



Agenda

Ordinary Council Meeting

Thursday 26 August 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.

Ordinary Council – 26 August 2021
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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 26 August 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 Ordinary Council Meeting – 22 July 2021.**

Recommendation

That the Minutes of the Ordinary Council Meeting held on 22 July 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, as provided, will be attached 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

10.1 Local Emergency Management Committee Meeting – Wednesday 4 August 2021

File Ref: 1/2246
Author and Title: Robert Marlborough, Manager Governance
Declaration of Interest: Nil
Voting Requirements: Simple Majority

Appendix 1

Recommendation

That Council receives and notes the Minutes of the Local Emergency Committee meeting held on Wednesday 4 August 2021, as attached at Appendix 1.

11. REPORTS OF CHIEF EXECUTIVE OFFICER AND OFFICERS

Planning and Sustainability

11.1 Proposed Extractive Industry Lot 226 Paterson Road, Nambeelup

File Ref:	P062/2020, PA06/226
Previous Items:	Nil
Applicant:	Nam Hui Teo
Author and Title:	Cherryll Oldham, Senior Planning Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Appendix 2 - 3

Recommendation

That Council:

1. **Approve the application for the extraction of sand on Lot 226 Paterson Road, Nambeelup subject to the following conditions:**
 - a. **The excavation activity and rehabilitation works shall be carried out in accordance with the information supplied within the approved amended Excavation and Rehabilitation Management Plan dated April 2021, except where required to be modified below.**
 - b. **Prior to the commencement of the excavation an Ecological Linkage Revegetation Plan for the staged establishment of the Ecological Linkage as shown on Figure 6 of the amended Excavation and Rehabilitation Management Plan dated March 2021 shall be submitted to and approved by the local government. The Ecological Linkage shall be established as soon as the linkage is impacted by the mining operation and not as part of the closure. The works are to be costed and bonded with the Shire with a 30% contingency loading prior to development commencing. Success criteria will also include zero bulbous, rhizomatous, woody or declared weeds and no greater than 5% cover of grasses no higher than 15cm. A legal agreement with the Shire may be required for bonding purposes.**
 - c. **Prior to the commencement of the excavation two water table monitoring bores shall be established on site to the satisfaction of the local government. A monitoring and contingency plan is to be developed to the satisfaction of the local government which is to include groundwater monitoring up and downgradient of the extraction area, with a plan and report being provided to the local government on an annual basis.**
 - d. **Prior to the commencement of any excavation on site, the extent of the excavation hereby approved shall be surveyed and marked on site, to the satisfaction of the local government.**
 - e. **Prior to excavation commencing the closest Cockatoo habitat tree within the vicinity of the excavation being identified and at least 10 metre set back being provided.**

- f. Prior to the commencement of site works and cartage of materials a Traffic Management Plan shall be provided to the satisfaction of the local government with recommendations within the approved report implemented to the satisfaction of the Local Government.**
- g. A vertical separation distance of 0.5m shall be maintained between the base of the excavation and the maximum known ground water level in accordance with Figure 4 Proposed Excavation Concept Final Contours of the amended Excavation and Rehabilitation Management Plan dated March 2021.**
- h. Unless otherwise approved in writing by the Shire the maximum extent of the excavation open at any one time shall be two hectares, with the exception of the first stage which may be up to four hectares. The excavated portion of the site shall be progressively rehabilitated in accordance with the approved amended Excavation and Rehabilitation Management Plan dated March 2021 to the satisfaction of the local government.**
- i. Excavation is not permitted outside the areas as shown on Figure 6 – Proposed Excavation, Staging and Vegetation Corridor and shall progress in accordance with Staging as shown on Figure 6 of the amended Excavation and Rehabilitation Management Plan dated March 2021 and in any event, excavation shall not be permitted within 20 metres of any lot boundary nor within 50m of the Resource Enhancement Wetland.**
- j. No stormwater or drainage from the excavation activities shall be directed into the wetland areas.**
- k. The Dust Management Plan approved by the Local Government must be adhered to and followed at all times. Should complaints be received in relation to dust emissions, these must be addressed and managed to the satisfaction of the Local Government.**
- l. Noise levels are to be in accordance with the Environmental Protection (Noise) Regulations 1997. Should noise complaints be received a suitably qualified acoustic consultant is to be engaged to determine noise levels and to demonstrate that the development is in accordance with the requirements of the Environmental Protection (Noise) Regulations 1997. Where the requirements the Environmental Protection (Noise) Regulations 1997 cannot be satisfied, the licensee shall seek approval for the operation, in accordance with Regulation 17, of the same.**
- m. No lights and noise after dark for visual and sound disturbance of fauna. Any clearing is to be undertaken in a staged manner, during daytime with appropriate wildlife relocation as and when required and in accordance with a Clearing Permit issued by the Department Water Environmental Regulation.**
- n. The burning of cleared vegetation is not permitted within the approved extraction area. The vegetation that cannot be salvaged is to be mulched and used onsite for the rehabilitation. No clearing outside the approved extraction area is permitted.**
- o. Prior to each annual renewal of the extractive industry licence and upon conclusion of the final year of excavation, an annual road haulage contribution, in accordance with the Local Government’s adopted road haulage contribution rate for the relevant financial year, for road rehabilitation for cartage of gravel shall be paid to the Local Government.**

- p. A bond to the value of \$14,000 per hectare of excavation land exposed at any one time shall be provided in the form of a bank guarantee to secure the rehabilitation works in accordance with the Excavation and Rehabilitation Management Plan updated March 2021.**
- q. A sign is to be located at the main entrance to the property at all times to identify the licensee of the extractive industry and a contact name and number of a responsible contact person for enquiries relating to the extraction operation.**
- r. Signs being erected and maintained to the specifications and satisfaction of the local government, warning of trucks entering and existing the site.**
- s. Waste from any ablution facility shall be appropriately disposed of off-site to the satisfaction of the Local Government.**
- t. The excavation site is to be securely fenced with the gateways locked when the site is not in use in order that unauthorised persons do not enter the excavation. Fencing shall comply with the requirements of the Shire of Murray's Fencing Local laws.**
- u. Water for dust suppression sourced on site shall not be taken unless an appropriate licence from the Department of Water and Environmental Regulation has been issued.**
- v. Hours of operation and movement of heavy vehicles and/or machinery in or out of the property shall be limited to 6.00am to 6.00pm Monday to Saturday excluding public holidays.**
- w. Appropriate dieback protocols are to be adhered to by all visits and staff on site and must be included in a site induction process. Clear separation between the development area and the TEC banksia woodland to be demonstrated prior to development commencing. The Dieback protocols should be displayed in a prominent location on site.**
- x. A complaints register shall be implemented and maintained by the Quarry Manager to the satisfaction of the Shire of Murray.**
- y. Prior to the commencement of excavation works, an Excavation Licence pursuant to the Shire's Extractive Industry Local Laws must be obtained. This Licence is subject to an annual renewal with each application to be supported by a report detailing amongst other things the extent of the extraction, extent of the rehabilitation, ground water monitoring and excavation site area plan showing the extent of excavation and proposed future excavation for the next 12 months, shall be provided prior to the renewal of the annual licence and upon conclusion of the extraction activities.**
- z. This approval is valid for a period of 10 years. If development is not completed within this period, a new approval must be obtained before continuing the development.**

Advice to Applicant

- l. Annual reporting requirements as part of the licence renewal to include: plans and details (in m AHD) showing the extent and depth of excavation; results of**

the previous year's groundwater monitoring; plans and details illustrating the extent of clearing and rehabilitation works.

- ii. In relation to Condition F the traffic management report shall include the construction of a bitumen/asphalt apron/crossover from the property boundary to Paterson Road.**
- iii. With regard to Condition O it should be noted that for the 2021/2022 financial year the haulage fee is \$0.0123/m³/km, each direction, and is subject to annual review.**
- iv. The clearing of native vegetation in Western Australia is prohibited unless the clearing is authorised by a clearing permit obtained from the Department of Environment and Conservation, or is exempt in accordance with Schedule 6 of the Environment and Protection Act, 1986 or Environmental Protection (Clearing of native Vegetation) Regulations 2004.**
- v. Should screening of materials be proposed the further approval of the Shire is required and an application to the Department Water Environmental Regulation should screening of more than 5000 tonnes be proposed each year.**
- vi. Further development approval may be required prior to the construction of any buildings, including site office, or for the storage of fuel and for any extension of the excavation area.**

In Brief

- The proposal seeks approval to excavate approximately 24.5ha or 500,000 tonnes of sand over a 10-year period.
- The works will include approximately 12.7ha vegetation clearing. This will not include any Banksia Woodland.
- The excavation area encroaches into an ecological linkage and abuts a lot to the north that has been acquired by the State for vegetation conservation.
- The land is proposed to be progressively rehabilitated to pasture and native vegetation, which will include the rehabilitation of the ecological linkage.
- A 500mm separation will be maintained between the base of excavation and the maximum groundwater level.
- The subject land is zoned 'Rural' under the Shire of Murray Town Planning Scheme No.4 (TPS4). The use is classed as an 'Extractive Industry', which is an 'SA' discretionary land use in the 'Rural' zone and requires public advertising.

Background

Lot 226 is located on the eastern side of Paterson Road, approximately 12km north of Pinjarra and 2.5km south of Lakes Road. The lot is zoned 'Rural' under the Peel Region Scheme and the Shire of Murray TPS4.

A location plans is shown below.



A Resource Enhancement wetland is located in the north eastern corner of the lot and east of the proposed excavation area. A drainage system (creek) enters the lot from the east and leaves the site south east. The lot contains Banksia Woodland; however, no Peel Regionally Significant Vegetation is identified on this site.

The application was submitted in 2019. Shire officers initially referred the application to Environmental Protection Authority (EPA) due to concerns in relation to the clearing of Banksia Woodlands and native habitat. A new application with a reduced excavation area has been submitted. The EPA then determined not to assess the proposal.

Report Detail

It is proposed to excavate approximately 24.5ha or 500,000 tonnes of sand over a 10-year period. Excavation will be via a low loader and loaded onto trucks. The sand will be transported on a limestone track along northern boundary and out onto Paterson Road. The transport route will generally go north to Lakes Road then either west to Forrest Highway or east to South Western Highway.

Approximately 12.7ha of vegetation is to be cleared, however no Banksia Woodland will be included in this clearing. Stage 2 of the excavation area encroaches into an ecological linkage associated with a Class A reserve to the north. The ecological linkage will be reinstated and revegetated with native species once the excavation in Stage 2 has been completed. The excavation is to be staged and worked from the east, towards Paterson Road.

