. Receiving the Payments from Municipal and Trust Funds report for September 2021.
2. Not receiving the Payments from Municipal and Trust Funds report for September 2021.

Conclusion

The Payments from Municipal and Trust Funds report has been prepared in accordance with the Local Government (Financial Management) Regulations 1996 and is presented to Council for information. All accounts are for goods and services that have been duly incurred and authorised for payment in accordance with the budget allocation and statutory obligations.

15.5 Monthly Financial Report – September 2021

File Ref: 8013-01
 Author and Title: Tamara Tabor Finance Coordinator
 Voting Requirements: Simple Majority

Appendix 8

Recommendation

That Council receives the September 2021 Monthly Financial Report as presented.

In Brief

This monthly financial report is presented to Council to outline the Shire of Murray's financial position as at the reporting date, in line with the requirements of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

Background

The *Local Government Act 1995* in conjunction with regulation 34(1) of the *Local Government (Financial Management) Regulations 1996* requires a monthly Statement of Financial Activity to be presented to Council. This Statement is to include:

- a. Annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c) of the *Local Government Act 1995*;
- b. Budget estimates to the end of the month to which the statement relates;
- c. Actual amounts of expenditure, revenue and income to the end of the month to which these statements relate;
- d. The material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- e. The net current assets at the end of the month to which the statement relates.

Report Detail

The monthly financial report for September 2021 identifies the financial position of Council as at the reporting date and consists of:

- Statement of Financial Activity
- Notes to Statement of Financial Activity:
 - * Monthly Summary Information
 - * Significant Accounting Policies
 - * Net Current Funding Position
 - * Cash and Investments
 - * Receivables
 - * Capital Acquisitions
 - * Operating Grants and Contributions
 - * Non Operating Grants and Contributions
 - * Cash Backed Reserves
 - * Budget Amendments
 - * Variances

Murray 2031 Strategic Community Plan

Focus Area	Capable and Accountable
Aspiration	To develop strong leadership through good governance, effective communication and ensuring value for money.
Strategy	Establish a strong corporate governance framework to ensure high standards of integrity, ethics and accountability.

Other Strategic Links

Shire of Murray 2021/2022 Annual Budget

Statutory Environment

Section 6.4(1) of the *Local Government Act 1995* requires the Shire of Murray to prepare financial reports as prescribed. Regulation 34 of the Local Government (Financial Management) Regulations 1996 outlines the form, content and timing of the monthly financial reports prepared for presentation to Council.

Sustainability & Risk Considerations*Economic - (Impact on the Economy of the Shire and Region)*

Timely submission of detailed monthly financial reports allows Council to monitor the financial performance of the Shire and review any adverse financial trends that may impact on the Shire's financial sustainability.

Social - (Quality of life to community and/or affected landowners)

Nil

Environment – (Impact on environment's sustainability)

Nil

Policy Implications

Nil

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Moderate	Failure to monitor the Shire's ongoing financial performance would increase the risk of a negative impact on the Shire's financial position.
Low	Non-compliance with legislative requirements may result in a qualified audit.

Consultation

Nil

Resource Implications*Financial*

Nil

Workforce

Nil

Options

Council has the option of:

1. Receiving the monthly financial report for September 2021.
2. Not receiving the monthly financial report for September 2021.

Conclusion

This monthly financial statement has been prepared in accordance with the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

15.6 Western Australian Local Government Association Lobby for Superannuation

File Ref:	1409-26
Previous Items:	Nil
Applicant:	Western Australian Local Government Association
Author and Title:	Dean Unsworth, Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Appendix 9

Recommendation

That Council does not support the proposal for the Western Australian Local Government Association to lobby for superannuation to be provided to Elected members.

In Brief

The Western Australian Local Government Association (WALGA) is seeking feedback on a draft policy proposal, as per **Appendix 9** to advocate for Elected Members to be required to be paid superannuation.

Background

WALGA is requesting feedback from local governments as to whether to advocate for superannuation being paid to elected members. The recommended advocacy approach from WALGA is to propose that the *Local Government Act 1995* be amended to facilitate the payment of superannuation to Elected Members in addition to fees and allowances.

This approach is proposed as it avoids the problems associated with the current arrangements around the need to withhold income tax and pay fringe benefits tax.

Feedback from the Local Government sector will inform a State Council agenda item, which will be considered at November Zone meetings and the 1 December meeting of State Council. Following a State Council.

Murray 2031 Strategic Community Plan

This proposal is not within the Murray 2031 Strategic Community Plan.

Other Strategic Links

Nil

Statutory Environment

Nil

Sustainability & Risk Considerations

Economic - (Impact on the Economy of the Shire and Region)

Nil

Social - (Quality of life to community and/or affected landowners)

Nil

Environment – (Impact on environment's sustainability)

Nil

Policy Implications

Nil

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	There is minimal financial risk to Council.

Consultation

Nil

Resource Implications

Financial

The Shire of Murray is considered a ‘Band 2’ local government. The range of allowances that can be paid to a Band 3 is as follows:

	Range From	Range To	Maximum superannuation liability
President Allowance	15,377	63,354	6,335
Deputy President Allowance	3,844	15,839	1,584
President Meeting Allowance	14,865	31,149	3,115
Councillors Meeting Allow (x8)	118,920	185,840	18,584
TOTALS	153,006	296,182	29,618

Currently, the allowances paid are as follows:

President	36,058
Deputy President	9,015
Councillors (x9)	143,721
Superannuation liability would be:	18,879

Workforce

There would be some additional administration tasks to be undertaken by payroll staff.

Options

1. Supporting the proposal to provide superannuation to elected members.
2. Not supporting the proposal to provide superannuation to elected members.

Conclusion

The proposal is problematic in terms of whether an elected member is an employee. By providing superannuation, it then deems elected members as employees of a local government and then potentially blurs the line between the role of an elected member and the role of the Chief Executive Officer.

The WALGA report states that ‘many Elected Members are sacrificing opportunities for paid work to serve their community on Council’.

With that statement, the remedy would be to increase the allowances being paid to Elected Members rather than blurring the lines of elected members and administration staff.

The WALGA report also states that “it is crucial to the functioning of Local Government that Elected Members are appropriately remunerated for their time and contribution”.

This comment is certainly true. However, the pathway WALGA should consider is to lobby for the Salaries and Allowances Tribunal to review its band levels for Elected Members.

15.7 Review of Policy G11 - Purchasing

File Ref:	1157		
Previous Items:	OCM. 22 Oct 20	Item 11.9	(OCM20/191)
	OCM. 25 Mar 21	Item 11.2	(OCM21/033)
	OCM. 22 Apr 21	Items 11.1 & 11.2	(OCM21/62 & 63)
	OCM. 22 July 21	Item 11.6	(OCM21/114)
Author and Title:	Robert Marlborough, Manager Governance		
Declaration of Interest:	Nil		
Voting Requirements:	Absolute Majority		

Appendix 10 – G11- Purchasing

Recommendation

That Council adopts the amendments to Policy G11 - Purchasing, as detailed and provided at Appendix 10.

In Brief

To consider minor amendments to the Policy G11 that relates to the Shire's broad purchasing framework.

Background

Council policies are reviewed periodically to ensure alignment with the organisational structure and overall effectiveness, or as legislation changes to meet compliance obligations.

Council policies are broadly designed to:

- outline positions on particular matters;
- support consistency and equity in decision making;
- provide promptness to respond to customer needs; and
- support operational efficiency.

The last review of this policy was undertaken in July 2021. The amendments supported during the last review achieved changes:

- within the purchasing thresholds to establish that an online procurement portal is the preferred method of sourcing quotes for the supply of goods and services, up to the value of \$250,000;
- relating to buy local. The flat \$15,000 for purchases between \$100,000 and \$150,000 and the flat \$20,000 for purchases between \$150,001 and \$250,000, (for assessment purposes), only apply during a state of emergency declaration as prescribed in the *Emergency Management Act 2005*, section 3; and
- deleted the footnote in the Policy as it was no longer required, as the \$250,000 for the requirement to invite tenders is now prescribed in the *Local Government (Functions and General) Regulations 1996*.

Report Detail

Following the last review, operational concerns were raised regarding the changes to the threshold for purchasing up to the value of \$5000, that subsequently created unnecessary work activities where a written quote for the day to day purchases that occur on an adhoc basis to satisfy immediate work requirements was required, rather than the prior process where verbal quote was possible.

As an example, with the current requirements. To purchase a replacement shovel (which generally is from local suppliers). A formal request for a quote would need to be submitted

through vendor panel. There would, in the majority of cases be time delays in receiving responses through this process.

Amending the purchasing policy as outlined, reintroduces flexibility for purchasing by enabling a verbal quote in the case of purchasing up to \$5000 and also the use of the open market outside the Vendor Panel arrangement. Similarly broadening the purchasing options to use the open market in the threshold for purchasing over \$5,000 and up to \$50,000 also minimises unnecessary work and provides improved opportunities for buy local.

