



Minutes

Ordinary Council Meeting

Thursday 22 July 2021

**Ordinary Council – 22 July 2021
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Minutes of the Ordinary Meeting of Council held at the Murray Shire Council, 1915 Pinjarra Road, Pinjarra on Thursday 22 July 2021.

1. DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member, Cr D Bolt declared the meeting open the time being 5.32pm.

2. ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

Cr D Bolt	President
Cr D McLarty	Deputy President
Cr S Kirkham	Councillor
Cr B Cardilini (via teleconference)	Councillor
Cr C Rose	Councillor
Cr S Lee	Councillor
Cr G Black	Councillor
Cr B Beacham	Councillor
Cr A Rogers	Councillor
Mr D Unsworth	Chief Executive Officer
Mr A Smith	Director Infrastructure Services
Mr R Peake	Director Planning and Sustainability
Mrs M Renton	Manager Community and Library Services
Mrs T Unsworth	Director Corporate Services
Mrs M Toner	CEO Executive Support Officer

There was one (1) members of the public and three (3) members of staff in attendance at this time.

APOLOGIES

Nil

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Nil

5. PETITIONS AND APPROVED DEPUTATIONS

5.1 Residents Petition – Fire Hazard Concerns – Unmade Road Reserve – Rivergum Esplanade, South Yunderup

This item will be dealt with at Item 11.4 of the agenda.

6. CONFIRMATION OF MINUTES

6.1 Ordinary Council Meeting – 24 June 2021

Recommendation/Council Decision

OCM21/102

Moved: Cr B Beacham

Seconded: Cr S Kirkham

That the Minutes of the Ordinary Council Meeting held on 24 June 2021 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY 9:0

7. ANNOUNCEMENTS BY THE PRESIDING MEMBER

On Friday 25 June, I attended a meeting with residents from Austin Lakes, a representative from Wolfdene, and Shire of Murray Senior Parks and Projects Officer. The meeting was held onsite at Austin Lakes to discuss various matters regarding Inlet Boulevard, South Yunderup.

On Saturday 26 June, I attended the Planting in the Park, Cantwell Park, Pinjarra to welcome the Community and thank the participants and project partners.

On Tuesday 29 June, I was interviewed by CurtinFM Radio regarding Dwellingup.

On Thursday 8 July, I attended the Council Briefing/Strategy Planning Day with Councillors and Shire of Murray Executive Officers at the Shire of Murray.

On Friday 9 July, I attended a meeting held at the Shire of Murray regarding the Peel Water Strategy with representatives from Department of Primary Industries and Regional Development and Peel Regional Leaders Forum along with the CEO and David Arkwright, Manager Investment Attraction.

On Tuesday 13 July, I presided over the Shire of Murray's Australian Citizenship Ceremony held in the Council Chambers. Cr Stuart Kirkham also attended the ceremony. Six Australian citizens were welcomed at the Shire of Murray.

On Friday 16 July, I attended a farewell event for two long serving employees at the Murray Operations Centre.

On Monday 19 July, I attended a Peel Development Commission function in Mandurah to farewell outgoing Chair, Paddi Creevey.

On Wednesday 21 July, The CEO and I met with the Minister of Environment Hon Amber Jade Sanderson MLA, and Local Member of Parliament Robyn Clarke MLA. We then toured the Dwellingup area and discussed local environmental initiatives, tourism, trails projects and strategic plans for the area. I also met with the CEO for our regular catchup review meeting at the Shire of Murray. That afternoon I attended a Round Table discussion with Alcoa representatives held at the Shire of Murray offices.

On Thursday 22 July, I attended a presentation briefing from Regional Development Australia Peel after which I presided over the Ordinary Council meeting held in the Shire of Murray Council Chambers.

8. ANNOUNCEMENTS BY ELECTED MEMBERS

Nil

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

Cr S Kirkham and Cr D McLarty declared an Impartiality Interest in Item 10.1.1 Election of Officers for the 2021/2022 Fire Season in that they have been appointed by delegated authority for the 2021/2022 Fire Season as a Fire Control Officer permit issuing only for Coolup VBFB.