Rehabilitation will be directed towards revegetation to parkland pasture and local native species and will progressively follow excavation, with completed areas of the excavation being revegetated as soon as practicable. The land surface will be returned to a form that matches the surrounding land. Rehabilitation is to take place during the first winter months to minimise compaction effects and will contain Dieback and weed management in addition to monitoring and replanting of any failed areas. Whilst sections of the application report advise the majority of the pit will not be able to be rehabilitated until the completion of excavation, a condition has been included to ensure progressive rehabilitation of the site.

Shire of Murray Extractive Industry Local Laws provide the boundary setbacks for the excavation as 40m from the road and 20m from all lot boundaries and the hours of operation which are to be from 6am to 6pm. The development is to be securely fence and the operator must provide traffic safety signage and contact details of the operators. A complaints register is to be kept which must be provided to the Shire at each annual renewal of the excavation licence. The Local Laws also allow the Shire to obtain a bank guarantee to ensure the rehabilitation of the site is completed to the Shire's satisfaction.

The Biodiversity Protection Local Planning Policy outlines that there is a strong presumption against further clearing of native vegetation and development proposals land are to reflect the objectives and requirements of the policy.

1. To protect, maintain and enhance the viability of habitats, ecological communities, flora and fauna, and biodiversity:

Comment

Whilst 12.7ha of native vegetation is proposed to be cleared, no Banksia Woodland is proposed to be cleared. The initial application proposed 24ha of clearing which included the Banksia Woodland. The proposed excavation also encroaches into an ecological linkage (vegetation and fauna) to the adjacent Class A vegetation to the north in an area that generally has been parkland cleared or is totally cleared. Rehabilitation of the site will include the reconnection of the ecological linkage with revegetation local native species both shrubs and trees.

2. To ensure that any land use or development in close proximity to or containing a natural area is compatible with the long-term maintenance and conservation of that natural area, and will not have detrimental impacts on biodiversity.

Comment

The east west portion of the ecological linkage is currently in a degraded condition due to livestock having unfettered access through the area. The reinstatement and rehabilitation of the ecological linkage will enhance the area and encourage more fauna to inhabit the area.

3. To assist in achieving the Specific Biodiversity Feature Targets and Precinct Protection Targets established in the Shire of Murray Local Biodiversity Strategy.

Comment

The use of local native endemic species through rehabilitation process will contribute to meeting the biodiversity targets especially through the already degraded areas.

State Planning Policy 2.5 - Basic Raw Materials provides the following guidance for development applications for extractive industries.

1. That land uses are compatible by avoiding sensitive land uses within significant geological supply areas and/or extraction site separation distances as outlined in the EPA Guidance Statement No 3 – Separation Distances between Industrial and Sensitive Land Uses.

Comment

EPA Guidance Statement No. 3 advises that depending on size an extractive industry for sand should have a buffer of 300m - 500m from sensitive land uses. Single dwellings on Rural lots are considered a sensitive land use. The closest dwelling to the excavation site is around 1000m and therefore the extractive industry meets with the Guidance Statement.

2. That transitional and interface land uses are compatible and should have regard to:
 - a) Existing and future settlement patterns as described in local planning instruments.

Comment

The South Metropolitan and Peel Sub-regional Planning Framework has identified Lot 226 Paterson Road to remain Rural into the future.

- b) The existing basic raw materials operations and consultation with land owners.

Comment

There is an existing sand extractive industry to the east of this lot, on Corio Road. This extractive industry has been operating now for more than 20 years and is ongoing. The application was referred to neighbouring landowners and publicly advertised. Only one submission was received from An adjacent landowner, who supported the proposal.

- c) Relevant documents as outlined in the associated Basic Raw Materials Guidelines.

Comment

The Guidelines recommend a proposal for an extractive industry should be supported by a management plan that addresses issues such as site analysis, the planning framework, management and operations of the proposal, impacts on amenity, biosecurity measures to prevent weeds and diseases, environmental impacts, consideration of sensitive land uses identification of transitional land uses, access arrangements, environmental and water management. The Excavation and Rehabilitation Management Plan dated April 2021 addresses these issues.

- d) Require a 'notification on title' advising of the proximity and location of existing or potential future extractive industry activity and potential adverse impacts resulting from the activity.

Comment

Noted and supported for new residential or rural residential development, although this is not applicable in this case.

3. How development of land will minimise imported fill through consideration of site responsive design, bulk earthworks, drainage planning and alternative construction methods.

Comment

The Guidelines advise higher order planning documents should demonstrate how imported fill will be minimised through alternative designs for drainage, earthworks and construction and to locate new urban and industrial areas on land where the need for additional imported fill is minimised. This is an issue for higher order documents and not through an application for an extractive industry.

4. The application of vertical separation distances to groundwater and other management measures to protect water resources where an extractive industry is proposed.

Comment

A vertical separation distance of 500mm to groundwater and the base of the excavation site is proposed. This separation has been reviewed by the Department of Water Environmental Regulation as being suitable and achievable. Conditions of approval, annual surveys on excavation levels and the use of monitoring bores along with water monitoring reports will monitor the excavation levels.

The Excavation and Rehabilitation Management Plan may be found at **Appendix 2**.

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	Protect and enhance natural areas and biodiversity on public and private land.

Other Strategic Links

South Metropolitan and Peel Sub Regional Planning Framework

South Metropolitan and Peel Sub-regional Planning Framework highlights that basic raw materials are a finite resource and access to basic raw materials with cost-effective proximity to future growth areas is important to housing affordability and moderating the cost of future infrastructure projects. The Framework sets out proposals to protect areas with basic raw materials for timely extraction.

The Framework aims to ensure that a comprehensive approach to planning is undertaken by ensuring the conservation of regionally-significant environmental attributes, especially the Peel-Harvey Estuary catchment and protecting natural resources.

Statutory Environment

Shire of Murray Town Planning Scheme No.4.

Under TPS4 the lot is zoned 'Rural'. The proposed development falls within the definition of an 'Extractive Industry' which is an 'SA' discretionary use in the Rural zone, where Council

may exercise its discretion as to whether to approve the land use once the application has been advertised.

Shire of Murray Extractive Industry Local Law

Council at its meeting of the 24 June resolved to make a new Extractive Industries Local Law, and to advertise the proposed Local Law. The new local law is currently being advertised until 19 September 2021 after which a further report will be presented to Council.

The current Extractive Industries Local Law was published in the Government Gazette on 14 October 1983 and although now quite dated, guides how applications for extractive industries are to be submitted, processed and operated.

Sustainability & Risk Considerations

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

A ready supply of basic raw materials, including sand, close to established and developing areas is essential in keeping down the cost of land development and contributing to affordable housing with the Region.

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

The impact of the proposal on the amenity of the locality needs to be carefully considered. The closest dwelling is located approximately 1000m from the northern lot boundary of the proposed excavation site. It is unlikely the excavation works will adversely impact the residents of the nearby dwelling from a visual, noise or dust perspective given the separation distance and an expansive vegetated area which buffers the dwelling.

Environment – (Impact on environment's sustainability)

The development is adjacent to a resource enhancement wetland to the north east of the excavation site. A 50m buffer is required to protect the wetland from the excavation. As the site contains native vegetation, a clearing permit will be required from the Department Water and Environmental Regulation.

The lot is adjacent to a Class A reserve for vegetation to the north (Lot 401) though it is separated by a well vegetated road reserve. An ecological linkage extends into Lot 226 from the north, and generally skirts the excavation area. Stage 2 of the excavation, cuts through the ecological linkage at a narrow point in the excavation site and in a location that is partially cleared. The ecological linkage will be restored and revegetated once Stage 2 is completed. The lot contains Banksia Woodland, however, the excavation does not encroach into to the Banksia Woodland area.

Policy Implications

- State Planning Policy 2.4 Basic Raw Materials

SPP2.4 was updated July 2021 and the objectives of this policy are to:

1. ensure basic raw materials (BRM) and its regional importance is considered at the earliest stages of the planning process;
2. protect BRM in significant geological supply areas and extraction sites by avoiding encroachment from incompatible land uses;
3. ensure BRM resources are used efficiently in land use planning and development;
4. identify BRM extraction opportunities through sequential land use without compromising the final intended land use; and
5. ensure the extraction of BRM avoids, minimises or mitigates any adverse impacts on the community, water resources and biodiversity values.

Biodiversity Protection Local Planning Policy

The objectives of this policy are:

1. To protect, maintain and enhance the viability of habitats, ecological communities, flora and fauna, and biodiversity;
2. To ensure that any land use or development in close proximity to or containing a natural area is compatible with the long-term maintenance and conservation of that natural area, and will not have detrimental impacts on biodiversity; and
3. To assist in achieving the Specific Biodiversity Feature Targets and Precinct Protection Targets established in the Shire of Murray Local Biodiversity Strategy 2013.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	The key risks associated with this proposal are environmental in that the development has the potential to impact the wetland hydrology. The proposal also has the potential to permanent impact the vegetation and fauna located in the area in relation to clearing of 12.7ha. A clearing permit is required from the Department of Water and Environmental Regulation prior to any clearing. The Department of Water and Environmental Regulation has provided no objection in this regard. Conditions of approval and annual inspections reduce the potential risk.

Consultation

The proposal has been advertised with a notice in the local newspaper, on the Shire website, letters to adjacent landowners as well as referrals to relevant state agencies.

At close of the advertising period four state agencies, including the Peel Harvey Catchment Council and one adjacent landowner lodged submissions. The Peel Harvey Catchment Council did not support the proposal because of the potential impact on nearby wetlands and groundwater, the removal of vegetation on the sand hills will have a visual impact on the visual landscape and the proposal is in an east west vegetation and wildlife corridor.

The Schedule of Submissions may be found at **Appendix 3**.

Resource Implications

Financial

The applicable Shire administration fees have been paid for the development application.

Workforce

Assessment of the development application has been accommodated within the scope of the approved Planning and Sustainability Services resource levels.

Options

Council has the option of:

1. Approving the application either with or without conditions.
2. Refusing to grant approval to the application.

Conclusion

Under TPS4 an extractive industry is a discretionary use within the Rural zone. The application was advertised and submissions were received from State Agencies and an adjacent landowner. The matters raised within the submissions schedule can be resolved through conditions of approval and annual monitoring and reporting.

The application for the extractive industry generally meets with the requirements of State Planning Policy 2.4 Basic Raw Materials and the current Shire of Murray's Local Laws.

Corporate Governance

11.2 2021/2022 Long Term Financial Plan

File Ref:	1/2045
Previous Items:	Nil
Author and Title:	Tracie Unsworth, Director Corporate Services Development
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Appendix 4

Recommendation

That Council endorses the Long Term Financial Plan 2021/2022 as contained in Appendix 4.