Further changes suggested, relate to clauses 3.1 and 3.2 to recognise the Code of Conduct for Employees that is soon to be administratively implemented by the Chief Executive Officer. Other minor edits relate to clause 4.1 and clause 7 to correctly reflect the policy broad intent.

For clarity the proposed amendment to this Policy are provided for Council's information in full at **Appendix 10**. Insertions are in bold italic text and deletions have been struck-through.

Murray 2031 Strategic Community Plan

Focus Area	Capable and Accountable
Aspiration	To develop strong leadership through good governance, effective communication and ensuring value for money.
Strategy	Deliver efficient and effective Council services to the community.

Murray 2021 - 2025 Corporate Business Plan

Nil

Other Strategic Links

Nil

Statutory Environment

Local Government Act 1995 - Section 2.7 Role of Council

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

Note: Generally, policy amendments or the adoption of policies only require a simple majority decision, except in the case of:

Policy M5 - Council Members Continuing Professional Development;

Policy M7 - Attendance at Events and Functions; and

Policy G10 - Appointment of Acting Chief Executive Officer.

Sustainability & Risk Considerations

Economic – (Impact on the Economy of the Shire and Region)

The proposed policy amendments will not financially impact the community.

Social – (Quality of life to community and/or affected landowners)

Nil

Environment – (Impact on environment’s sustainability)

Nil

Policy Implications

The proposed policy amendment does not negatively impact other existing Council policies.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	Implementing the policy changes as proposed resolves minor anomalies and provide corrections as necessary to ensure working effectiveness. The risk of negative community comment with the proposed amendments is limited.

Consultation

Nil

Resource Implications

Financial

Nil

Workforce

Nil

Options

Council has the option of:

1. Supporting the recommendation, as proposed.
2. Rejecting the recommendation, and determine an alternate position.
3. Rejecting the recommendation and retain the current policy position.

Conclusion

The ongoing development and periodic review of Council policies generally ensures efficient and effective use of resources and provides up to date guidance to support the decision-making. Furthermore, it ensures compliance with legislative requirements and best practice based on the principles of equity, fairness and transparency. The proposed policy amendments suggested reintroduce improved flexibility, alignment to the code of conduct for employees that is soon to be implemented and enhance buy local support.

15.8 Review: Policy F9 - Covid 19 Financial Hardship & Policy A10 - Staff Farewells and Presentations

File Ref:	1157		
Previous Items:	OCM. 27Aug 20	Item 11.3	(OCM20/153)
	OCM.22 Oct 20	Item 11.9	(OCM20/191)
	OCM.25 Mar 21	Item 11.2	(OCM21/033)
	OCM. 22 Apr 21	Items 11.1 &11.2	(OCM21/62&63)
	OCM. Jul 21	Item 11.6	(OCM21/114)
Author and Title:	Robert Marlborough, Manager Governance		
Declaration of Interest:	Nil		
Voting Requirements:	Simple Majority		

Policy F9 - Covid 19 Financial Hardship Appendix 11 Policy A10 - Staff Farewells and Presentations Appendix 12

Recommendation

That Council adopt the amendments to Policy F9 - Covid 19 Financial Hardship & Policy A10 - Staff Farewells and Presentations, as detailed and provided at Appendix 11 and 12.

In Brief

To consider amendments to Policy F9 and Policy A10 to ensure working effectiveness.

Background

Council policies are reviewed periodically to ensure alignment with the organisational structure and overall effectiveness, or as legislation changes to meet compliance requirements.

Council policies are broadly designed to:

- outline positions on particular matters;
- support consistency and equity in decision making;
- provide promptness to respond to customer needs; and
- support operational efficiency.

Policy F9 was originally adopted on 23 April 2020 during the declared state of emergency associated with Covid 19. This policy was and is aimed specifically at ratepayers who are suffering financial hardship, resulting in their inability to meet their obligation to pay outstanding rates. The financial effects from Covid 19 are still ongoing.

Policy A10 was originally adopted on 19 November 1998. A review in June 2015 updated specific monetary values for gifts at staff farewells based on the length of service, plus other minor text updates. The last review of this policy was on 22 February 2018 which resulted in very minor text and grammatical updates.

Report Detail

The proposal presented for Council to consider is:

- a minor amendment to Policy F9 - Covid 19 Financial Hardship to extend its operation to the current financial year (2021/2022). This is to ensure ongoing support for ratepayers suffering Covid 19 financial hardship, effecting their ability to meet obligations to pay outstanding rates.
- amendments to Policy A10 - Staff Farewells and Presentations to:

- update text to provide for improved clarity and general understanding;
- increase the length of employment from 2 years to 5 years where Council formally support a farewell function for leaving employees, unless otherwise determined by the Chief Executive Officer of Shire President; and
- update the monetary values applicable for suitable gifts based on length of service.

For clarity the proposed amendment to the policies identified are provided for Council's information in full at **Appendix 11 and 12**. Insertions are in bold italic text and deletions have been struck through.

Murray 2031 Strategic Community Plan

Nil

Murray 2021 - 2025 Corporate Business Plan

Nil

Other Strategic Links

Nil

Statutory Environment

Local Government Act 1995

Section 2.7 Role of Council

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

Note: Generally, policy amendments or the adoption of policies only require a simple majority decision, except in the case of:

Policy M5 - Council Members Continuing Professional Development;

Policy M7 - Attendance at Events and Functions;

Policy G10 - Appointment of Acting Chief Executive Officer.

Sustainability & Risk Considerations

Economic – (Impact on the Economy of the Shire and Region)

The amendment proposed to Policy A10 does increase the value of a suitable gift for employees leaving by between \$50 and \$100, depending on length of service. The amendment to Policy F9 continues to support the ongoing recovery of outstanding rates. Neither amendment will significantly impact the economy of the Shire or the Region.

Social – (Quality of life to community and/or affected landowners)

Nil

Environment – (Impact on environment's sustainability)

Nil

Policy Implications

The proposed policy amendments do not negatively impact other existing Council policies.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	Implementing the policy changes as proposed, is not likely to give rise to negative community feedback or be reputationally adverse.

Consultation

Nil

Resource Implications*Financial*

Increasing the suitable gift for employees leaving by between \$50 and \$100 will add additional costs if and when qualifying employees leave. However, an adequate budget provision is already provided for this type expenditure.

Workforce

Nil

Options

Council has the option of:

1. Supporting the recommendation, as proposed.
2. Rejecting the recommendation, and determining an alternate position.

Conclusion

The ongoing development and periodic review of Council policies ensures efficient and effective use of resources and provides guidance during the decision-making process, and ensure compliance with legislative requirements supports best practice based on the principles of equity, fairness and transparency.

15.9 Peel Development Commission Board Nominations

File Ref: 1628
 Applicant: Peel Development Commission
 Author and Title: Dean Unsworth, Chief Executive Officer
 Voting Requirements: Simple Majority

Appendix 13

Recommendation

That Council endorses Cr’s nomination to the Peel Development Commission Board.

In Brief

- Council has been invited to support a Councillor nomination to join the Peel Development Commission Board to replace.

Background

The Peel Development Commission is seeking nominations for one Local Government representative vacancy on its Board due to one member’s term expiring on 31/12/19. All local governments in the Peel region are invited to nominate up to two Councillors, who are willing and able to be candidates, for appointment. Applicants should be experienced in economic development and investment attraction. Other qualities should include decision making abilities, business acumen, an ability to work cooperatively within a team environment and interests relevant to the Peel community. The length of term is for a maximum three years. Meetings are held approximately bi-monthly and held at various locations within the Peel region. Duration of meetings are from 3 – 7 hours. Meeting fees are \$403 for a half-day and \$622 for a full day. There are approximately 5 meetings held per year.

Report Detail

The objectives of the Commission are to:

- Maximise job creation and economic diversification within the region;
- Develop and broaden the economic base of the region;
- Identify infrastructure services to promote economic and social development within the region;
- Provide information and advice to promote business development within the region;
- Seek to ensure that the general standard of government services and access to those services in the region is comparable to that which applies in the metropolitan area; and
- Generally take steps to encourage, promote, facilitate and monitor the economic development in the region.

Other Strategic Links

Nil

Statutory Environment

Nil

Sustainability & Risk Considerations

Economic - (Impact on the Economy of the Shire and Region)

Nil

Social - (Quality of life to community and/or affected landowners)

Nil

Environment – (Impact on environment’s sustainability)

Nil

Policy Implications

Nil

Consultation

Peel Development Commission

Resource Implications

Financial

There are no financial implications to the Shire of Murray.

Workforce

There are no workforce implications to the Shire of Murray.

Options

Council has the option of:

1. Endorsing a Shire of Murray representatives to join the Peel Development Board for the next three (3) years.
2. Not endorsing a nomination.

Conclusion

As contained within this report.