Cr D Bolt declared an Impartiality Interest in Item 11.2 In-Principle Support: Lease Duration – Western Australia Food Innovation Precinct in that his daughter has casual employment in the Murdock Computer Science Department in the Pac and Pass Program.

Mr D Unsworth declared a Financial Interest in Item 16.1 Report to Address Chief Executive Officer key Performance Indicator – Resource Sharing in that a decision to withdraw from the Chief Executive Officer Resource Sharing Agreement will have a negative financial impact on his salary.

Cr S Lee declared an Impartiality Interest in Item 16.2 Tender T21/3 – Provision of Banking and Bill Payment Services in that he is the chairperson of the Board of Directors of the Pinjarra Community Financial Services LTD who operate the Pinjarra Bendigo Community Bank.

Cr D McLarty declared an Impartiality Interest in Item 16.2 Tender T21/3 – Provision of Banking and Bill Payment Services in that his step father is on the Board of Directors of the Pinjarra Community Financial Services LTD who operate the Pinjarra Bendigo Community Bank.

Cr D Bolt declared a Financial Interest in Item 16.2 Tender T21/3 – Provision of Banking and Bill Payment Services in that he has a bank account with the Bendigo Bank Pinjarra.

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

10.1 **Bush Fire Advisory Committee Meeting Wednesday 26 May 2021 – Items to be dealt with separately.**

10.1.1 **Election of Officers for the 2021/2022 Fire Season**

File Ref: 1809
Previous Items: Nil
Author and Title: Robert Marlborough, Manager Governance
Voting Requirements: Simple Majority

Cr S Kirkham and Cr D McLarty declared an Impartiality Interest in Item 10.1.1 Election of Officers for the 2021/2022 Fire Season in that they have been appointed by delegated authority for the 2021/2022 Fire Season as a Fire Control Officer permit issuing only for Coolup VBFB.

Cr S Kirkham and Cr D McLarty advised that they would consider the matter on its merits and vote accordingly.

Cr S Kirkham and Cr D McLarty remained in the meeting.

BFAC Committee Recommendation - BFAC21/002**Recommendation/Council Decision****OCM21/103****Moved: Cr G Black****Seconded: Cr S Lee****That Council:**

1. supports the appointment of the following persons by delegated authority for the 2021/2022 Fire Season; and

Chief Bush Fire Control Officer:	Mr. Robert (Bluey) Wilson
Deputy Chief Bush Fire Control Officer:	Mr. Gavin Stevens, CESC Shire of Murray
Fire Control Officers:	Mr. Douglas McLarty – Coolup VBFB Mr. Peter Thurkle – North Dandalup VBFB Mr. James (Jim) Camplin – South Yunderup/Ravenswood VBFB Mr. Robert Wilson – West Murray VBFB Mr. Kevin Jones – Pinjarra VFRS
Fire Control Officers: (Permit Issuing Only)	Mr. Chris Sattler – Coolup VBFB Mr. Stuart Kirkham – Coolup VBFB Ms. Lorraine Webster – North Dandalup VBFB Ms. Christine Thompson JP – West Murray VBFB Mr. Brian Bird – West Murray VBFB
Fire Weather Officer:	Mr. James (Jim) Camplin – South Yunderup/Ravenswood VBFB
Deputy Fire Weather Officer:	Mr Gavin Stevens, CESC Shire of Murray
Shire Training Coordinator/s:	Mr. James (Jim) Camplin – South Yunderup/Ravenswood VBFB Mr. Gavin Stevens, CESC Shire of Murray

2. recommend that the Chief Executive Officer appoints a Fire Control Officer and Permit Issuing Officer/s for the 2021/2022 Fire Season from the Dwellingup Volunteer Bush Fire Brigade membership or otherwise, when suitably qualified Officers are nominated or identified.