In Brief

- The Long Term Financial Plan (LTFP) covers the 2021/22 – 2030/31 period, and has been prepared in accordance with the Integrated Planning and Reporting framework guidelines. The LTFP is considered an informing document to the Strategic Community Plan and the Corporate Business Plan.
- The LTFP analyses financial trends over a ten year period on a range of assumptions, and provides the Council with information to assess resourcing requirements to achieve its strategic objectives and to assist in ensuring future financial sustainability.

Background

The LTFP is a ten-year rolling plan that aligns with the Corporate Business Plan to activate Strategic Community Plan priorities. From these processes, annual budgets that are aligned with strategic objectives are developed.

The purpose of a LTFP is to guide the future direction of Council in a financially sustainable manner. It is designed as a 'high-level' summarised document focusing on the future planning of Council's financial operations, particularly in relation to key components such as rate increases, service levels to the community, asset renewal, reserves and loans.

The LTFP provides direction for both the Shire's long term capital investment planning and its operating capacity, indicating long-term financial sustainability and allowing early identification of financial issues and their longer-term impacts. It also shows the linkages between specific plans and strategies, and enhances the transparency and accountability of the Council to the community.

Forecasting a long-term financial position helps to quantify the future impacts of current decisions and identify the available options to close the gap between revenues and expenditure. It informs decision-making and priority setting, and assists in the management of the local government's response to community growth. It also assists the management of cash flow and funding requirements, community assets and risk.

Report Detail

The LTFP relies on the most current information available for known revenues and expenditures. Future forecasting processes use estimates carefully to be as accurate, reliable and easily understood as possible. The level of accuracy from assumptions within the LTFP is more likely in the first four years. Later years (5-10) will have a higher reliance on assumptions and subjectivity to variables. The ability to accurately forecast over a long

period is likely to be hampered by uncertainties such as the availability of grant funding, fluctuating interest rates, economic trends, as well as demographic and political change.

The following assumptions and key items are included within the Plan:

- Due to the impact of COVID-19, Shire staff voted to forego their Enterprise Bargaining Agreement increase of 2.1% in 2020/21. This increase will therefore take effect in 2021/22, making this year the final year of the current Enterprise Bargaining Agreement. The indexation from Year 2 onwards increases slightly to cater for expected growth in the Wage Price Index.
- A rate increase of 1.5% is proposed for 2021/22. A rate of 2.5% will then be applied each year for the life of the Plan.
- Two new loans totaling \$900,000 are proposed over the 10 years, with a continuation of low debt levels allowing further capacity to borrow in the medium to long term if necessary.

In addition to the details of assumptions and indexation on specific income and expenditure categories, the LTFP contains major capital works schedules, capacity of financial reserves and local government performance measures. The Plan demonstrates, that with prudent financial planning, monitoring of rating capacity and careful assessment of priorities, the Shire of Murray will be able to maintain a sound financial position in the long term.

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	Maintain long term financial sustainability.

Murray 2021-2025 Corporate Business Plan

Focus Area	Capable and Accountable
Objective	Murray has a sustainable future.
Strategy	Maintain long term financial sustainability.
Actions	Review the Long Term Financial Plan.

Other Strategic Links

- 2021/22 Budget
- Corporate Business Plan 2021 – 2025
- Strategic Community Plan – Murray 2031

Statutory Environment

Section 5.56(1) and (2) of the *Local Government Act 1995* requires that each local government is to plan for the future of the district.

Sustainability & Risk Considerations

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

The Long Term Financial Plan provides funding for infrastructure and major projects that are key to the success of growing the economy of Murray.

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

The Long Term Financial Plan outlines the services that will be provided to the community to enhance the quality of living. It is crucial that the Plan aligns with the aspirations of the community to ensure financial strategies are in place to meet future demand.

Environment – (Impact on environment’s sustainability)

Nil

Policy Implications

Nil

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Moderate	The annual review and update of the Long Term Financial Plan along with the key underpinning assumptions, addresses the risk associated with changes to the Shire’s financial sustainability. This review considers changing external and internal impacts and enables Council to consider any changes necessary.

Consultation

The development of the LTFP is in reference to the required community consultation undertaken through the establishment of the Shire’s Strategic Community Plan. The LTFP developed, aims to achieve funding which activate the community’s identified aspirations and goals.

Resource Implications

Financial

The Plan outlines a clear approach for the delivery of services into the future. Year 1 of the Long Term Financial Plan provides the basis for the development of the draft 2021/22 Budget.

Workforce

The adoption of the Long Term Financial Plan does not have any workforce impact.

Options

Council has the option of:

1. Modifying the priorities contained within the draft Long Term Financial Plan.
2. Endorsing the Long Term Financial Plan 2021/22 as presented.

Conclusion

Long term financial planning is the mechanism that enables local governments to determine their capability to sustainably deliver the assets and services required by the community. It allows the local government to set priorities, within its resourcing capabilities, to deliver short, medium and long-term community priorities.

The Long Term Financial Plan 2021/22 has been developed based on the historical and projected growth of the Shire, as well as the strategies identified in the Strategic Community Plan, Corporate Business Plan and other informing documents.

The Plan will be reviewed on an annual basis to accommodate any changes in economic forecasts, strategies, community aspirations and organisational requirements. It will be a live document, which will assist in predicting the future capacity of the organisation to accommodate increases in infrastructure and service levels.

A financial strategy forms an essential element of Council's overall planning framework and is vital in ensuring the long-term financial health of the Shire. The 2021/22 LTFP highlights the challenges faced by Council over the medium to long term, and provides a direction for Council to remain viable and sustainable.

11.3 2021/22 Budget Adoption

File Ref:	8100
Previous Items:	Nil
Author and Title:	Tracie Unsworth, Director Corporate Services
Declaration of Interests	Financial interest as salary and conditions of employment incorporated within the municipal budget.
Voting Requirements:	Absolute Majority

Appendix 5, 6 & 7

Recommendation

That Council adopt the 2021/22 Budget, consisting of:

1. 2021/22 Statutory Budget and Financial Statements

Having considered the impact of COVID-19 on the residents and ratepayers of the Shire of Murray, together with the Shire of Murray Corporate Business Plan, adopt the 2021/22 Budget as presented (refer Appendix 5 under separate cover) in accordance with the Local Government (Financial Management) Regulations 1996, and the Local Government Act 1995 comprising:

- Statement of Comprehensive Income
- Statement of Cash Flows
- Rate Setting Statement

2. Rates

In accordance with Section 6.32(1)(a)(ii) of the Local Government Act 1995, imposes the following differential general rates applicable on all rateable properties within the district:

Valuation Type	Minimum Rate	Rate in \$
GRV General	\$1160	\$0.09775
GRV General Storage Units	\$860	\$0.09775
GRV Commercial	\$1160	\$0.07820
UV General	\$1160	\$0.007032

3. Specified Area Rates

Imposes the following Specified Area Rates for the 2021/22 Financial Year:

Specified Area Rate	Rate in \$
Murray Lakes Canal Maintenance	\$0.0067115
Willow Gardens Canal Maintenance	\$0.0067200
Yunderup Canal Maintenance	\$0.0066650
Yunderup Canal Entrance Dredging	\$0.0071548
Austin Lakes Phase 2 Maintenance	\$0.0059760

4. Private Swimming Pool Inspection Fees

Imposes a pro rata annual private pool inspection fee of \$21.25 per year in accordance with Section 53 of the Building Regulations 2012.

5. Due Dates for Payment of Rates and Instalments

Adopt the due dates for rate instalment payments for the Shire of Murray in the 2021/22 Budget as follows:

Date of Issue	10 September 2021
First Instalment	15 October 2021
Second Instalment	15 December 2021
Third Instalment	14 February 2022
Fourth Instalment	19 April 2022

6. Interest Rates and Administration Charges for Rate Instalment Payments

Applies an Administration charge of \$30.00 and a maximum interest component of 5.5% in the 2021/22 Budget for rate instalment payments.

Interest on instalments will not apply to ratepayers considered an excluded person under the Local Government (COVID-19 Response) Amendment Order 2021 and the Shire of Murray Policy F9 – COVID-19 Financial Hardship.

7. Rate of Interest on Overdue Rates and Service Charges

Imposes a maximum interest rate of seven percent (7%) on overdue rates for the 2021/22 Budget.

Interest on overdue rates will not apply to ratepayers considered an excluded person under the Local Government (COVID-19 Response) Amendment Order 2021 and the Shire of Murray Policy F9 – COVID19 Financial Hardship.

8. Fees and Charges

Adopts the Schedule of Fees and Charges for the 2021/22 financial year (refer Appendix 6 under separate cover). Imposes a maximum interest rate of seven percent (7%) on overdue rates for the 2021/22 Budget.

9. Rate of Interest on Overdue Accounts

Adopts a maximum interest charge of seven percent (7%) to be applied to any monies (other than rates or service charges) owing to the Local Government for a period of sixty (60) days or longer.

Interest on overdue accounts will not apply to ratepayers considered an excluded person under the Local Government (COVID-19 Response) Amendment Order 2021 and the Shire of Murray Policy F9 – COVID19 Financial Hardship.

10. Reserve Fund

In accordance with Section 6.11 of the Local Government Act 1995 create Reserve Funds and allocate funds to and from the Reserve Funds for the financial year ending 30 June 2022 as specified in the 2021/22 Budget document (refer Appendix 5 under separate cover).

11. Trust Fund

Adopts the Trust Fund Budget for the financial year ending 30 June 2022 as specified in the 2021/22 Budget document (refer Appendix 5 under separate cover).

12. Loan Borrowings

Approves loan borrowings of \$300,000 for the construction of the Sir Ross McLarty Oval Multipurpose Clubroom Facility.

13. Reporting of Variances in Monthly Financial Statements

The following material variance for reporting purposes:

Any year to date budget to actual variance at reporting level, as shown in the monthly statement of financial activity, exceeding \$75,000 (excluding GST).

14. Councillor Allowances and Expenses

The allowances and expenses to be paid to Members of Council in the 2021/22 Budget are:

a) Presidents Allowance	\$36,058
b) Deputy President's Allowance	\$ 9,015
c) Members' Annual Meeting Allowance (President)	\$15,969
d) Members' Annual Meeting Allowance (per Councillor)	\$15,969
e) Information Communication Technology Allowance	\$ 3,500
f) Members Travel Allowance	\$ 50

15. Rating Concessions – Primary Producers

In accordance with Section 6.47 of the Local Government Act 1995, and Appendix 7 (under confidential cover) grants the following rate concessions:

Bona-fide Primary Producers - a concession be applied to those properties where an application that meets the set criteria of the Policy F7 – Rating Concession – Bona-Fide Primary Producers has been received and approved.