15.10 Contestable Electricity Supply for Member Local Governments

File Ref:	1/2345
Previous Items:	Nil
Authors and Titles:	Robert Marlborough, Manager Governance
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

ACCC Final Determination - Appendix 14
WALGA Procurement Plan - Appendix 15
WALGA Energy Framework Offer - Appendix 16

Recommendation

That Council supports the Chief Executive Officer:

- 1. endorsing a commitment with the Western Australian Local Government Association to support the Energy Framework Offer by Synergy for the supply of electricity to Shire of Murray owned properties or infrastructure at locations determined contestable, based on the unbundled offer (Option 1), accompanied with a 100 percent renewable adoption;**
- 2. subject to satisfactory discussions,**
 - a) enter into a formal contract with Synergy under a future Power Purchase Agreement facilitated by the Western Australian Local Government Association for the supply of electricity to Shire of Murray owned properties or infrastructure at locations determined to be contestable, based on the unbundled offer (Option 1), accompanied with a 100 percent renewable adoption; and**
 - b) for a period of 3 years initially and for a further term of 10 years, if advantageous to the Shire.**

In Brief

To seek Council support for a written commitment being provided to the Western Australian Local Government Association (WALGA) by the deadline of 18 November 2021 in order to set in place a transitional plan for the Shire's electricity supply a contract arrangement WALGA have developed with Synergy by way of tender, under the Energy Framework Offer and future power purchasing agreement.

Background

In June 2021 the Western Australian Local Government Association (WALGA) commenced Phase One of an Energy Sustainability and Renewables Project to formally investigate a joint renewable energy purchasing group (Member Local Governments) to pool demand and collectively tender for and negotiate an electricity supply arrangement. The Shire of Murray supported this project under a Memorandum of Understanding.

The WALGA lead project aimed to support Member Local Governments in achieving renewable energy policy targets and reducing the cost of electricity, gas, and carbon offsets for the sector.

The first phase aimed to reduce Members' current energy supply costs whilst also providing a commercial solution to renewable energy utilising Western Australian wind, solar and biomass projects.

WALGA advises that Member Local Governments overwhelmingly supported the energy initiative and further work as follows, was then undertaken:

- WALGA governance endorsement (Finance and Services Committee);
- Officer engagement and measurement of collective sector load;
- Legal advisory support inclusive of ACCC exemption for a sector buying group;
- Indicative pricing requests lodged with major retailers with responses currently under evaluation;
- development of project brief, steering committee and procurement plan; and
- industry and Local Government briefings at Office, Council and Zone level.

WALGA indicated that the aggregate collective sector spend would realise a competitive energy structure and a more affordable option for Members Local Governments to obtain renewable energy. By collaborating, aggregating and aligning energy, renewable and carbon spending, the sector could position itself as industry leader in achieving net zero energy policy targets.

Following the completion of Phase One, Synergy were awarded the supply of energy, renewables and integrated projects encompassed in Phase One of the Energy Sustainability and Renewables Project, subject to contracting, satisfaction of minor variations and the minimum thresholds of Local Government participation reached.

WALGA estimates the product developed would deliver a collective saving of 5 million dollars a year and deliver the single largest reduction in carbon footprint for the Local Government sector if, fully adopted.

WALGA concluded that an alternate solution was necessary in order to align contracts and develop integrated systems to allow for proper aggregation. A Steering Group comprising of WA Local Governments was assembled with the task of conceiving an optimal solution to rising energy costs and inflated renewables prices. The founding members of this Steering Group included: Stirling, Mandurah, Perth, Fremantle, Cockburn, Bayswater, Canning, Joondalup, Wanneroo, Gosnells and Armadale.

As part of the greater Energy Sustainability and Renewables Project, the scope of the exercise and of Phase One was the aggregation of contestable energy supply. In general terms the phasing was, as follows:

- Phase 1 – Contestable energy supply and Renewable Energy options;
- Phase 2 – Load shifting, minimising cost (i.e. energy management systems, contestability assessments, understanding emissions, non-contestable supply investigation, preparation for carbon offset integration and preparation for a Power Purchasing Agreement (PPA));
- Phase 3 – Carbon management, offsets, integrated technologies;
- Phase 5 – Long Term PPA;
- Phase 6 – Sustainable Fleet Transition and Sustainable Infrastructure Technologies; and
- Phase 7 – Large-scale Local Government Sustainability projects.

Using this staged approach, WALGA looked to develop a long-term partner, or consortium of partners, to provide energy and sustainability solutions for the sector. Three key objectives for the greater project include:

- Enhance access to and development of renewable energy for Western Australian Local Government thereby driving positive climate change outcomes;
- Diversify supply options and application of new technology; and
- Leverage the best price outcomes for Local Government supply.

On 28 November 2021, the Finance and Services Committee, a delegated authority of State Council endorsed the recommendation from the Energy Sustainability and Renewables Local Government Steering Group to award the supply to Synergy.

On 26 August 2021, the Australian Competition & Consumer Commission (ACCC) granted authorisation to WALGA to enable local governments who are current and future members of a proposed joint renewable energy purchasing group to pool their demand and collectively tender for and negotiate an electricity supply arrangement. The ACCC granted authorisation for 15 years, until 30 September 2036. The ACCC determined the period intended to cover an initial 3-year agreement, which will provide price transparency to the Proposed Energy Group and align Local Government contract terms for the development of a longer-term 10-year agreement when the initial 3-year agreement expires.

Report Detail

As outlined, WALGA have been progressing an Energy Sustainability and Renewables Project to enable Member Local Governments to collectively pool contestable electricity demand to support achieving broad sector savings, which are estimated to be in the region of 5 million and to further support future renewable energy opportunities.

The Shire’s current electricity supply for contestable sites, as detailed in the financial section of this report are contracted to Alinta Energy, until 30 June 2023. WALGA are aware of this existing contractual obligation and have advised that at the conclusion of the Alinta contract, rollover to Synergy under the Energy Offer Framework is achievable.

It is recommended that Council support the recommendation provided to firstly, commit to the Energy Framework Offer provided by WALGA for the supply of electricity by Synergy to Shire of Murray owned properties or infrastructure at locations determined contestable, based on the unbundled offer, inclusive of renewable energy options, and to further support a formal contract arrangement with Synergy over an initial and subsequent term following the expiry of the Alinta Energy contract.

Once a formal commitment has been provided, WALGA will deem it as confirmation to enter into agreement with Synergy under the agreed terms. For Councils information the WALGA Procurement Plan and Energy Offer Framework are provided in full as appendices to this report.

Murray 2031 Strategic Community Plan

Focus	Capable and Accountable
Aspiration	Continue to developed strong leadership through good governance, effective communication and ensuring value for money.
Strategy	Maintain long term financial sustainability.

Murray 2021 - 2025 Corporate Business Plan

Nil

Other Strategic Links

Nil

Statutory Environment

Section 3.57 of the *Local Government Act 1995* deals with Tenders

3.57. Tenders for providing goods or 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 or services.
- (2) Regulations may make provision about tenders.

Part 4, Division 2 of the *Local Government (Functions and General) Regulations 1996* relates to tenders for providing goods or services.

Regulation 11 details when tenders have to be publicly invited

(1A) In this regulation —

state of emergency declaration has the meaning given in the *Emergency Management Act 2005* section 3.

- (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
 - (b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or
 - [(ba) *deleted*]
 - (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
 - (ii) the local government has, under regulation 21(1), sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tenderer; or
 - (d) the contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government; or
 - (e) the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government; or
 - (ea) the goods or services are to be supplied —
 - (i) in respect of an area of land that has been incorporated in a district as a result of an order made under section 2.1 of the Act changing the boundaries of the district; and
 - (ii) by a person who, on the commencement of the order referred to in subparagraph (i), has a contract to supply the same kind of goods or services to the local government of the district referred to in that

- subparagraph; or
- (f) the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or
 - (g) the goods to be supplied under the contract are —
 - (i) petrol or oil; or
 - (ii) any other liquid, or any gas, used for internal combustion engines; or
 - (h) the following apply —
 - (i) the goods or services are to be supplied by —
 - (I) a person registered on the Aboriginal Business Directory WA published by the Chamber of Commerce and Industry of Western Australia Limited ABN 96 929 977 985; or
 - (II) a person registered with the Australian Indigenous Minority Supplier Office Limited (trading as Supply Nation) ABN 50 134 720 362; and
 - (ii) the consideration under the contract is \$250 000 or less, or worth \$250,000 or less; and
 - (iii) the local government is satisfied that the contract represents value for money; or
 - (i) the goods or services are to be supplied by an Australian Disability Enterprise; or
 - (j) the contract is a renewal or extension of the term of a contract (the original contract) where —
 - (i) the original contract was entered into after the local government, according to the requirements of this Division, publicly invited tenders for the supply of goods or services; and
 - (ii) the invitation for tenders contained provision for the renewal or extension of a contract entered into with a successful tenderer; and
 - (iii) the original contract contains an option to renew or extend its term; and
 - (iv) the supplier's tender included a requirement for such an option and specified the consideration payable, or the method by which the consideration is to be calculated, if the option were exercised; or
 - (ja) the contract is a renewal or extension of the term of a contract (the **original contract**) where —
 - (i) the original contract is to expire within 3 months; and
 - (ii) the renewal or extension is for a term of not more than 12 months from the expiry of the original contract; and
 - (iii) the contract for renewal or extension is entered into at a time when there is in force a state of emergency declaration applying to the district, or part of the district, of the local government; or
 - (k) the goods or services are to be supplied by a pre-qualified supplier under Division 3.
- (3) For the purposes of subregulation (2)(aa) a supply of goods or services is associated with a state of emergency if —
- (a) the contract for the supply is entered into while there is in force a state of emergency declaration applying to the district, or part of the district, of the local government; and

- (b) the local government considers that the goods or services are required for the purposes of addressing a need arising from the hazard, or from the impact or consequences of the hazard, to which the state of emergency declaration relates.