CARRIED UNANIMOUSLY 9:0

10.1.2 2020/2021 Firebreak Notice

File Ref: 1804
 Previous Items: Nil
 Author and Title: Robert Marlborough, Manager Governance
 Voting Requirements: Simple Majority

BFAC Committee Recommendation – BFAC21/003**Recommendation/Council Decision****OCM21/104****Moved: Cr A Rogers****Seconded: Cr G Black****That Council:**

1. notes that the Shire of Murray Firebreak Notice adopted at the Ordinary Council Meeting on 25 June 2020 (OCM20/100) and published in the Government Gazette on 4 September 2020 remains in effect without amendment; and
2. supports the publication of the current firebreak notice, as necessary in accordance with the provisions of the *Bush Fires Act 1954*, before 30 September 2021.

CARRIED UNANIMOUSLY 9:0**10.2 Bush Fire Advisory Committee Meeting – Wednesday 26 May 2021**

File Ref: 7206
 Author and Title: Robert Marlborough, Manager Governance
 Voting Requirements: Simple Majority

Appendix 1**Recommendation/Council Decision****OCM21/105****Moved: Cr A Rogers****Seconded: Cr B Beacham**

That Council receives and notes the Minutes of the Bush Fire Advisory Committee Meeting held on Wednesday 26 May 2021.

CARRIED UNANIMOUSLY 9:0**10.3 Resource Sharing Alliance Committee Meeting – 9 June 2021 – Items to be dealt with separately.****10.3.1 Provision of Contract Ranger, Emergency Management and Administration Services – Resource Sharing Arrangements – Shire of Murray and Shire of Waroona**

File Ref: 1401
 Previous Items: OCM 11 June 2015 Item 17.1 (OCM15/141)
 Authors and Titles: Robert Marlborough, Manager Governance
 Declaration of Interest: Nil
 Voting Requirements: Simple Majority

Appendix 2

Recommendation/Council Decision**OCM21/106****Moved: Cr S Lee****Seconded: CrD McLarty****That both Councils:**

- 1. supports the Chief Executive Officer endorsing a formal Contract arrangement between the Shire of Murray and Shire of Waroona for the provision of Ranger, Emergency Management and Administration Services for the period 1 July 2021 to 30 June 2024 (Initial Term) with the financials aspects being based on full cost recovery for the services provided; and**
- 2. subject to the satisfactory operation of the Contract during the Initial Term, and a full review of operating costs being completed in June 2024, approves for a further contract term being endorsed by the Chief Executive Officer for the provision of Ranger, Emergency Management and Administration Services to the Shire of Waroona for the period 1 July 2024 to 30 June 2027.**

CARRIED UNANIMOUSLY 9:0**10.3.2 Reciprocal Recreation / Leisure Centre Employee Benefits**

File Ref:	1/2393
Previous Items:	Nil
Authors and Titles:	Nicole Wilson, Murray Manager Integrated Planning
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority

Recommendation/Council Decision**OCM21/107****Moved: Cr G Black****Seconded: CrC Rose**

That Shire of Murray and Shire of Waroona employees can access the resource-shared organisations Recreation / Leisure Centre under the same conditions that apply to the employees of that organisation.

CARRIED UNANIMOUSLY 9:0

Note that Item 7.1 from the Minutes will be dealt with at Item 16.1 of this agenda.

10.4 Resource Sharing Alliance Committee Meeting – 9 June 2021**Appendix 3 & 4****Recommendation/Council Decision****OCM21/108****Moved: Cr D McLarty****Seconded: Cr S Lee**

That the Minutes of the Resource Sharing Alliance Committee Meeting held on 9 June 2021 be confirmed as a true and correct record.

CARRIED UNANIMOUSLY 9:0

11. REPORTS OF CHIEF EXECUTIVE OFFICER AND OFFICERS

Planning and Sustainability

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

File Ref:	T21/10
Applicant:	Nil
Author and Title:	Dale Burton, Manager Building Services
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Recommendation/Council Decision

OCM21/109

Moved: Cr A Rogers

Seconded: Cr B Beacham

That Council:

1. endorses the tender selection criteria for Tender T21/10 as provided in the body of this report for the Provision of Cleaning Services for Shire owned buildings; and
2. approves the Chief Executive Officer to publicly invite Tender T21/10, State wide for the Provision of Cleaning Services for Shire owned buildings in accordance with the provisions of the *Local Government Act*.