16. Rating Concessions – Other

In accordance with Section 6.47 of the Local Government Act 1995, and Appendix 7 (under confidential cover) grants the following rate concessions:

- a. **Strata title lots** - a concession of \$6.00 per strata title assessment be applied on all strata title lots within the Riverglades Complex.
- b. **Wheeler Airfield** – a concession of \$1400 be applied to the property located at Lot 7 Mounsey Road, West Coolup.
- c. **Pinjarra Paceway** - a concession of \$5219 be applied to the property located at 7 Paceway Court, Pinjarra.

In Brief

- The Shire is required to adopt an annual budget, between 1 June and 31 August each year.
- The draft 2021/22 Budget has been compiled based on the principles contained in the Long Term Financial Plan (LTFP), and contains provisions to achieve the outcomes detailed in the Strategic Community Plan and the Corporate Business Plan.
- In the preparation of the 2021/22 Budget the impact and consequences of COVID-19 have also been taken into consideration.

Background

In accordance with the Local Government Act and Regulations, Council is required to adopt a budget on an annual basis.

Council's long-term planning strategy is aimed at creating a sustainable financial environment to enable Council to continue to provide the community with high quality services and infrastructure into the medium and long term. The budget is a continuation of Council's responsible financial program. It is a financial plan aimed at:

- Balancing the community's needs and ensuring that the Shire remains financially sustainable in the long term.
- Maintaining Council's commitment to sustainable asset renewal and maintenance of the community's assets.
- The maintenance of a strong cash position for financial sustainability.
- Achieving efficiencies through targeted savings and an ongoing commitment to contain costs.
- Implementing rate and fee increases that are both manageable and sustainable.
- Providing a framework to deliver balanced budgets including sustainable underlying surpluses.

The draft 2021/22 Budget has been prepared in accordance with the presentations made to Councillors at a number of workshops.

Report Detail

The draft Budget has been prepared with an emphasis in the coming year on a continuation of service delivery for the community, as well as providing consistency and clear outcomes for residents. The Budget funds a range of community services including community safety, youth, recreation, maintenance of community facilities, parks, gardens, playgrounds, infrastructure, waste and recycling collection, and building and planning services. In addition, the capital works program provides for a sustainable level of funding for the renewal of the community's infrastructure and an investment in major community facilities.

The main features of the 2021/22 Budget include:

- Significant investment in capital infrastructure, including:
 - Roads and Kerbing - \$3,496,550
 - Buildings - \$23,154,130
 - Bridges - \$319,225
 - Pathways - \$409,724
 - Drainage - \$85,312
 - Parks and Recreation - \$1,494,450
 - Waterways and Boating Facilities - \$731,237

Key projects that are included within the draft Budget include:

- | | |
|---------------------------------------|---------------|
| • North Dandalup Open Space | \$500,000 |
| • WA Food Innovation Precinct | \$ 16,382,639 |
| • DBCA - Dwellingup Trails Project | \$2,598,576 |
| • Ravenswood Community Centre | \$900,000 |
| • Tourism Strategy Implementation | \$100,000 |
| • South Yunderup Oval Pavilion | \$1,657,000 |
| • Exchange Hotel | \$981,507 |
| • SRMO Multipurpose Clubroom Facility | \$2,140,757 |
| • Cricket / Hockey Oval Redevelopment | \$150,000 |
| • Herron Point Toilets | \$150,000 |
| • James Street Pedestrian Bridge | \$513,359 |
| • Wharf Cove Boating Facility | \$545,460 |
| • Sandy Cove Park Upgrade | \$241,590 |

- Murray River Foreshore Works \$340,339
- Cantwell Park Refurbishment \$195,000

Loan Borrowings

There is one new loan proposed for the 2021/22 financial year for the construction of the Sir Ross McLarty Oval Multipurpose Facility. This will be to the value of \$300,000.

Fees and Charges

There has been an increase of 2% to the fees and charges under the control of Council. A number of fees and charges are set by other levels of government regulation (statutory) and are not subject to discretionary change by Council.

Rates

An overall rating increase of 1.5% has been applied.

Rating Concessions and Lesser Minimums:

Four rating concessions are provided for in 2021/22 as follows:

1. Primary Producer Concessions have been included in accordance with Council Policy. The total provision for primary producer concessions granted in the 2021/22 Budget is \$150,613.
2. Strata title lots – a concession of \$6.00 per strata title assessment is proposed to be applied to all strata title lots within the Riverglades Complex. This concession is applied in recognition that property owners are required to pay the mandated fee under the Caravan Parks & Camping Grounds Regulations. The total provision for the Riverglades concession granted in the 2021/22 Budget is \$1,194.
3. Wheeler Airfield – a concession of \$1400 applied in recognition of the community benefit afforded by the use of the private airfield in assisting with firefighting activities.
4. Pinjarra Paceway – a concession of \$5219 applied to reduce rates on the property to more equitable level in recognition of the importance of the equine industry to the district.

A lesser minimum of \$860 per is proposed for private storage units, in recognition of the significant variation in valuations in comparison to other properties within the Shire.

Councillor Allowances

Following four years of a nil increase, Councillor allowances are proposed to increase by 1.5% in 2021/22.

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	Maintain long term financial sustainability.

Other Strategic Links

- Strategic Community Plan – Murray 2031
- Corporate Business Plan 2021 - 2025
- 2021 Long Term Financial Plan

Statutory Environment

Section 6.2 of the *Local Government Act 1995* requires that not later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt (by Absolute Majority) in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.

Divisions 5 and 6 of the *Local Government Act 1995* refer to the setting of budgets and raising of rates and charges.

The *Local Government (Financial Management) Regulations 1996*, details the form and the content of the budget.

Sustainability & Risk Considerations

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

This draft Budget has been developed based on sound financial management and accountability principles and is considered to support activities that drive a sustainable economic outcome for the community.

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

The draft Budget contains financial resourcing for a wide range of programs that deliver important community services to the Murray residents. It is based on the principle of maintaining all services that are presently available to the community with an increased focus on efficiency.

Environment – (Impact on environment’s sustainability)

The proposed budget recognises the leadership role Council has within the community to actively address the impacts of environmental sustainability and to facilitate other levels of government and the community to act in a similar manner.

Policy Implications

Adoption of an annual budget assists in the sound planning for the prudent allocation of Council resources and is required to meet legislative requirements.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Moderate	The key risk around budget adoption is community acceptance of the projects within the budget and the overall level of income and expenditure. This risk is reduced through the consultation process during the development of the Strategic Community Plan. The annual rates publication will also outline the areas of local government expenditure, to ensure the community is aware of the expenditure allocation, including that assigned to major projects.

Consultation

The key strategic priorities of the Shire of Murray have been developed in consultation with the community.

Resource Implications*Financial*

Nil

Workforce

Nil

Options

Council has the option of:

1. Adopting the budget as presented.
2. Amending the budget, noting that if there are amendments, the formal adoption of the budget will be delayed, affecting cash flows and the implementation of proposed services and initiatives.

Conclusion

The proposed Budget forms an integral part of Council's overall strategic planning framework and endeavours to resource the direction and aspirations that have been established in the Strategic Community Plan and the Corporate Business Plan.

The 2021/22 Budget presented for adoption is seen as a responsible balance of an equitable rating structure and the requirement to ensure the long-term sustainability of the Shire.

11.4 Adoption of Infrastructure Asset Management Plan

File Ref:	8/9476
Previous Items:	Nil
Author and Title:	Nicole Wilson, Manager Integrated Planning
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Appendix 8

Recommendation

That Council adopts the Infrastructure Asset Management Plan as supplied in Appendix 8.

In Brief

- The Infrastructure Asset Management Plan (IAMP) and supporting **Appendix 8** Buildings Asset Management Plan has been reviewed.
- The IAMP uses the predicted useful life of an asset based on its actual performance and informed by industry standards, to model financial requirements of renewal. These requirements are then incorporated into the Long Term Financial Plan at the agreed funding level.
- The renewal requirement for buildings over a 10 year period is \$2,125,525, which equates to an average of \$212,552 per annum. The condition index for buildings is very good, with the service level remaining steady in overall condition index at the end of 10 years if the proposed funding is able to be achieved.
- Where it is not possible to fully fund the building renewal requirements in the Long Term Financial Plan, the renewal requirements will be prioritised based on risk, service levels and building hierarchy.

Background

As part of the Integrated Planning and Reporting Framework introduced to Local Governments in 2011, there is a requirement to develop Asset Management Plans. This requirement was introduced to enhance the sustainable management of assets by encouraging 'whole of life' and 'whole of organisation' approaches, and the effective identification and management of risks associated with the use of assets. The Framework has been developed to assist local governments in planning, and managing their assets so that the long-term aspirations of their communities can be reached. It highlights the fundamental link between Asset Management, Long-Term Financial Planning and Strategic Planning.

The Shire of Murray commenced formal asset management planning in accordance with the current framework in 2008. This has placed Council in an excellent position to adopt meaningful Asset Management Plans (AMP).

The Infrastructure Asset Management Plan (IAMP) is the overarching document and is supported by the relevant asset classes listed as Appendices. These Appendices are reviewed on a four or five-year rolling cycle, with the IAMP reviewed annually.

The IAMP and Appendix A - Buildings Asset Management Plan has recently been reviewed and is attached for consideration. The other Appendices relevant to the IAMP have not been attached, as they remain unchanged and will be reviewed in accordance with the timeframes set out below:

Plan	Last Reviewed	Next Review
Appendix B – Roads and Kerbs Asset Management Plan	May 2020	July 2024
Appendix C – Bridges Asset Management Plan	May 2018	July 2022
Appendix D – Footpaths Asset Management Plan	May 2018	July 2022
Appendix E - Drainage Asset Management Plan	May 2018	July 2022
Appendix F – Parks and Reserves Asset Management Plan	May 2018	July 2023
Appendix G – Waterways Asset Management Plan	May 2018	July 2023

Appendix 8 – Buildings Asset Management Plan will be reviewed again in July 2026.

Report Detail

The IAMP is an important document that explains:

- The Infrastructure Asset Management Plan (IAMP) and supporting **Appendix 8** Buildings Asset Management Plan has been reviewed.
- The assets owned (inventory).
- The agreed level of service or minimum required standards of the asset.
- Anticipated future demand for the services provided for the asset including identifying desired increases in the service.
- Risks associated with the asset.
- Operation and maintenance of the network and associated costs.
- Renewal costs for the network over the next ten years.
- Upgrade costs for the network over the next ten years.
- Lifecycle costs and Long-Term Financial Plan (LTFFP) for the network.
- Improvement Plan.