Sustainability & Risk Considerations

Economic – (Impact on the Economy of the Shire and Region)

The potential for a reduction in cost for the supply of electricity to Shire properties and infrastructure, if deemed contestable and inclusive renewable options is not likely to adversely affect the local economic environment.

Social – (Quality of life to community and/or affected landowners)

Nil

Environment – (Impact on environment's sustainability)

Opting into electricity supplies from renewable energy sources supports reducing carbon emissions.

Policy Implications

The purchasing arrangement under consideration, facilitated by WALGA through the process undertaken, aligns with the Shires Purchasing Policy - G11 and it also meets the legislative requirements, as Tender exempt under the *Local Government Act 1995* and Regulation 11 (2)(b) of the *Local Government (Functions and General) Regulations 1996*. No other adverse policy impacts are evident.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	Committing to the WALGA Energy Framework Offer is not likely to create adverse community comment or impact reputational risk.

Consultation

Nil

Resource Implications

Financial

In the previous two financial years the total expenditure at Shire facilities for electricity supplies was collectively \$619,697 and \$682,132. A contract is currently in place with Alinta Energy for the supply of electricity to the following sites, until 30 June 2023.

- Lot 3 Camp Rd, Pinjarra WA 6208 (Murray Aquatic and Leisure Centre)
- Dixon Ave, Pinjarra WA 6208 (Pinjarra Multipurpose Community Facility)
- Murray St, Pinjarra WA 6208 (Shire Office)
- Lot 57 / 22 Forrest St, Pinjarra WA 6208 (Murray Library)
- U2 / Lot 14 Murray St, Pinjarra WA 6208 (Murray House Resource Centre)

The cents per kilowatt hour (c/kWh) electricity rates for supply under this contract, is as follows:

Alinta	On Peak c/kWh	Midday Saver c/kWh	Off Peak c/kWh	Supply Admin Fee \$ / day Per Site	Annual Review	Supply Period
	22.812*	N/A	16.960*	1.990*	CPI	24 mths

The WALGA offer provides two direct options for consideration and support for renewable energy:

Option 1 - Western Australia Uniform Supply

Unbundled Supply Period (3 Years)					
1/04/2022 - 31/03/2023 (Yr. 1)		1/04/2023 - 31/03/2024 (Yr. 2)		1/04/2024 - 31/03/2025 (Yr. 3)	
Peak (c/kWh)	Off-Peak (c/kWh)	Peak (c/kWh)	Off-Peak (c/kWh)	Peak (c/kWh)	Off-Peak (c/kWh)
5.691	5.174	5.940	5.400	5.862	5.329
Daily Supply Charge (Per NMI)		N/A (\$0)			
CPI		There will be no CPI adjustments to any of the products enclosed in the offer, for the duration of the term.			
Benchmarking range for non-Commodity Cost (Applied flat)		Low-Point Rate (c/ kWh)		High-Point Rate (c/ kWh)	
		13.692		18.322	
Local Government's managing their energy profiles and consumption may expect lower non-commodity costs. Factors such as remote locality and intermittent supply result in a higher rate.					
Weighted Average Price (Calculated using the total WA portfolio. Each Local Government will have minor variations due to unique energy profiles)				Flat (c/ kWh)	
				5.57	

Option 2 - Specific to the Shire of Murray

Bundled Supply Period - (End of Existing Agreement – 31/3/2025)	
Peak (c/kWh)	Off-Peak (c/kWh)
23.08	14.50
Daily Supply Charge (Per NMI)	\$2.51
CPI	There will be no CPI adjustments to any of the products enclosed in the offer, for the duration of the term.

Renewable Energy

Natural Power (Renewable Energy) Option available per Supply Period		
1/04/2022 - 31/03/2023 (Yr. 1)	1/04/2023 - 31/03/2024 (Yr. 2)	1/04/2024 - 31/03/2025 (Yr. 3)
Rate (c/ kWh)	Rate (c/ kWh)	Rate (c/ kWh)
3.00	2.60	2.23
CPI	There will be no CPI adjustments to any of the products enclosed in the offer, for the duration of the term.	

In the previous two financial years the total expenditure at Shire facilities for electricity supplies was collectively \$619,697 and \$682,132.

A contract is currently in place with Alinta Energy for the supply of electricity to the following sites until 30 June 2023.

- Lot 3 Camp Rd, Pinjarra WA 6208 (Murray Aquatic and Leisure Centre)
- Dixon Ave, Pinjarra WA 6208 (Pinjarra Multipurpose Community Facility)
- Murray St, Pinjarra WA 6208 (Shire Office)
- Lot 57 / 22 Forrest St, Pinjarra WA 6208 (Murray Library)
- U2 / Lot 14 Murray St, Pinjarra WA 6208 (Murray House Resource Centre)

The electricity rates for supply, are detailed as follows:

Alinta	On Peak c/kWh	Midday Saver c/kWh	Off Peak c/kWh	Supply Admin Fee \$ / day Per Site	Annual Review	Supply Period
	22.812*	N/A	16.960*	1.990*	CPI	24 mths

Workforce

Sufficient staff resources are available to progress participation in the energy scheme facilitated by WALGA.

Options

Council has the option of:

1. Supporting the recommendation, as proposed.
2. Rejecting the recommendation and determine an alternate position.

Conclusion

The energy market in Western Australia is restricted in supply options when compared to the eastern states. The project facilitated by WALGA offers a unique local opportunity for participating local governments to collectively pool contestable electricity demand to provide a real opportunity to reduce costs and also support renewable energy.

15.11 Adoption - Shire of Murray Extractive Industries Local Law 2021

File Ref:	1119
Previous Items:	OCM. June 21 Item 11.2 (OCM21/084)
Authors and Titles:	Robert Marlborough, Manager Governance
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority

Appendix 17 – Shire of Murray Extractive Industries Local Law 2021**Recommendation****That Council**

1. **adopts “by Absolute Majority” the Shire of Murray Extractive Industries Local Law 2021 as detailed and provided at Appendix 17 pursuant to the provisions of the *Local Government Act 1995*; and**
2. **supports the finalisation of this local law by;**
 - (a) **publishing a copy in the *Government Gazette* and by statewide and local public notice in accordance with s1.7 and s1.8 of the *Local Government Act 1995*;**
 - (b) **forwarding copies to the Minister for Local Government; and**
 - (c) **endorsing and submitting all explanatory memoranda, statutory procedures, checklists and other supporting information on this local law to the Joint Standing Committee on Delegated Legislation and other departments, as required.**

In Brief

To seek Council support to formally make the Shire of Murray Extractive Industries Local Law 2021 pursuant to the provisions of the *Local Government Act 1995*.

Background

The current extractive industries local law titled (The Shire of Murray By-law Relating to Extractive Industries) was published in the *Government Gazette* on 14 October 1983 and it is outdated and ineffective to meet the needs of licencing and regulating extractive industries in the district in conjunction with the Shire of Murray Local Planning Scheme.

A report was presented to the June 2021 Ordinary Council Meeting in order to commence the process to formally make a new local law for extractive industries in the district. The following recommendation (OCM21/084) was supported at that meeting.

That Council:

1. *supports the making of the proposed Shire of Murray Extractive Industries Local Law 2021 (local law) in accordance with section 3.12 of the *Local Government Act 1995*, as detailed at Appendix 2;*
2. *supports the proposed local law being advertised in accordance with section 1.8 of the *Local Government Act 1995* and for copies of the proposed local law being made available to the public, with a submission period being open for a minimum period of 6 weeks; and*
3. *be provided with a further report on the proposed local law after the close of submissions to formally make the local law, by Absolute Majority in accordance with the provisions of the *Local Government Act 1995*.*

Following Council's decision, a public notice was advertised in the Mandurah Mail Newspaper on 1 July 2021 inviting submissions on the proposed local until 4pm on 10 September 2021. Local notices were also displayed on the Shire Administration Office and Murray Library noticeboards and the local law proposed was available on the Shires website.