CARRIED UNANIMOUSLY 9:0

In Brief

- The Shire of Murray contracts the cleaning of a number of its building facilities.
- The overall costs associated with cleaning of Shire owned buildings has reached the threshold where it has become necessary to tender for this service.
- To progress the process Council is required to endorse the tender advertising and selection criteria for tender evaluation.

Background

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

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

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

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

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

Report Detail

To progress new cleaning services contracts, it is necessary to invite suitably qualified contractors for the provision of cleaning services.

The following table details the selection criteria proposed for Tender T21/10.

Description	Weighting
a) Demonstrated experience in supplying similar services	30%
b) Capacity to supply the services	30%
c) Tender price	40%
Total Weighting	100%

Murray 2031 Strategic Community Plan

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

Other Strategic Links

Nil

Statutory Environment

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

Sustainability & Risk Considerations

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

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

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

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

Environment – (Impact on environment's sustainability)

Nil

Policy Implications

Policy G11 Purchasing deals with purchasing generally including Tendering.

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

Risk Management Implications

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

Consultation

Nil

Resource Implications

Financial

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

Workforce

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

Options

Council has the option of:

1. Accepting the selection criteria and the associated weightings as outlined.
2. Accepting modified selection criteria and/or weightings to that outlined.

Conclusion

The recommendation presented for Council's consideration will enable the Shire to progress to advertise tenders for the supply of cleaning services for Shire owned buildings.

Corporate Governance

11.2 In-Principle Support: Lease Duration – Western Australian Food Innovation Precinct

File Ref:	5/6104
Previous Items:	OCM Sept 19 Item 11.8 (OCM19/186)
Applicant:	Nil
Author and Title:	Dr Christopher Vas, General Manager - Western Australian Food Innovation Precinct Robert Marlborough, Manager Governance
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Cr D Bolt declared an Impartiality Interest in Item 11.2 In-Principle Support: Lease Duration – Western Australia Food Innovation Precinct in that his daughter has casual employment in the Murdoch Computer Science Department in the Pac and Pass Program.

Cr D Bolt advised that he would consider the matter on its merits and vote accordingly.

Cr D Bolt remained in the meeting.

Recommendation/Council Decision

OCM21/110

Moved: Cr B Beacham

Seconded: Cr C Rose

That Council supports the Chief Executive Officer providing written in-principle confirmation to the proposed lessees of the Western Australian Food Innovation Precinct (WAFIP) — Murdoch University, GrowHub (Fund Singapore), Department of Primary Industries and Regional Development (DPIRD) and Spinifex Brewery Co. that the lease term for the proposed lessees, as detailed will be for an initial term of five years (2022 – 2027) with the option for a further five year extension (until 2032) on terms to be negotiated, pending formal lease agreements being progressed pursuant to section 3.58 (3) of the Local Government Act 1995.

CARRIED UNANIMOUSLY 9:0

In Brief

- The proposed lessees of the WAFIP have indicated to the Shire that each of them plans to make a reasonable capex investment in the fit out of the relevant WAFIP entities — Research and Development Centre (Murdoch University), Innovation Centre (GrowHub), Production Facility (DPIRD) and the Warehouse (Spinifex). Consequently, a preference for a longer-term lease has been suggested.
- Noting that the Council will extend full consideration of the leasing arrangements at a future meeting, the CEO providing in-principle confirmation to the proposed lessees indicating that lease opportunities at the WAFIP will be for a period of five years (2022 – 2027) with the option to renew for a further period of five years (until 2032) provide clarity and a measure of surety.

Background

At the Ordinary Council Meeting on 26 September 2019, Council adopted the following recommendation (OCM19/186) in support of in-principle leasing associated with the (Agri Innovation Precinct) WAFIP.