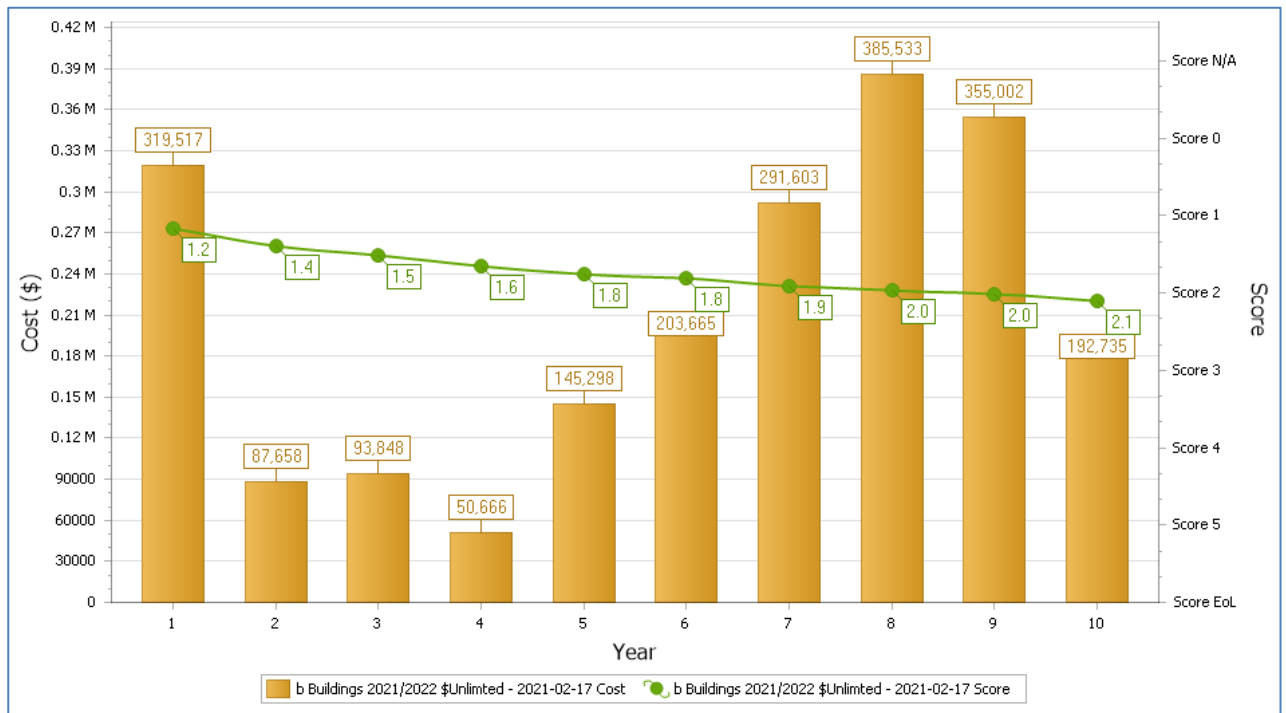
The IAMP has a ‘core’ level status, which reflects the Shire’s current level of maturity in asset management planning.

The following table represents a summary of the assets covered by Appendix A – Buildings Asset Management Plan:

Building Type	Number
Animal Control Buildings	1
Childcare Buildings	1
Commercial Buildings	3
Community Halls	10

Emergency Service Buildings	10
Landfill Buildings	5
Library and Information Buildings	2
Museum and Cultural Buildings	33
Office and Depot Buildings	14
Public Amenities Buildings	20
Residential Buildings	4
Sports and Recreation Buildings	44
Total	147

The following graph summarises the renewal requirement for building infrastructure for the next 10 years based on like for like replacement using an unlimited budget allocation (ie. Funding 100% of renewal). The renewal requirement over a 10 year period is \$2,125,525, which equates to an average of \$212,552 per annum. The condition index for buildings is very good, with the service level remaining steady in overall condition index at the end of 10 years if the proposed funding is able to be achieved.



Where it is not possible to fully fund the building renewal requirements in the Long Term Financial Plan, the renewal requirements will be prioritised based on risk, service levels and building hierarchy.

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	Maintain Long-Term Financial Sustainability

Murray 2021-2025 Corporate Business Plan

Focus Area	Capable and Accountable
Objective	Murray has a sustainable future.
Strategy	Maintain Long-Term Financial Sustainability.
Actions	Review the Infrastructure Asset Management Plan.

Other Strategic Links

Nil

Statutory Environment

Asset Management is a core function of managing the District's infrastructure assets, which meets the objectives of the Local Government Act 1995, Section 2.7.

Sustainability & Risk Considerations

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

Infrastructure owned and operated by the Shire contributes to the economic success of the community. The Road and Stormwater network provide a diverse, safe transport and stormwater system, which balances the needs of all users including pedestrians, cyclists, private vehicles, public transport and freight. Buildings and Public Open Spaces provide access to retail, community, educational and recreational facilities and are seen as essential infrastructure.

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

The IAMP defines agreed renewal, upgrade, operations and maintenance levels of service. Hierarchies and intervention levels are also defined, which determine at what condition infrastructure will be listed for renewal.

Environment – (Impact on environment's sustainability)

Nil

Policy Implications

The IAMP supports Council's Asset Management Policy through the development of AMP's aligned to the Institute of Public Works Engineering Australia and the International Infrastructure Management Manual's core asset management planning specifications.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Moderate	Grant applications for capital items are often assessed on the ability of a local government to demonstrate adequate provision for renewal. If no asset management plan exists, this requirement is difficult to evidence.
High	Not considering the financial requirements for input into the LTFP may result in infrastructure deteriorating to a poor condition leading to heightened community concern where assets become non-functional. It will also require an increase in financial allocations required to restore the asset due to the higher rate of deterioration near the end of an assets life.

Consultation

Nil

Resource Implications

Financial

Asset renewal figures are updated annually as a component of the LTFP. The final level of resources allocated to renewal is determine through the budget process each year.

Workforce

No additional workforce implications arise from the adoption of this plan.

Options

Council has the option of:

1. Adopting the IAMP as presented.
2. Choosing to amend the agreed level of service the community receives by way of infrastructure provision. Any amendment will reflect in both the service derived from the assets as well as the level of financial allocation.

Conclusion

The IAMP is a culmination of data and strategies, which together define future management and financial practices required for the Shire of Murray’s infrastructure assets. Adoption of the IAMP and supporting Appendix A – Building Asset Management Plan, will assist in ensuring that assets are used most effectively and efficiently to support the delivery of Murray 2031.

The IAMP uses the predicted useful life of an asset based on its actual performance and informed by industry standards, to model financial requirements of renewal. These requirements are then incorporated into the LTFP at the agreed funding level. Condition assessments of assets are completed regularly to ensure the integrity of the data within the Plan.

Murray 2031 identifies that one of the key criteria of a sustainable organisation is long-term infrastructure and asset management. It is also recognised that managing and improving Council’s assets is required for Council to achieve its vision for the community. As such, to achieve this aim, Council is required to have an endorsed Infrastructure Asset Management Plan for all asset categories.

11.5 Proposed Variation to Leased Areas – Reserve 44695 (Lot 2021) and Reserve 8900 (Lot 1810) Pinjarra Road) Ravenswood

File Ref:	R44695 & R8900
Previous Items:	Nil
Declaration of Interests	Nil
Author and Title:	Robert Marlborough, Manager Governance
Voting Requirements:	Simple Majority

Recommendation

That Council:

- 1. supports a formal amendment to the Mandurah Murray Vietnam Veterans Group Inc leased area on Reserve 44695 Pinjarra, as outlined in this report;**
- 2. approves for the Chief Executive Officer to prepare and endorse a formal lease variation, subject to any other statutory consents to accommodate the changes to the area leased by the Mandurah Murray Vietnam Veterans Group Inc on Reserve 44695; and**
- 3. approves for Chief Executive Officer to engage with Ramms Pty Ltd to facilitate a reduced leased area on Reserve 8900, as broadly outlined in the body of this report, by formal variation, if a mutually acceptable outcome can be achieved.**

In Brief

To consider:

- a variation to the lease arrangement with Mandurah Murray Vietnam Veterans Group Inc (MMVVG) to reduce the area occupied on Reserve 44695 to the building footprint only; and
- a variation to the lease arrangement with Ramms Pty Ltd on Reserve 8900 to reduce the area occupied,

to generally support the redevelopment of the public canoe launch area and enable ongoing unfettered public access to the redeveloped facilities.

Background

Reserve 44695 (Lot 2021) is located on Pinjarra Road in Ravenswood. The land is 852m² in size and it comprises a brick building of approximately 275m² with the balance being open space.

The Shire is the management body of the Reserve under a Management Order. The power to lease is approved for any term not exceeding 21 years, subject to consent of the Minister for Lands first being obtained. The Reserve purpose is Canoe Club Site.

The MMVVG currently occupy the whole Reserve under a lease arrangement. The current lease term is in effect until 31 March 2022, with a further 5-year term being available on written application until 31 March 2027.

Reserve 8900 is located at Lot 1810 Pinjarra Road, Ravenswood and it is a set aside for the purpose of “Jetty Facilities, Parking and Boat Hire”. This Reserve is immediately adjacent to land occupied by the Mandurah Murray Vietnam Veterans Group.

The Shire is the management body of the Reserve under a Management Order. The power to lease is approved for any term not exceeding 21 years, subject to consent of the Minister for Lands first being obtained.

The Reserve area is 1481m² and Ramms Pty Ltd, as trustee for The Hill Family Trust currently occupy about 1314m² of the Reserve by way of a lease. The current lease is in effect until 1 December 2024, with a further 5-year term being available on written application until 1 December 2029.

Both lease agreements provide the ability for amendment subject to the mutual consent of both parties, in writing.

Report Detail

A grant application was submitted by the Shire dated 13 July 2021, (acting on behalf of the Mandurah Over 55’s Kayak Club) to the State, working through the Peel Development Commission and the Department of Primary Industries and Regional Development.

The grant was for the amount of \$50,000, with the purpose being to redevelop and upgrade the existing dilapidated canoe launch facilities on Reserve 44695. The application submitted was successful.

In parallel with the grant application, discussions commenced with Mandurah Murray Vietnam Veterans Group and Ramms Pty Ltd about adjustments to the areas leased on the Reserves to ensure the canoe launch facilities once redeveloped are publicly accessible moving forward. The MMVVG considered the proposal to vary the area leased at a committee meeting on 2 July 2021 and the group were supportive for the leased to be varied, as detailed in the following plan.