Copies of proposed local law were sent to the Minister for Local Government and the Department of Local Government, Sport and Cultural Industries (the "Department") on the 3 July 2021.

Following the close of the submission period no public submissions were received. The Department have not provided any feedback on the local law proposed to be adopted.

Report Detail

As previously provided, the local law presented for consideration and formal adoption is based on the Shire of Harvey Extractive Industries Local Law that was adopted in March 2017, with modifications to suit local circumstances.

The broad intent of this local law is to prohibit the carrying on of an extractive industry on private land in the district unless by authority of a licence. This provides the lawful means to regulate the carrying on of the extractive industry in order to minimise damage to the environment, roads and other people's health and property and provide for the restoration and reinstatement of any excavation site and also provide the mechanism to create offences and apply modified penalties for contraventions.

Licence applications lodged under the proposed local law will run in parallel with applications for Planning consent under the Shire of Murray Local Planning Scheme. Appropriate delegations will be developed to enable licence applications and all associated matters to be dealt with in a timely and consistent manner.

There is provision for extractive industries licensees to enter into an agreement with the Shire pay any extraordinary expenses incurred in repairing damage caused to thoroughfares in the district by heavy or extraordinary traffic conducted by or on behalf of the licensee under the licence. This has been tested in a Court of competent jurisdiction with the requirement being upheld.

It is recommended that Council support the recommendation presented.

Murray 2031 Strategic Community Plan

Nil

Murray 2021 - 2025 Corporate Business Plan

Nil

Other Strategic Links

Nil

Statutory Environment

Local Government Act 1995 (Act) and subsidiary legislation.

Section 3.12 of the Act, refers to the procedure for making local laws.

Council may make local laws in accordance with Part 3 of the *Local Government Act 1995* and in so doing, all local laws are then to be reviewed within eight years of their commencement date. The process of adopting or amending a local law is set out in s3.12 of the *Local Government Act 1995* and is summarised in Table 1 below, with further information provided.

In addition, Regulation 3 of the *Local Government (Functions and General) Regulations 1996* provides that:

“For the purpose of section 3.12, the person presiding at a Council meeting is to give notice of the purpose and effect of a local law by ensuring that —

- (a) the purpose and effect of the proposed local law is included in the agenda for that meeting; and*
- (b) the minutes of the meeting of the council include the purpose and effect of the proposed local law.”*

The following statement fulfils the requirement defined in Regulation 3:

NOTICE of purpose and effect of the proposed of the Shire of Murray Extractive Industries Local Law 2021;

Purpose:

To prohibit the carrying on of an extractive industry in the district, unless by authority of a licence issued by the local government, regulate the carrying out of the extractive industry in order to minimise damage to the environment, roads and other peoples' health and property, provide for the restoration and reinstatement of any excavation site and to provide penalties for contraventions of the local law.

Effect:

Any person wanting to carry on an extractive industry will need to be licensed and will need to comply with the provisions of the local law.

Timetable

Task	LGA Section	Effective Date
Report to Council for approval to advertise the proposed new Local Law	3.12(2)	Completed June 2021
Give local public notice and make copies available to the general public	3.12(3) & 3(a)	Completed July 2021
Provide a copy of the proposed local law and the notice published to the Minister for Local Government	3.12(3)(b)	Completed July 2021
Closing date for submissions to be received (not less than 6 weeks)	3.12(4)	Closed 10 September 2021
Consider submissions and report back to Council to determine whether to make the Local Law (Absolute Majority required)	3.12(4)	This report
Publish Local Law in Government Gazette and forward a copy to the Minister for Local Government	3.12(5)	November 2021
Give Statewide and local public notice advising that the new law has been made, the title, the purpose and effect and make copies available to the general public	3.12(6)	December 2021

Note: Dates are a guide only

Section 1.7 and 1.8 of the *Local Government Act 1995* (the “Act”) and the *Local Government (Administration) Regulations 1996* (“regulations”) deals with public notices.

1.7. Local public notice (Act)

Where under this Act local public notice of a matter is required to be given, notice of the matter must be —

- (a) published on the official website of the local government concerned in accordance with the regulations; and
- (b) given in at least 3 of the ways prescribed for the purposes of this section.

1.8. Statewide public notice (act)

Where under this Act Statewide public notice of a matter is required to be given, notice of the matter must be given in accordance with section 1.7(a) and (b) and the requirements prescribed for the purposes of this section.

Regulation 3A and 3B - Local Government (Administration) Regulations 1996

3A. Requirements for local public notice (Act s. 1.7)

- (1) For the purposes of section 1.7(a), notice of a matter must be published on the local government’s official website for —
 - (a) the period specified in or under the Act in relation to the notice; or
 - (b) if no period is specified in relation to the notice — a period of not less than 7 days.
- (2) For the purposes of section 1.7(b), each of the following ways of giving notice of a matter is prescribed —
 - (a) publication in a newspaper circulating generally in the State;
 - (b) publication in a newspaper circulating generally in the district;
 - (c) publication in 1 or more newsletters circulating generally in the district;
 - (d) publication on the official website of the Department or another State agency, as appropriate having regard to the nature of the matter and the persons likely to be affected by it, for —
 - (i) the period specified in or under the Act in relation to the notice; or
 - (ii) if no period is specified in relation to the notice — a period of not less than 7 days;
 - (e) circulation by the local government by email, text message or similar electronic means, as appropriate having regard to the nature of the matter and the persons likely to be affected by it;
 - (f) exhibition on a notice board at the local government offices and each local government library in the district for —
 - (i) the period specified in or under the Act in relation to the notice; or
 - (ii) if no period is specified in relation to the notice — a period of not less than 7 days;
 - (g) posting on a social media account administered by the local government for —
 - (i) the period specified in or under the Act in relation to the notice; or
 - (ii) if no period is specified in relation to the notice — a period of not less than 7 days.

3B. Requirements for Statewide public notice (Act s. 1.8)

- (1) For the purposes of section 1.8, one of the ways in which Statewide public notice of a matter must be given is the way prescribed in regulation 3A(2)(a) or (d).

Section 3.12 of the “Act deals with the procedure for making local laws –

- (2) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) The local government is to —
 - (a) give local public notice stating that —
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;
 - and
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

[(3a) *deleted*]

- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.* **Absolute majority required.**
- (5) After making the local law, the local government is to publish it in the *Gazette* and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
- (6) After the local law has been published in the *Gazette* the local government is to give local public notice —
 - (c) stating the title of the local law; and
 - (d) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - (e) advising that the local law is published on the local government’s official website and that copies of the local law may be inspected at or obtained from the local government’s office.
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
- (8) In this section —

making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

Further provisions of the Act.

3.14. Commencement of local laws

- (1) Unless it is made under section 3.17, a local law comes into operation on the 14th day after the day on which it is published in the *Gazette* or on such later day as may be specified in the local law.
- (2) A local law made under section 3.17 comes into operation on the day on which it is published in the *Gazette* or on such later day as may be specified in the local law.

3.15. Local laws to be publicised

A local government is to take reasonable steps to ensure that the inhabitants of the district are informed of the purpose and effect of all of its local laws.

Policy Implications

Nil

Sustainability & Risk Considerations

Economic – (Impact on the Economy of the Shire and Region)

Nil

Social – (Quality of life to community and/or affected landowners)

The local law provides within the licensing requirements for proposed extractive industries for applicants to engage in writing with adjoining landowners before lodging an application. Provisions also enable broader consultation by way of publication in a local newspaper and site-specific signage.

The framework within the proposed local law regulate extractive industries to ensure activities are well managed to reduce possible negative impacts on adjoining landowners.

Environment – (Impact on environment's sustainability)

The robust controls within the local law during the licencing process provide mean to review activities periodically, this supports positive environmental outcomes.

Policy Implications

Council policies are not impacted by this proposal. The *Local Government Act 1995* enables the making of local laws. The community consultation process undertaken meets the requirements of the Act and broadly supports the principals of openness and transparency.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	Adequate framework within the local law proposed regulates extractive industries, where a license is required, to minimise possible damage to the environment, roads, other properties and potential health impacts on other persons. Penalties for contraventions of the local law support compliance and offer a deterrent to contraventions. The level of negative community risk is low given the statutory consultation completed.

Consultation

In accordance the provision of the *Local Government Act 1995*.

Resource Implications

Financial

Funds are provided annually in the Shire of Murray budget to make and review local laws. The cost of making the proposed local law including advertising and publishing in the *Government Gazette* is approximately \$2,500.

Workforce

Sufficient staff resources are available to progress and finalise the proposed local law.

Options

Council has the option of:

1. Supporting the recommendation, as proposed.
2. Rejecting the recommendation, as proposed.

Conclusion

The current local law commenced operating in 1983 and it is over 37 years old. The new local law proposed is contemporary and it provides the broad means to effectively control and manage extractive industry operations, where a license is required. The local law supports the Shire's planning framework and planning consent for this type of land use is required for a licence to be considered.