That Council:

1. *in principle, and subject to compliance with requirements of Section 3.58 of the Local Government Act 1995, acknowledges that lease arrangements for the Agri Innovation Precinct*

within the Peel Business Park in Nambeelup, are broadly supported, with prospective tenants being ManukaLife, Fund Singapore and Murdoch University, initially; and

2. *supports the Chief Executive Officer formally confirming that lease arrangements for the Agri Innovation Precinct will be progressed with ManukaLife, Fund Singapore and Murdoch University, initially, pending a further report being presented to Council prior to the construction of the Agri Innovation Precinct to consider leasing arrangements, and for acceptance of a formal market rental valuation.*

WAFIP related lease discussions have been progressing with the prospective lessees. A further report will be presented to Council on any lease arrangements, pending the formal market rental valuation. Advertising of any proposed lease will then be required for those entities; not exempt and public submissions will be sought.

Following this process, a final report will be presented to Council to consider lease opportunities at the WAFIP.

Report Detail

The Shire has secured an Agreement for Lease with GrowHub and Spinifex; with a Heads of Agreement being finalised with Murdoch University and a draft lease agreement being considered by DPIRD.

The proposed lessees have indicated to the Shire that reasonable capex investments are being planned for each of the entities that are proposed to leased space within the WAFIP. To ensure a reasonable return on investment, a longer lease term or renewal options have been sought from the lessees. Without these options being offered to the prospective lessees, there is significant risk of losing these potential lessees.

At this stage of the WAFIP development, it is reasonable for the Shire to consider an initial lease term of five years (until 2027) with one further renewal for the same period (until 2032). A renewal option should not preclude a sale of the WAFIP should the Council determine this need in the future, as long as any sale agreement recognises the leasing rights of the lessees.

It is useful to note that the Australian Government's Regional Growth Funding which is supporting the build of the WAFIP requires the Shire to own and remain accountable for the WAFIP for a period of five years.

Murray 2031 Strategic Community Plan

Focus Area	Thriving Economy
Aspiration	To creat diverse and prosperous economy that supports innovation, training opportunities and provides a variety of business, tourism and employment opportunities.
Strategy	Develop key sectors of the tourism economy where Murray has a competitive advantage.

Murray 2021-2025 Corporate Business Plan

Focus Area	Thriving Economy
Objective	Maximise the inherent economic opportunities in the Mandurah Murray functional economic region.
Strategy	Build and Maintain the Transform Peel Initiative.
Actions	Implement the Agri-Innovation Precinct Project.

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 presented for consideration is not an excluded disposition under the *Local Government (Functions and General) Regulations 1996* and advertising is required.

Sustainability & Risk Considerations

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

Providing in-principle support to the entities at this stage will work towards achieving the Precincts core focus in the longer term.

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	The Shire has been in correspondence with the proposed lessees over leasing arrangements. Providing in-principle confirmation on the initial leasing term with a further option to lease will retain the momentum of the lessees in shoring up their work programs. However, should this option not be provided the risk of losing proposed lessees increases significantly .

Consultation

Nil

Resource Implications*Financial*

Nil

Workforce

Nil

Options

Council has the option of:

1. Agreeing to provide in-principle support to an initial lease term of five years with a further option of five years.
2. Reject the provision.

Conclusion

Working to secure leasing arrangements at the WAFIP is advantageous for all parties. However care must be applied to ensure the legislative responsibilities are met.

11.3 Acquisition of Lot 1 (45) Culeenup Road, North Yunderup

File Ref:	CU01/1& 4211-03
Previous Items:	OCM 24 Sept 20 Item 11.8 (OCM20/175)
Authors and Titles:	Robert Marlborough, Manager Governance
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority

Appendix 5 - Property Valuation Report

Recommendation/Council Decision

OCM21/111

Moved: Cr S Lee

Seconded: Cr G Black

That Council:

1. approves the purchase of Lot 1 (45) Culeenup Road, North Yunderup in fee simple from the Country Women's Association of Western Australia Inc for the amount of \$195,000 (Exc. GST), with funding for the purchase and for settlement costs of \$1,000 being allocated from the Asset Enhancement Reserve, with the Chief Executive Officer being authorised to undertake and finalise the acquisition process; and
2. supports the extension of the current management agreement between the Shire of Murray and the North Yunderup Community Association for Lot 1 (45) Culeenup Road, North Yunderup for a further two years at the expiry of the current option term (31 December 2022) if enacted, subject to any additional terms and conditions, as determined by the Chief Executive Officer.