Ramms Pty Ltd has not provided a formal response on the proposal to vary the leased area, as per the following indicative plan.



To ensure the canoe launch facilities to be redeveloped are reasonably accessible to the public and not restricted by lease arrangements it is suggested that Council support the recommendation presented to progress suitable lease variations with the Ramms Pty Ltd and the Mandurah Murray Vietnam Veterans Group.

Murray 2031 Strategic Community Plan

Nil

Murray 2021 - 2025 Corporate Business Plan

Nil

Other Strategic Links

Nil

Statutory Environment

Clauses 34 and 42 of the lease arrangements with the respective lessee's provides the ability to vary the lease arrangements, as follows:

- Subject to such consents as are required by this Lease or at law, this Lease may be varied by the agreement of the parties in writing.
- This Lease may be varied only by deed executed by the Parties subject to such consents as are required by this Lease or at law.

Sustainability & Risk Considerations

Economic – (Financial impact to the community)

The proposal to vary the lease arrangements is not expected to financially impact the community.

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

No change of current use within the leased areas or the varied areas is proposed. Therefore, there should not be any adverse impact on the surrounding community.

Environment – (Impact on environment’s sustainability)

Nil, as no change of use is proposed.

Policy Implications

Council policies are not impacted by the proposal to vary the lease arrangements. Advertising of the proposed lease amendments will not be required.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	There is low risk associated with the lease variation proposals from a community perspective.

Consultation

- Mandurah Murray Vietnam Veterans Group Inc.
- Ramms Pty Ltd.

Resource Implications

Financial & Workforce

The lease variations proposed can be progressed in house with very minimal cost and workforce capacity is not impacted.

Options

Council has the option of:

1. Supporting the proposal to vary the areas leased on Reserve 44695 and 8900 in Pinjarra Road, Ravenswood, as outlined.
2. Declining to support the lease variation proposals and maintain the status quo.

Conclusion

Progressing lease variations with the Mandurah Murray Vietnam Veterans Group Inc and Ramms Pty Ltd will ensure the canoe launch facilities being redeveloped are publicly accessible and avoid possible conflicts situations with either lessee.

11.6 Lease Proposal – Scouts Australia, Western Australia Branch – Peel Boat Shed – Reserve 39978

File Ref:	R39978		
Previous Items:	CCD. Jul 2011	Item 6.1	(CCD11/100)
	OCM. Jul 2011	Item 10.2.2	(OCM11/111)
Applicant:	Scouts Australia, Western Australian Branch		
Declaration of Interests	Nil		
Author and Title:	Robert Marlborough, Manager Governance		
Voting Requirements:	Simple Majority		

Recommendation

That Council

1. supports the Chief Executive Officer endorsing a new lease agreement with Scouts Australia, Western Australia Branch for Reserve 39978 for a period of 2 years with an option term of 2 years, with the annual rental, terms and conditions continuing from the lease agreement that expired on 14 August 2021.

In Brief

To consider a new lease arrangement with the Scouts Australia, Western Australian Branch (Scouts WA) for Reserve 39978 for a period of 2 years, with a 2 year option period.

Background

Reserve 39978 is located in Batavia Quays, South Yunderup adjacent to the main canal entrance near Moyup Way. The land is 632m² in size and it comprises a brick storage building of approximately 94m² with the balance being open space. The subject site is highlighted in the following map:



The Shire is the management body of the Reserve under a Management Order. The power to lease is approved for any term not exceeding 21 years, subject to consent of the Minister for Lands first being obtained. The Reserve purpose is Boat Shed.

The initial lease with Scouts WA for Reserve 39978 commenced in May 1990, for a period of 21 years. At the expiry of the initial 21-year lease, Council at its Ordinary meeting on 28 July 2011 supported a further lease arrangement with Scouts WA for a period of 5 years with a similar option term.

In September 2016 the 5-year option term available was enacted and the current lease arrangement expired on 14 August 2021.

Prior to the 2011 lease being endorsed, site investigations were undertaken following an expression of interest by the South Yunderup Ratepayers & Residents Association to use the Boat Shed premises for the storage of equipment and for community functions and meetings.

The site investigations and subsequent consultation with the Department of Regional Development and Lands at the time, clearly established that the premises predominate use was for the storage of marine related equipment, which aligns with the reserve purpose and the current and ongoing use by Scouts WA. Furthermore, the design of the building does provide for effective and usable space for meetings or functions.

Report Detail

Over the past few months enquiries for facilities to support water based recreational activities have been received from Kwillana Outriggers Club, the Mandurah Navy Cadets and the South Yunderup Dragonboat Club.

Whilst these groups have expressed a need for support, primarily to store equipment and for meeting facilities, the Boat Shed is at capacity in terms of storage by Scouts WA and their partner group, Murray Seas Scouts who also use the boat shed for activities.

Entering into a shorter-term lease with Scouts WA for the Reserve, based on an initial 2 years, with a further option period of 2 years will support for the current uses by Scouts WA, and it will provide time to plan for possible future recreational facilities, on this particular Reserve site or in other locations determined to be feasible, notwithstanding future budget considerations and potential grant contributions.

Murray 2031 Strategic Community Plan

Nil

Murray 2021-2025 Corporate Business Plan

Nil

Other Strategic Links

Nil

Statutory Environment

Local Government Act (1995) – s 3.58 Disposing of Property

(1) *In this section —*

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

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

- (2) *Except as stated in this section, a local government can only dispose of property to —*
- (a) *the highest bidder at public auction; or*
 - (b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
- (a) *it gives local public notice of the proposed disposition —*
 - (i) *describing the property concerned; and*
 - (ii) *giving details of the proposed disposition; and*
 - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*
- and*
- (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
- (a) *the names of all other parties concerned; and*
 - (b) *the consideration to be received by the local government for the disposition; and*
 - (c) *the market value of the disposition—*
 - (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
 - (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*

The lease proposal with Scouts WA presented for consideration is an excluded disposition of property under Regulation 30(2)(b) of the *Local Government (Functions and General) Regulations 1996*, as follows:

- (1) *A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.*
- (2) *A disposition of land is an exempt disposition if —*
- (a) *the land is disposed of to an owner of adjoining land (in this paragraph called the transferee) and —*
 - (i) *its market value is less than \$5 000; and*
 - (ii) *the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee; or*
 - (b) *the land is disposed of to a body, whether incorporated or not —*
 - (i) *the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*
 - (ii) *the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;*
- or*

- (c) *the land is disposed of to —*
 - (i) *the Crown in right of the State or the Commonwealth; or*
 - (ii) *a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or*
 - (iii) *another local government or a regional local government;*
- or*
- (d) *it is the leasing of land to an employee of the local government for use as the employee’s residence; or*
- (e) *it is the leasing of land for a period of less than 2 years during all or any of which time the lease does not give the lessee the exclusive use of the land; or*
- (f) *it is the leasing of land to a person registered under the Health Practitioner Regulation National Law (Western Australia) in the medical profession to be used for carrying on his or her medical practice; or*
- (g) *it is the leasing of residential property to a person.*

Sustainability & Risk Considerations

Economic

Renewing a lease arrangement for the reserve will not financially impact the community as no change of situation is proposed.

Social

Nil, as no change of current use is proposed.

Environment

Nil, as no change of current use is proposed.

Policy implications

Council Policy C6 – Leasing Freehold and Reserve Land to Community Groups, Sporting Clubs and Other Non-Profit Organisations provides that standard term for lease arrangements with with groups defined as exempt bodies in Regulation 30 (2)(b) of the *Local Government (Functions and General) Regulation 1996* is 10 years with a similar option term.

In this case a shorter-term lease is suggested to ensure the Shire is not locked into a tenure arrangement that would preclude future changes on this site, should opportunities arise to develop co-shared facilities on the Reserve to cater for other user groups that require proximity to water for recreational pursuits and associated activities.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	The short-term lease proposed for the existing ongoing use should not negatively impact adjacent landowners and the risk of negative adjacent landowner or broader community comment is considered low.

Consultation

Nil

Resource Implications

Financial

There are no direct financial implications to prepare a new lease arrangement with Scouts WA.

Workforce

Internal capacity exists to prepare any necessary leasing documents.

Options

Council has the option of:

1. Supporting the proposal presented to lease Reserve 39978 to Scouts WA for a period of 2 years with a similar option period.
2. Not supporting the short-term lease proposed and holdover the existing lease for a period to be determined, to allow further investigations for the development of suitable facilities on Reserve 39978, to cater for multiple recreational users.
3. Declining to support the lease proposal and Scouts WA vacate the premises.

Note: With regard to option 2. Clause 26 of the current lease states - If the Lessee remains in possession of the Premises after the expiry of the Term with the consent of the Lessor, the Lessee will be a monthly tenant of the Lessor at a rent equivalent to one twelfth of the Rent for the period immediately preceding expiry of the Term and otherwise on the same terms and conditions of this Lease provided that all consents required under this Lease or at law have been obtained to the Lessee being in possession of the Premises as a monthly tenant.

Conclusion

The short-term lease option suggested enables Scouts WA and their partner group to continue to use the Reserve 39978, and provides time to investigate future opportunities on this site for improved facilities to support other recreational user groups, that require proximity to water for their activities.

11.7 Lease Proposal – The Murray Districts Historical Society Inc – Lot 202 (2) Henry Street Pinjarra

File Ref: HE02/202 & 7309
 Previous Items: CCD. June 2011 Item 5.5 (CCD11/100)
 OCM. June 2011 Item 10.5.1.4 (OCM11/094)
 Applicant: The Murray Districts Historical Society Inc
 Declaration of Interests: Nil
 Author and Title: Robert Marlborough, Manager Governance
 Voting Requirements: Simple Majority

Recommendation

That Council supports the Chief Executive Officer negotiating and endorsing a new lease agreement with The Murray Districts Historical Society Inc for the Old Schoolmaster House at Lot 202 (2) Henry Street, Pinjarra for a period of 2 years with an option term of 2 years, with the annual rental, terms and conditions continuing from the lease agreement that expires on 31 August 2021.

In Brief

To consider a new lease arrangement with The Murray Districts Historical Society Inc (MDHS) for a portion of the Lot 202 (2) Henry Street, Pinjarra for a period of 2 years, with a 2 year option period.

Background

Lot 202 (2) Henry Street, Pinjarra is owned by the Shire of Murray in freehold and it is located opposite the Edenvale Homestead on Reserve 36703. The land is 1540m² in size and it comprises a building originally used as a Schoolmaster House with the balance being open space and gardens. The subject site is described in the following map and the leased area proposed, is the building footprint only, as highlighted.