Recreation, Economic & Community Development

15.12 Community Facility Fund 2021/2022

File Ref:	8/9117-03
Previous Items:	Nil
Author and Title:	Michelle Francis, Sport and Recreation Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Appendix 18 Community Facility Fund 2021/2022 Assessment Summary Appendix 19 Community Facility Fund 2021/2022 Applications

Recommendation

That Council:

- 1. considers the Community Facility Fund 2021/2022 officer assessment and supports the total allocation of \$27,798 plus GST to the following successful applicants:**
 - a. Pinjarra Bowling and Recreation Club for \$9,390 plus GST to install lights to the new bowling green;**
 - b. Pinjarra Cricket Club for \$8,700 plus GST to build a storage shed at Lovegrove Street Hall;**
 - c. Pinjarra Golf Club for \$9,708 plus GST to upgrade the current septic system on the golf grounds; and**
- 2. advises Furnissdale Tennis Club that the club's application was unsuccessful and that the Shire will work with them to ensure adequate planning and support is undertaken to strengthen future funding submissions; and**
- 3. endorse the remaining \$22,202 ex GST in the Community Facility Fund for 21/22 being subject to a second competitive funding round in December 2021.**

In Brief

- Council is requested to consider the applications received in the Community Facility Fund (CFF) 2021/22 round, review the assessment outcomes and endorse or amend officer recommendations.
- Each year Council allocates \$50,000 in the annual budget for the CFF.
- There were two rounds for the 2020/21 CFF as not all funds were allocated in the first round.

Background

The CFF assists incorporated not-for-profit organisations within the Shire to deliver well-planned sport, recreation, and community infrastructure projects. The Shire budgets \$50,000 each year for CFF projects. Applications are open once per year and assessed by officers using CFF criteria outlined in the Guidelines. The applications and officer recommendations are then considered by Council for final endorsement. If not all the funds are allocated due to either a lack of quality or quantity of applications then a second round is offered for the balance of funds.

Applicants can apply for up to 70% of the total project cost (eligible items only) to a maximum of \$20,000.

Report Detail

A total of 4 applications have been received for the 2021/22 funding round with a combined value of \$114,527 excluding GST and a total funding request of \$54,459 ex GST.

The applications have been assessed using the CFF Assessment Matrix which is based upon the Assessment Criteria in the Guidelines. A panel of three officers were elected to assess each application and then provide a rating they deemed accurate. The assessment summary is attached as **(Appendix 18)**, and the applicants and assessments are attached as **(Appendix 19)**. A summary of each application and the assessment is below. Note that all costs are ex GST.

1. Lighting for New Bowling Green, Pinjarra Bowling and Recreation Club

Total Project Cost: \$61,475

CFF Funding Request: \$9,390

The project is the installation of lighting over the new bowling green at Pinjarra Bowling and Recreation Club. A needs analysis was undertaken by the club to ensure its priority to assist the club and its members. Installation of the lighting will allow bowling members to use the green after hours, and permit use for those unable to participate in bowling competitions/training/practice during daylight hours. The community benefits of these lights over the new bowling green will also allow members to avoid the harsh summer sun and heat conditions and permit them to use the green during cooler and low UV times of the day.

The Club has applied to the Department of Local Government, Sport and Cultural Industries; Community Sport and Recreation Facilities Fund to cover a portion of the project costs and the club is also contributing a financial portion of \$9,415 towards the project. The Club is financially well managed and there are small reserves to be used if required.

Assessment: 38/60

Officer comments: Well written application with all mandatory documents included as part of the application. Clearly defined needs and extensive quotes have been sourced for the project cost. The community and member benefits of enabling the club to function during nights will be substantial, this will also contribute as a member retention and possible member recruitment strategy.

Recommendation: Approve funding of \$9,390 plus GST.

2. Shed, Patio and Viewing Area Upgrade, Pinjarra Cricket Club

Total Project Cost: \$23,822

CFF funding Request: \$20,000

The Club is seeking to purchase a new storage shed for the Club's roller and turf preparation equipment, as currently the Club's equipment is deteriorating with no current location to store it at. The previous storage shed is no longer safe for use.

Funding is also sought for construction of a patio along the north wall of the Lovegrove Street Hall, which is the temporary clubrooms for the club. The patio will face the turf wicket and provide additional shade for players and provide a viewing platform for spectators so that they can avoid the harsh conditions of the summer sun and heat.

The Club has over 150 members and caters for cricket programs for seniors and juniors.

Assessment: 32/60

Officer comments: The assessors were unanimously in support of a storage shed for the club with the final location to be discussed with the Shire. However, the proposed Sir Ross McLarty South Pavilion is due to be completed in the next four years and the Lovegrove Street Hall will be demolished. Therefore, officers did not recommend funding infrastructure that will be demolished in under five years. The assessors were in support of a storage shed as that is portable infrastructure.

Recommendation: Approve funding of \$8,700 plus GST for the storage shed.

3. Grounds Septic System Relocation and Replacement, Pinjarra Golf Club

Total Project Cost: \$13,870

CFF funding Request: \$9,709

This project is to relocate and replace the Ground's Facilities Septic Sewerage System at a cost of \$13,870, which includes:

- The provision of a new Septic System consisting of a 4,000 litre septic tank, 2 x 10 metre leach drains and a diverter junction.
- The decommissioning of the existing Grounds Septic System.

This project is Stage 1 of the Club's Grounds Facilities Upgrade project which aims to provide a facility with amenities for the grounds staff at Pinjarra Golf Club. Completion of the Grounds Facility will increase the satisfaction of staff, potentially retain staff for longer and showcase that the club values their grounds staff. Currently the club doesn't have a facility which has suitable amenities.

The new septic system will provide a code compliant, best practice design facility, which will be used by the grounds staff, grounds volunteers, grounds equipment consultants, contractors and suppliers. The current septic system was installed over 40 years ago and is no longer code compliant with Health Regulation 1974, Treatment of Sewerage and Disposal of Effluent and Liquid Waste, last updated May 2018.

An option of adding another smaller septic system, relocating and refurbishing the current system to enable code compliant was considered, however it was determined that it would be costlier than replacing the current system with a single code compliant larger system.

Assessment: 37/60

Officer Comments: Very detailed application with clear demonstration of need.

Recommendation: Approve funding of \$9,709 plus GST.

4. Resurfacing two Tennis Courts, Furnissdale Tennis Club

Total Project Cost: \$15,360

CFF Funding Request: not stated

The Club is wanting to resurface the two front tennis courts at the Furnissdale Tennis Club. Currently the club has approximately 35 senior members, with no junior members.

Assessment: 12/60

Officer Comments: The application was received the day prior to the closing date and did not address the full scope of the works required, with insufficient supporting documentation required to fully assess the proposal, including Information related to the need for the project, community benefit and budget considerations. The application was also unclear about the

amount requested from CFF funding and the funds the Club were prepared to contribute to the project.

Recommendation: Not approve and advise the Club that Shire Officers will assist the Club in building a stronger business case to support future funding applications.

Murray 2031 Strategic Community Plan

Focus Area	Places for People
Aspiration	To create great places for the people through strong partnerships with the community; innovative urban design; and improve the well-being and quality of life for residents.
Strategy	In partnership with communities, identify and prioritise community-led projects and initiatives.

Murray 2021-2025 Corporate Business Plan

Focus Area	Places for People
Objective	Socially connected, safe and cohesive community.
Strategy	In partnership with communities, identify and prioritise community-led projects and initiatives.
Actions	Administer the Community Facility Fund.

Other Strategic Links

Nil

Statutory Environment

Policy C9 – Community Facility Fund

Sustainability & Risk Considerations

Social - (Quality of life to community and/or affected landowners)

There is growing community expectation for local government to enable greater autonomy and activation of their places by the community and for sufficient community infrastructure to support a diverse range of uses, including the Shire’s growing number of sporting organisations and need to provide suitable community, sport and recreation infrastructure. The collaborative approach to projects will develop greater capacity building in our volunteer, community and sporting organisations.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	<p><u>Risk:</u> Funded projects do not go ahead due to poor planning. <u>Mitigation:</u> The process in line with Policy C9 Community Facility Fund which requires a sound level of planning for all projects with supply of evidence. <u>Risk:</u> Unfunded projects are contested. <u>Mitigation:</u> The assessment process is robust and transparent with clear criteria and guidelines.</p>

Consultation

Nil

Resource Implications*Financial*

Funding of CFF applications is accommodated under the current budget.

Workforce

Nil

Options

Council has the option of:

1. Supporting the recommendations proposed.
2. Not supporting the recommendations and proposing alternate funding.

Conclusion

The Community Facility Fund is one of the avenues through which the Shire can support a range of sport, recreation and community organisations to deliver community-led projects that create vibrant, active and inclusive communities that improve the wellbeing of its residents.