CARRIED UNANIMOUSLY 9:0

In Brief

To consider:

- the purchase of Lot 1 (45) Culeenup Road North Yunderup (CWA Hall) in fee simple from the Country Women's Association of Western Australia Inc (CWA); and
- the extension of the current management agreement with the North Yunderup Community Association for the use and day to day management of the premises at Lot 1 (45) Culeenup Road, North Yunderup for the benefit of the community.

Background

The Country Women's Association of Western Australia Hall (CWA Hall) was built in 1955 on Lot 1 (45) Culeenup Road, North Yunderup which was owned by Dr Pearson. This property was then gifted to the Country Women's Association of Western Australia Inc (CWA).

Lot 1 (45) Culeenup Road is a 1065m² parcel of land. Under the Shire's Town Planning Scheme No. 4, it is zoned under special provisions for single residential use. The site is subject to constraints, namely; located within a flood way, multiple use wetland and environmentally sensitive area.

The building on the land is a fibre-cement (likely containing asbestos) and corrugated iron community hall and is considered to have social significance to the local community. In 2016, the building was extended to provide an upgraded kitchen and toilet facilities and the building is in good condition. The Yunderup Country Women's Association WA North Yunderup

branch (Yunderup CWA) raised the funds necessary for the recent renovations with works, with the cost being in vicinity of \$150,000.

Over the years, the CWA Hall has served as the Yunderup CWA's clubhouse and has hosted a range of local activities and initiatives including, but not limited to, the following:

- Yunderup CWA activities and initiatives;
- North Yunderup Community Association's (NYCA) monthly general and committee meetings;
- Sewing groups;
- Walking clubs;
- Kids discos;
- Indoor community movie nights;
- Neighbourhood sundowners; and
- Electoral commission stations.

Following the Yunderup CWA's branch being dissolved, the Shire were approached by the NYCA with concerns that the community was going to lose access and use of this historic community facility.

This approach resulted in discussion with the CWA about the possibility of the Shire leasing the property to enable ongoing local community use of the CWA Hall, by the NYCA either by way of a lease or a management agreement.

At the Ordinary Council Meeting on 24 September 2020 a report was presented to determine a position on the Shire entering into a lease with the CWA for CWA Hall; and for the enactment of a management agreement with the North Yunderup Community Association for the day to day management of the CWA Hall to continue to provide facilities for community use. The following recommendation was adopted.

That Council:

1. *supports a lease agreement being entered into between the Shire of Murray and the Country Women's Association of Western Australia (Inc) for the CWA Hall located at Lot 1 (45) Culeenup Road, North Yunderup for a period of one year with a similar option period;*
2. *authorises the Chief Executive Officer to negotiate and endorse a lease agreement with the Country Women's Association of Western Australia (Inc) for the annual rent being five hundred dollars (\$500.00), plus GST;*
3. *supports a management agreement being entered into between the Shire of Murray and the North Yunderup Community Group for the CWA Hall located at Lot 1 (45) Culeenup Road, North Yunderup for a period of one year with a similar option period; and*
4. *authorises the Chief Executive Officer to negotiate and endorse a management agreement with the North Yunderup Community Group.*

Following the adoption of this recommendation a lease was enacted with the CWA for the CWA Hall on Lot 1 (45) Culeenup Road, North Yunderup for an initial period of 12 months, with a further option term of 12 months to 1 January 2023 with the annual rental being \$500 plus other outgoings. In conjunction with this lease arrangement, a management agreement was entered into with the NYCA for the CWA Hall for an initial 12 months, with a further 12-month option period being available until 31 December 2022.

Following the lease and management agreements being finalised, the CWA formally approached the Shire on 3 March 2021 to determine if there was an interest in purchasing the property by way of an exclusive offer, as the CWA no longer had local CWA group in North Yunderup. The purchase price initially expressed was \$200,000.