MDHS was formed in about 2008 with the aim to research, collect, preserve and promote the history of the Murray district in general and Pinjarra in particular. MHDS activities support the

preservation of local history and past advice suggests that the use of the leased premises provided opportunities for:

- permanent displays;
- improved storage, conservation and preservation;
- room for volunteer to conduct research;
- work on specific projects; and
- managed data collection.

The Department of Mines, Industry Regulation and Safety records confirm that the MDHS was registered as an Association, as of 17 November 2009. Registered number A1014507F.

In June 2011 Council supported a lease with MHDS for the subject premises, for a period of 5 years with a similar option period. This current lease expires on 31 August 2021.

Report Detail

It is suggested that Council support a lease with The Murray Districts Historical Society Inc for the Old Schoolmasters House on Lot 202 (2) Henry Street, Pinjarra for a period of 2 years, with a further option period of 2 years, as this will support the group continuing work on gathering local history and preserving data and information for the future.

The lease term suggested is 2 years with a similar option. A shorter-term lease provides the opportunity for periodic reviews should circumstances change.

Murray 2031 Strategic Community Plan

Nil

Murray 2021-2025 Corporate Business Plan

Nil

Other Strategic Links

Nil

Statutory Environment

Local Government Act (1995) – s 3.58 Disposing of Property

(1) *In this section —*

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

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

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

(a) *the highest bidder at public auction; or*

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

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

(a) *it gives local public notice of the proposed disposition —*

- (i) *describing the property concerned; and*
 - (ii) *giving details of the proposed disposition; and*
 - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*
- and*
- (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*
- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
- (a) *the names of all other parties concerned; and*
 - (b) *the consideration to be received by the local government for the disposition; and*
 - (c) *the market value of the disposition—*
 - (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
 - (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*

The lease proposal with MDHS presented for consideration is an excluded disposition of property under Regulation 30(2)(b) of the *Local Government (Functions and General) Regulations 1996*, as follows:

- (1) *A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.*
- (2) *A disposition of land is an exempt disposition if —*
 - (a) *the land is disposed of to an owner of adjoining land (in this paragraph called the transferee) and —*
 - (i) *its market value is less than \$5 000; and*
 - (ii) *the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee; or*
 - (b) *the land is disposed of to a body, whether incorporated or not —*
 - (i) *the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*
 - (ii) *the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;*

or

 - (c) *the land is disposed of to —*
 - (i) *the Crown in right of the State or the Commonwealth; or*
 - (ii) *a department, agency, or instrumentality of the Crown in right of the State or the Commonwealth; or*
 - (iii) *another local government or a regional local government;*

or
 - (d) *it is the leasing of land to an employee of the local government for use as the employee's residence; or*

- (e) *it is the leasing of land for a period of less than 2 years during all or any of which time the lease does not give the lessee the exclusive use of the land; or*
- (f) *it is the leasing of land to a person registered under the Health Practitioner Regulation National Law (Western Australia) in the medical profession to be used for carrying on his or her medical practice; or*
- (g) *it is the leasing of residential property to a person.*

Sustainability & Risk Considerations

Economic – (Financial impact to the community)

Entering into a new lease arrangement will not financially impact the community as no change of situation is proposed.

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

Nil, as no change of current use is proposed.

Environment – (Impact on environment's sustainability)

Nil, as no change of current use is proposed.

Policy implications

Council Policy C6 – Leasing Freehold and Reserve Land to Community Groups, Sporting Clubs and Other Non-Profit Organisations provides that standard term for lease arrangements with groups defined as exempt bodies in Regulation 30 (2)(b) of the *Local Government (Functions and General) Regulation 1996* is 10 years with a similar option term.

In this case a shorter-term lease is suggested to ensure the Shire is not locked into a tenure arrangement that would preclude future changes on this site or in association with the broader Edenvale Homestead, should other community needs arise or if circumstances change with the group.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	The short-term lease proposed for the existing ongoing use should not negatively impact adjacent landowners and the risk of negative adjacent landowner or broader community comment is considered low.

Consultation

Nil

Resource Implications

Financial

The annual lease fees, other outgoings payable by MDHS are proposed to continue from the current lease arrangement, as will the Shire supporting an annual contribution towards the cost of the groups public liability insurance to ensure adequate protections are in place during the use of the premises.

Outgoings are generally power and water based on consumption, costs associated with rubbish services and the Emergency Service Levy. The annual leased fee was \$61.90 for the period to 31 August 2021. The annual premium for public liability insurance for the period to 31 August 2022 is estimated at \$613.

Workforce

Internal capacity exists to prepare any necessary leasing documents.

Options

Council has the option of:

1. Supporting the proposal presented to lease for a period of 2 years with a similar option period.
2. Not supporting the short-term lease proposed and determine an alternate lease period.
3. Declining to support a lease with MDHS and the group vacate the premises.

Conclusion

Leasing the subject premises to the MDHS will provide premises to enable local historical work to continue and the short-term lease option suggested enables periodic reviews should circumstances change.

11.8 Payments from Municipal and Trust Funds – July 2021

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

Appendix 9

Recommendation

That Council receives the Payments from Municipal and Trust Funds report for July 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; and
 - b) the amount of the payment; and
 - 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; and
 - (ii) the amount of the payment; and
 - (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 July 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 July 2021.
2. Not receiving the Payments from Municipal and Trust Funds report for July 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.

11.9 Monthly Financial Report – July 2021

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

Appendix 10

Recommendation

That Council receives the July 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 July 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
 - * Cash Backed Reserves

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 2020/2021 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 July 2021.
2. Not receiving the monthly financial report for July 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*.

Recreation, Economic & Community Development

Nil

Infrastructure Services

11.10 Tender T21/8 – Pinjarra Pedestrian Suspension Bridge Maintenance

File Ref:	T21/6
Previous Items:	OCM. 24 June 21 Item 11.12 (OCM21/094)
Author and Title:	Darko Bertram, Development/ Project Engineer
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority

Confidential Appendix 11 Under Separate Cover

Recommendation

That Council:

- 1. Accepts the Confidential Assessment Report by the evaluation panel;**
- 2. endorses Jonor Construction Pty Ltd as the preferred tenderer for the Pinjarra Pedestrian Bridge Maintenance Works at a tendered price of \$632,929.76 (ex GST) and delegates to the Chief Executive Officer to negotiate the final scope and cost implications of the tender submission in accordance with the specification and tender rates in the “Schedule of Prices” for Tender T21/8; and**
- 3. acknowledges that up to \$250,000 of further funds may be required to complete the maintenance and associated activities required for the Pinjarra Pedestrian Suspension Bridge, with the funding to be allocated from the Asset Enhancement Reserve.**

In Brief

Tenders were called for suitably qualified contractors for the completion of critical maintenance activities required for the Pinjarra Pedestrian Suspension Bridge. Tenders were advertised from July 10th 2021 to 10th August 2021, two (2) contractors responded with tender submissions.

The pricing of tenders exceeded the Local Roads & Community Infrastructure - Phase 1 grant which represented the major financing for the project. Additional funds are needed to be sought to undertake the essential maintenance works to keep the suspension bridge operational for the community.

Background

The Pinjarra Pedestrian Suspension Bridge (MRWA no. 9225) is located in the township of Pinjarra and provides a popular crossing for pedestrians over the Murray River. The existing bridge was designed and built by the 22nd Construction Squadron of the Australian Army in 1985. In July 2020 the Shire of Murray engaged WML Consulting Engineers to design two (2) alternative design options to refurbish or renew the bridge to achieve a minimum 50-year design life. The designs were put out for Tender and submissions exceeded budget expectation. In the Ordinary Council Meeting in April 2021, it was endorsed by council to reject the tender and reallocate the funds to completing priority maintenance works of the bridge.

A condition survey was completed by structural engineers identifying a scope of priority maintenance works. All the works are deemed important in allowing the bridge to remain open and safe for public use. The most costly and complicated maintenance works involve the replacement of the timber bridge towers. The replacement of the bridge towers is required

to reinstate the full structural integrity of the bridge. There are additional maintenance and replacement items that are also deemed essential to improve the bridge condition including installing new bracing, replacing timber bearers, stringers and steel bolts plus fixtures.

The Shire of Murray invited suitably qualified and experienced contractors to tender for the Pinjarra Pedestrian Suspension Bridge refurbishment. The tender called for pricing the replacement of the bridge towers on both abutments and the repair of damaged components and fixtures identified in the latest condition survey prepared by WML Consulting Engineers in June 2021. Two (2) contractors responded with submissions to the tender.

Report Detail

The Confidential Assessment Report contains a detailed evaluation report.

Murray 2031 Strategic Community Plan

Focus Area	Places for People
Objective	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	Ensure the safety of our community.
Focus Area	Connected and Accessible
Objective	To enhance our transport linkages and opportunities to share information using a variety of travel and technology options.
Strategy	Improve the shared pathway linkages within and between towns.

Murray 2021-2025 Corporate Business Plan

Focus Area	Connected and Accessible
Objective	Promote and efficient and accessible local and regional transport network.
Strategy	Improve the shared pathway linkages within and between town.
Actions	Develop a Dual-Use Pathway Strategy to ensure all towns have effective linkages.

Other Strategic Links

Nil

Statutory Environment

- Local Government Act 1995
- Local Government (Functions and General) Regulations 1996

Sustainability & Risk Considerations

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

The Suspension Bridge is an iconic structure within Pinjarra and is an attractor for activation within the town centre to support increased visitor tourism.

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

The bridge provides an essential connection to the path network that encourages increased activation for the community of Pinjarra, while engaging with the Murray River and town centre precinct.

Environment – (Impact on environment’s sustainability)

Nil

Policy Implications

G11 Purchasing Policy

The Shire of Murray is committed to delivering best practice in the purchasing of goods, services and works that align with the principles of transparency, probity and good governance and that comply with the *Local Government Act 1995* (the ‘Act’) and Part 4 of the *Local Government (Functions and General) Regulations 1996*, (the ‘Regulations’).

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Extreme	Due to the Structural Inspection of the Suspension Bridge that identified a number of priority works it is imperative that either maintenance works or replacement of the current bridge is undertaken to return the bridge to full structural integrity to minimise risk to the community. Otherwise there will be a requirement to close the bridge should works not be progressed.

Consultation

- WML Consulting Engineers.
- The tender was advertised in the West Australian newspaper Saturday 10 July 2021.

Resource Implications

Financial

All details are contained within the Confidential Assessment Report.

Workforce

The project is being coordinated within existing staff resources.