The purpose of the CFF is to:

- (a) maximise the opportunity for sport, recreation and community organisations to leverage additional funding for projects from state government, industry, and business;
- (b) encourage small, local community-led infrastructure projects that benefit the community;
and
- (c) respond to the needs of the community.

The CFF applications have been assessed by officers using the criteria in the CFF Guidelines as per Policy C9 Community Facility Fund. While all of the projects are of benefit to the community, the level of project planning and the standard of applications varied greatly, which resulted in potentially worthwhile projects being allocated a low score. Officers will work closely with the clubs to continue to build the capacity of the Shires not-for-profit organisations to develop strong business cases that address project risk through sound planning principles.

Infrastructure Services

15.13 East Keralup Road Works – Tender Selection Criteria and Delegation

File Ref:	5206
Previous Items:	OCM21/100
Author and Title:	Alan Smith, Director Infrastructure Services
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority

Recommendation

That Council:

- 1. Endorses the selection criteria for various works as provided in the body of this report for the engagement of relevant contracts to assist with the completion of the East Keralup Road Works and any associated works;**
- 2. Approves for the Chief Executive Officer to publicly invite tenders State wide for the various works in accordance with the provisions of the Local Government Act 1995; and**
- 3. Delegate responsibility to the Chief Executive Officer to approve tender selection up to a maximum value of \$1,000,000 to enable a proactive turnaround for any contract works with the option of any tender being referred Council for a decision.**

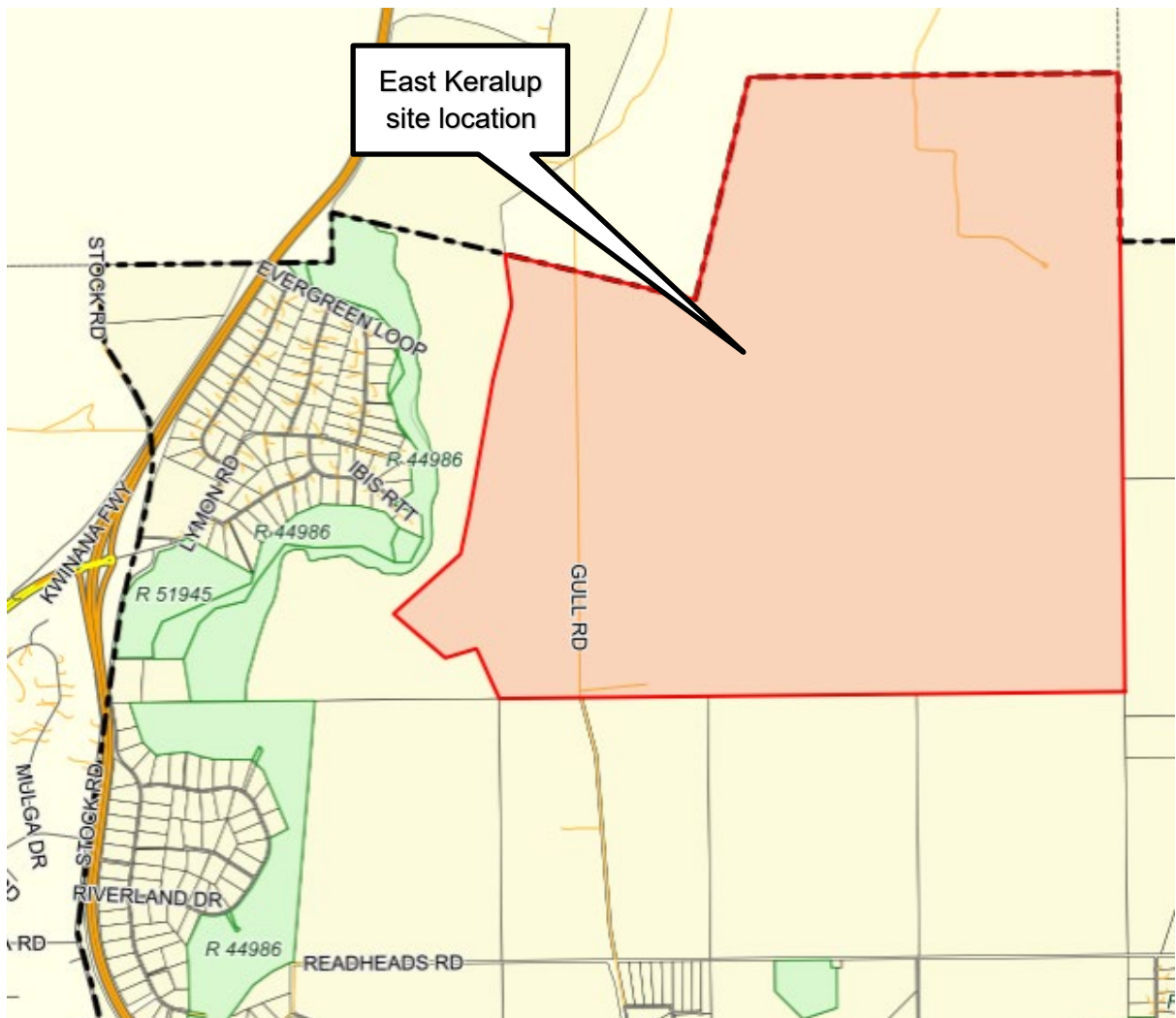
In Brief

- Agreement has previously been reached with DevelopmentWA to construct roads and associated works to service the proposed development at East Keralup.
- Primary roadworks are being coordinated by the Shire of Murray Civil Team.
- Associated works may trigger the need for tenders to be advertised.
- Ensure correct process for tender selection criteria.
- Due to tight timeframes to complete the works delegate a capped value of tendered works to the Chief Executive Officer.
- Where the Chief Executive Officer deems it necessary the tender be directed to Council for approval.

Background

The Shire of Murray and DevelopmentWA have entered into the East Keralup Road Works Agreement and Access Licence for the development of land at the northern end of Gull Road.

Recent subdivision approval has formalised the development outcome to enable the road works within the site to be progressed.



Report Detail

The primary road works required for the subdivision will be delivered by the Shire of Murray Civil Works Team, there are supporting works that need to be undertaken to enable the road works to be progressed with the value of these support works potentially exceeding the \$250,000 purchasing threshold and requiring tenders to be advertised.

There is a need to approve tender selection criteria that will be built into the tender documentation and tender evaluation. There may be a number of tender that vary in detail and contract type therefore a variety of selection criteria is proposed to be recommended.

The primary support works that may require tendering include the following:

- Materials & Transport – Sand, road base etc.
- Relocate the Gauging Station – Design and Contract works.
- Bridge Demolition and Culvert works.
- Clearing and Grubbing operations – Existing vegetation & old plantations.

To engage suitably qualified contractor/consultants it is important to have appropriate selection criteria for the various works, options for selection criteria are provided below:

Detailed Contract Works:

Criteria	Detail	Weighting
Experience	Demonstrated successful experience in similar projects/contracts.	20%
Methodology	Clearly articulate the methodology to be implemented for the project.	10%
Capacity	Outline your capacity to undertake the appointment and the resources to be allocated.	20%
Demonstrated Understanding	Demonstrate your understanding of the project requirements.	10%
Financial Capacity	Price and Price Structure/Financial Capacity to Perform Services.	40%

General Contract Works:

Criteria	Detail	Weighting
Experience	Demonstrated successful experience in similar projects/contracts.	20%
Methodology	Clearly articulate the methodology to be implemented for the project.	20%
Capacity	Outline your capacity to undertake the appointment and the resources to be allocated.	20%
Financial Capacity	Price and Price Structure/Financial Capacity to Perform Services.	40%

The Shire of Murray have agreed timeframes with DevelopmentWA to have works progressed and completed, therefore any ability to improve the turnaround of tenders and contracted works will add value to the delivery of the project within the required timeframes. The option to give delegated authority to the Chief Executive Office for the tender selection would prove beneficial, with the option of any tender being directed to Council where necessary.

Murray 2031 Strategic Community Plan

Focus Area	Thriving Economy.
Aspiration	To create diverse and prosperous economy that supports innovation, training opportunities and provides a variety of business, tourism and employment opportunities.
Strategy	Build and maintain the Transform Peel initiative.

Other Strategic Links

Nil

Statutory Environment

Council Policy W12 – Private Works

Sustainability & Risk Considerations

Economic - (Impact of the Economy of the Shire and Region)

The development of further commercial opportunities will add increased value to the Peel Business precinct, this in turn will provide ongoing job options for the Shire and Region.

Social – (Quality of life to community and/or affected landowners)

Nil

Environment – (Impact on environment's sustainability)

Any required approvals are being sought through the relevant agencies to ensure any works undertaken adheres to the required standards.

Policy Implications

Works proposed within the agreement are within private property and therefore the Council Policy that relates to private works has been enacted to guide the engagement process.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	Ensure the tender requirements are being met and align to the <i>Local Government Act 1995</i> requirements.