Options

Council has the option of:

1. Endorsing the preferred tenderer with the option to negotiate the final scope for the Pinjarra Pedestrian Suspension Bridge Maintenance Works.
2. Consider alternative treatment or replacement of the Pinjarra Suspension Pedestrian Bridge.
3. Close the Suspension Bridge.

Conclusion

All details are contained within the Confidential Assessment Report.

11.11 North Dandalup Reserve Masterplan

File Ref:	7/8497 & R15844		
Previous Items:	OCM. 22 Mar 18	Item 11.13	(CCD18/065)
	OCM. 20 Dec 18	Item 11.18	(OCM18/269)
	OCM. 20 Jun 20	Item 16.1	(OCM20/122)
Author and Title:	Alan Smith, Director Infrastructure Services Karen Lancaster, Senior Parks and Projects Officer		
Declaration of Interest:	Nil		
Voting Requirements:	Absolute Majority		

Masterplan - Appendix 12

Recommendation

That Council:

1. **Endorse the North Dandalup Reserve Masterplan with proposed improvements; and**
2. **Allocate up to an additional \$100,000 from the Asset Enhancement Reserve for the delivery of the initial stage of the North Dandalup Reserve Masterplan.**

In Brief

- North Dandalup Community Group highlighted a significant lack of an activated play space to support the local community.
- Initial workshops were held with the local community in 2018 to identify priorities for North Dandalup Oval and inform the development of a masterplan.
- Council supported the subdivision of Lot 102 Lakes Road to secure funding for the implementation of play space to assist with activation at North Dandalup Oval.
- The subdivision was completed and business plan developed and advertised.
- The majority of lots are now sold and funds placed within the Asset Enhancement Reserve.
- Further review of the draft masterplan was undertaken in 2021 and recent workshops were held with the community to prioritise elements within the draft masterplan.

Background

Concerns were raised by the North Dandalup Community Group around the lack of play space to assist with activation for the community and opportunities to develop the North Dandalup Oval precinct were identified. Working with the community an initial draft masterplan was developed in 2018 for North Dandalup Oval. To enable the draft masterplan to be realised there was a need to identify funding opportunities to assist with implementation.

Council supported the subdivision of lot 102 Lakes Road, North Dandalup to help secure funding with a portion of these funds to be utilised for the proposed implementation of the draft masterplan. The subdivision was progressed and finalised in 2020 with 10 lots established, a business plan was then developed and advertised in accord with the *Local Government Act 1995* to enable the sale of the lots.

Eight out of the 10 lots have been sold with the final two lots having sale contracts pending. Any income from the sale of the lots is being allocated to the Asset Enhancement Reserve, with any allocation to the masterplan subject to formal budget allocation.

In consultation with the community in early 2021 a revised Draft Masterplan was developed by the Shire through community workshops and stakeholder input. The priority was to deliver a community endorsed Masterplan for future development and upgrades to this town-centre public open space reserve. The aim is to increase the useability of this public open space in

town, with the Masterplan developed in order to outline the proposed priorities and upgrade requirements.

The May 2021 community workshop provided relevant local input, aspirations and details, which have been incorporated into the draft plan. The draft masterplan was then presented at the 4 August 2021 workshop to the community at the North Dandalup Hall. The plan was well received, with suggestions for only minor amendments. The priority allocation of the project components was also workshopped to ascertain the higher priority elements of the plan, with a consensus on community based elements in the first instance.

Report Detail

Within the reserve is the attractive and substantial North Dandalup Community Hall which is regularly used by the community and adds considerable support to the area. The proposed improvements will add value to the current space and assist with a multi-faceted approach to activating the area. Currently the reserve incorporates many degraded facilities that include practice cricket nets, tennis/basketball courts, a space for the local primary school's Little Athletics and basic toilets with these ageing facilities requiring an upgrade.

In the majority those key facilities need to be renewed and reinforced with other improvements to provide a wholistic activation space for the community. The plan also incorporates a tourist rest point with information and space for motorists with caravans /RVs that are able to stay one night. Barbecue and picnic facilities under shady mature trees would support both a local community and tourist rest point.

The Masterplan incorporates:

- Development of a primary green space within the oval adjacent to new family facilities, to provide a kickabout area for sports and add value for the local primary school.
- New play space, and family friendly facilities including a shelter and seating.
- Existing barbecue and picnic area improved with additional infrastructure including extra seating and drink fountain, plus lighting.
- Proposed multi-court, to replace the existing courts near the Fire Station.
- Landscaping including paths, planted areas and new trees in addition to the existing mature shady trees.
- Minor civil works in the first stage, with additional works to follow in subsequent stage/s, with later works also proposed to include.
- RV/caravan facilities including a new RV waste disposal unit, similar to both Pinjarra and Dwellingup.
- Lighting.
- Walking trail around the oval.

A high priority for the community is the creation of a green/kickabout space as the initial phase for the redevelopment of the oval, a priority will be to investigate a water source with initial testing proposed to establish a new bore. The other priority community based facilities include the following:

- New Playground
- Cricket Nets (Replace Existing)
- Toilet Facilities (Replace Existing)
- Multi Purpose Court (Replace Existing)
- Shelters & Lighting
- Signage
- Improvements to the parking and road access.

The expected project timeline for the project will soon be available on the web page, and will be updated as the project progresses through the stages:

Date	Stage	Details
2021		
August	Council	Draft Masterplan presented to Council for endorsement
August	Funding	Budget Allocation 2021/22 Financial year Shire of Murray
Sept – Dec	Project Planning & Procurement	Develop Projects and plans from the endorsed Masterplan
2022		
January to Apr	Implementation	Progress to Construction

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	Connect the natural assets, waterways, parks and reserves to the community.
Focus Area	Capable and Accountable
Aspiration	To develop strong leadership through good governance, effective communication and ensuring value for money.
Strategy	A participatory community to engage with the Shire to build better places.

Murray 2021-2025 Corporate Business Plan

Focus Area	Places for People
Objective	Maximise and Connect the natural assets to the community.
Strategy	In partnership with communities, identify and prioritise community-led projects and initiatives.
Actions	Provide annual funding to assist with implementation of community-led, placemaking initiatives by local placemaking groups.

Other Strategic Links

Nil

Statutory Environment

Nil

Sustainability & Risk Considerations

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

The project will have a positive impact on the economy through increased appeal of the North Dandalup Reserve and also to lengthen duration of stay, providing an appealing place for children to play and adults and families to linger with a picnic or barbecue. The plan provides for spaces that accommodate pop up retail including the existing coffee van, and facilities for tourists.

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

The project will upgrade the park facilities, providing improved spaces for social connection and activation, the proposed facilities will provide for both the local community and visitors including tourists.

Environment – (Impact on environment’s sustainability)

The project will enhance the environment of North Dandalup, including additional tree planting and indigenous vegetation, and better management of the water resources.

Policy Implications

Nil

Risk Management Implications

<i>Risk Level</i>	<i>Comment (Detail the risk and any measures in place / to be put in place to manage risk.)</i>
Moderate	The risk that the upgrade may not meet community expectations has been mitigated by the consultation process, to check that the elements incorporated are desired, with the draft Masterplan amended to incorporate minor changes that were recommended during the consultation.
Moderate	Safety in Design risks will be addressed through good design meeting Australian Standard requirements for playgrounds and public spaces, including play item fallzone requirements and access guidelines, and procurement of robust materials and products.

Consultation

- Community Workshops



Photo taken at the second community workshop on 4 August 2021 at which the draft masterplan was reviewed.

Resource Implications

Financial

Sale of Land

Eight out of the ten lots have been sold with the remaining two lots with pending contracts, it was anticipated that the income for the subdivision would be in the vicinity of \$1.0M with 50% (\$500K) being allocated to the North Dandalup Project. It is anticipated due to the current positive development sector that the income (less the expenditure to develop the site) will be in the vicinity of \$1.2M with 50% being \$600K. Therefore consideration for additional budget allocation is being recommended to better align to the community expectation.

Project Detail

The priority through the workshop was to focus on the community based facilities in the initial stage with the balance of facilities considered at a future later stage.

Item	Description	Initial Stage	Future Stage	Total
1	Green Space	\$205,000	\$560,000	\$765,000
2	New Toilets	\$130,000		\$130,000
3	Play Equipment & Associated Facilities	\$150,000		\$150,000
4	Information Bay – New Signage		\$10,000	\$10,000
5	Landscape Planting	\$5,000		\$5,000
6	Multi Court Facilities	\$110,000		\$110,000
7	Path/Walking Trail		\$60,000	\$60,000
8	RV/Caravan Facilities		\$40,000	\$40,000
9	Cricket Nets	\$15,000		\$15,000
10	Park Signage	\$3,000		\$3,000
11	Civil Works – Parking and Access	\$20,000	\$200,000	\$220,000
	Total	\$638,000	\$870,000	\$1,508,000

Currently there is an allocation within the Draft 2021/22 Budget of \$500,000 for these works with consideration for additional funds to be allocated to better meet the expectation of the community.

Workforce

In-house construction plans will be prepared and the construction project progressed with relevant staff, with current workforce providing capacity for the project and its subsequent maintenance, along with contracted suppliers and contractors.

Options

Council has the option of:

1. Supporting the upgrade to North Dandalup Reserve by endorsing the Masterplan as presented.
2. Supporting the upgrade to North Dandalup Reserve by endorsing the Masterplan with recommendations for revision to the plan.
3. Not supporting the upgrade to North Dandalup Reserve by not endorsing the Masterplan.

Conclusion

The draft North Dandalup Reserve Masterplan prepared for the project has been well received by the community with the initial focus on the delivery of facilities for the current community when the plan is activated.

A focus from Council has been to support an injection of funding to suit the development of a play space area that will create an activated outcome for the community and the travelling public. The value within the budget for the 2021/22 financial year references \$500K for the initial stage of the works. To better meet the expectation of the North Dandalup community the option to source a further \$100K from the Asset Enhancement Reserve is being proposed and aligns to the increased income generation through the subdivision of lot 102 Lakes Road.

The current cost estimates have a level of contingency and every effort will be made to not only deliver the community priorities but manage a cost effective approach to the works.

Items for Information**11.12 Council Resolution/Outstanding Items**

Resolution Register is attached for information.

Appendix 13

11.13 Delegated Decisions – July 2021

Delegated Decisions is attached for information.

Appendix 14

12. BUSINESS LEFT OVER FROM THE PREVIOUS MEETING

Nil

13. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**14. NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING****15. NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE PERSON PRESIDING OR BY DECISION OF THE MEETING****16. MEETING CLOSED TO THE PUBLIC (CONFIDENTIAL BUSINESS)****17. CLOSURE OF MEETING**