Consultation

DevelopmentWA

Resource Implications

Financial

Funding for the project is secured via the East Keralup Road Works Agreement.

Workforce

The project will be delivered utilising existing staff resources.

Options

Council has the option of:

1. Supporting the selection criteria for the various works required for the East Keralup road works.
2. Propose changes to the selection criteria for the various works required for the East Keralup road works.
3. Support the delegation to the Chief Executive for the selection of tenders.
4. Not support the delegation to the Chief Executive for the selection of tenders.

Conclusion

The works being proposed are based within private property and separate to our normal operating works. The Shire has worked closely with DevelopmentWA and their consultants to align a delivery timetable that meets expectation with moderate flexibility to seek required site approvals.

The extent of earthworks and the gauging station works are still being formalised and the ability to have these and other works positively progressed will require the approval of standard selection criteria to enable tender advertising with the further opportunity of delegated approval for the Chief Executive Officer to select tenderers.

By delegating tender selection to the Chief Executive Officer could save up to 4 weeks on any specific tender, allowing for quicker turnaround and improved project planning. It is also very important that should the Chief Executive Officer deem it necessary, that tenders can be referred to Council for a decision.

15.14 Managed Aquifer Recharge – Injection and Recovery Trial Budget Allocation

File Ref:	5/5991		
Previous Items:	Item 10.1.2	OCM 28 July 2011	OCM11/107
	Item 11.2	OCM 8 Sept 2011	OCM11/208
	Item 11.12	OCM 9 Feb 2017	OCM17/016
Author and Title:	Alan Smith, Director Infrastructure Services		
Declaration of Interest:	Nil		
Voting Requirements:	Absolute Majority		

Recommendation

That Council:

1. **supports the funding partners to progress the Managed Aquifer Recharge Injection and Recovery Trial for a total budget of \$120,000;**
2. **allocates \$30,000 from the Business Case Development (Project Number ED0006) for the Aquifer Recharge Injection and Recovery Trail; and**
3. **authorises the Chief Executive Officer to oversee the project financial management for the Managed Aquifer Recharge Injection and Recovery Trial.**

In Brief

- In June 2011 the then Department of Water released a report on the feasibility of Managed Aquifer Recharge (MAR).
- Conservative estimates indicated between 20-100GL is possible in the Cattamarra Aquifer.
- Funding was allocated to commence the initial placement of the trial bores to enable the required integrity testing.
- Further field testing was undertaken in 2018 at the Nambeelup site (Peel Business Park) to further explore groundwater flow modelling.
- The model provided a proof of concept that the proposed recharge volumes are feasible with no adverse impacts with respect to induced pressures during recharge.
- Peel Development Commission (PDC), DevelopmentWA (DevWA), Department of Water and Environmental Regulation (DWER) and the Water Corporation have all indicated they are prepared to invest further funding or expertise to progress to the next stage of an Injection Trial.
- Estimates have been sought for the Injection Trial with a value of \$120,000 required to complete the works.
- Funding of \$90,000 has been secured through the funding partners with a further \$30,000 requested from the Shire of Murray.
- DWER scientists will work in collaboration with the approved consultants to oversee the delivery of the trial.
- The Trail site is managed by the Shire of Murray, therefore responsibility to manage the project funding will be the responsibility of the Shire.

Background

In June 2011 the Department of Water released a report on the feasibility of Managed Aquifer Recharge (MAR), the feasibility report aimed to help proponents develop proposals to harvest storm water within the Murray Drainage and Water Management Plan area. With the opportunity to incorporate MAR in future Urban and Industrial developments the feasibility report illustrated that the most suitable aquifer for MAR within the drainage plan area was the Cattamarra.

MAR provides a significant opportunity to manage drainage water within the region to become an asset rather than a liability. Investigations into the suitability of MAR provide opportunities to establish this key water initiative within the future planning framework to enable a planned approach to the management of water availability.

There has been a number of stages to the Managed Aquifer Recharge (MAR) Trial that has seen the development of a site bore, testing of the bore capacity and the groundwater flow model to appreciate the ability to inject and recharge water from the aquifer.

Reviewing other MAR sites a key outcome is for the aquifer to accept water sources and the percentage of that water source that can in turn be recovered. This will be pivotal to the viability of the project, the higher the percentage of recovery the better the cost benefit. It is also important to understand the environmental consequences and every stage of any trial has been closely monitored to ensure the aquifer is not adversely affected.

Report Detail

Finding secure and sustainable water sources has been and will continue to be a high priority, the reliance on past methods of securing water for the future of the Community and Industry are no longer sustainable and alternative options need to be found.

MAR has been very successful in a variety of locations, yet each site has a unique aquifer that needs to be carefully investigated to ensure long term benefits. The trials to date have been part of the Peel Integrated Water Initiative (PIWI) and this project will continue to inform an integral piece to hopefully reinforce the ability to store differing water sources for long periods of time.

The opportunity is to source water through a drainage catchment, controlled groundwater or treated wastewater and inject these water sources into the aquifer. The injection is typically during the wetter months, with the ability to recover the water source during the warmer months.

The whole process seems quite simplistic, yet the science behind the injection, management of the bore and awareness of any impact on the aquifer requires careful and considered management.

Murray 2031 Strategic Community Plan

Focus Area	Environment, Character and Heritage
Aspiration	To be effective stewards of our environment, history, heritage, natural landscape and rural character.
Strategy	Secure water resources to ensure water sustainability for economic and recreational needs.

Murray 2021-2025 Corporate Business Plan

Focus Area	Environment, Character and Heritage
Objective	Pro-actively manage resources and reduce our carbon footprint by responsible management.
Strategy	Continue to develop partnerships with environmental groups, state departments and stakeholders.
Actions	Continue to work with state agencies to plan for future water resource outcomes.

Other Strategic Links

Nil

Statutory Environment

Nil

Sustainability & Risk Considerations*Economic - (Impact of the Economy of the Shire and Region)*

An economic impact assessment conducted by Pracsys consultants in 2015 identified that the establishment of the Peel Business Park could potentially yield an economic output of \$16 billion and export value of \$1.8 billion. Ensuring the supply of water to sustain and grow industry in this precinct and the flow on effects for the agriculture and food industry in the Peel region is in the national interest and would provide a significant boost to the local and regional economy through job creation.

Social – (Quality of life to community and/or affected landowners)

The Managed Aquifer Recharge project can provide significant opportunities for infrastructure development with the prospects of more water available for development, greater water use efficiency, and improved community amenity through reducing the amount of nutrients entering the waterway systems.

This can also provide important research results for the application of similar water reuse technology across other parts of the region as a source of “fit for purpose” water supply for industry and irrigation of agricultural crops.

Environment – (Impact on environment’s sustainability)

The MAR project aims to establish the capability to capture stormwater and run-off water from the Nambeelup Business Park, controlled groundwater and from natural flows across the Nambeelup sub catchment area of the Palusplain. MAR using drainage water and stormwater flows holds significant potential as a new form of significant water storage and harvesting that would be highly beneficial for balancing future water supply and demand in the Peel region and more broadly in the South West.

A careful and considered approach is essential to ensure the environment and management of the aquifer is not adversely impacted.

Policy Implications

Nil

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	The project is a trial to assess the ability of water sources to be injected and will be closely monitored by multiple agencies.

Consultation

- DevelopmentWA
- Water Corporation
- Department of Water and Environmental Regulation
- Peel Development Commission

Resource Implications*Financial*

Budget funds of \$30,000 are required to be allocated to enable the works to progress.

Workforce

The project will be delivered utilising existing staff resources.

Options

Council has the option of:

1. Support the allocation of funding for the Managed Aquifer Recharge Project.
2. Not support the allocation of funding for the Managed Aquifer Recharge Project.

Conclusion

An opportunity has arisen where a number of funding partners have come forward to fast track the injection and recovery trial for the Managed aquifer recharge, of interest is that both DevelopmentWA and Water Corporation are also party to the funding.

The injection and recovery trial will establish the ability of injecting a water source into the aquifer and then recovery of the water source, this will in turn measure any impacts and establish outcomes that will inform future water management for the region.

Items for Information**15.15 Council Resolution/Outstanding Items**

Resolution Register is attached for information.

Appendix 20

15.16 Delegated Decisions - September 2021

Delegated Decision is attached for information.

Appendix 21

15.17 Quarterly Corporate Business Plan – 30 September 2021

The Corporate Business Plan Progress Report as at 30 September 2021 is attached for information.

Appendix 22

16. BUSINESS LEFT OVER FROM THE PREVIOUS MEETING**17. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****18. NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING****19. NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE PERSON PRESIDING OR BY DECISION OF THE MEETING****20. MEETING CLOSED TO THE PUBLIC (CONFIDENTIAL BUSINESS)****21. CLOSURE OF MEETING**