In conjunction with the initial discussions about the possible purchase, a property valuation report was sourced from Herron Todd White on 23 March 2021 to determine the market value of the property “As Is”. The report received indicated a market value of \$200,000 (\$175,000 of the land and \$25,000 for improvements). A copy of this report is provided for Council’s information at **Appendix 5**.

On 10 June 2021 the Chief Executive Officer met with the CWA State President and in-principle support was reached for the Shire to purchase the property for the amount of \$195,000, subject to Council formally considering the acquisition proposal.

Formal advice received 24 June 2021 confirmed that the CWA Board would accept the in-principle amount agreed on 10 June 2021 for the Shire to purchase the property.

Report Detail

At present, the CWA Hall is the only facility in its immediate locality that can be utilised by community groups and volunteers to deliver place activations and community development initiatives. Having access to community centres is essential as they are often vital hubs that unite the community, provide volunteer opportunities, combat loneliness, encourage creativity and culture and promote the sharing of skills and knowledge.

The Shire’s Community Infrastructure Plan (CIP) is being revised to consider the future needs of the Shire’s community and the CWA Hall will be reviewed in terms of its existing condition, purpose, location and functionality as a community facility that sits within a larger North Yunderup/Furnissdale urban catchment and its relationship to the current and future population needs. The revised CIP report and recommended facility provision allocations across the Shire of Murray will be considered by various Shire departments with different technical backgrounds. A final draft is anticipated to be presented to Council in the second half of 2021.

With the above being said, the North Yunderup community is experiencing very gradual growth and the development of any new community facility will be based on the perceived need at the time and supported by a feasibility study, and this is not anticipated in the next 5-10 years.

Whilst the property is nestled within a residential area and lacks substantial dedicated on-site parking the current and expected short term activity levels are unlikely to impact amenity or affect adjoining landowners.

Until such time as new community facilities are needed in North Yunderup, Council supporting the purchase of this property at the negotiated purchase price of \$195,000 would support the local community and the property could continue to be managed by the NYCA by way of a periodic management agreement. It is unlikely to need to invest significant resources into the property, other than ongoing maintenance given the condition of the current building.

Should it be determined in the future that the CWA Hall is unsuitable or unable to meet the needs of the community or the Shire, as a community facility in the future the property could be sold as a residential lot, or alternately land swap arrangements could be investigated for appropriate Reserve land elsewhere in the district.

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	Plan community facilities for future generations. Develop and support activities that encourage an active and healthy lifestyle. Support volunteer opportunities and organisations. Support diverse, minority and cultural groups.

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

Murray 2021 - 2025 Corporate Business Plan

Focus Area	Places for People
Objective	Socially connected, safe and cohesive community.
Strategy	Support diverse, minority and cultural groups.
Actions	Improve facilities and access throughout Murray.

Other Strategic Links

Nil

Statutory Environment

Nil

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

The proposed purchase price of the property is in line with the market value established by an independent valuer and if purchased, the value of the land and improvements would not likely decrease over time. Therefore, the capital investment made could be recovered by disposal at a future point in time.

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

Community facilities are essential as they are often vital hubs that unite the community, provide volunteer opportunities, combat loneliness, encourage creativity and culture and promote the sharing of skills and knowledge. It is not envisaged that activities will increase at the premises, if purchased. The likely hood of increased negative impacts on adjoining landowners is also not expected and the management agreement in place and proposed to be extended will ensure appropriate use is managed.

Environment – (Impact on environment's sustainability)

No change of use of the land is proposed and the potential to detrimentally impact the environment is limited.

Policy Implications

Nil

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	There are no adverse implications that preclude Council committing to purchasing property or land. The land transaction proposed is being undertaken in an open and transparent manner which supports effective governance.

Consultation

Country Women's Association of Western Australia.

Resource Implications*Financial*

If the land is purchased at the agreed amount, the cost to Council will be \$195,000 plus an additional \$1,000 for land settlement costs. If the land is purchased, the annual lease costs payable to the CWA of about \$700 for the period 1 January 2022 to 1 January 2023 and any residual leasing cost for the current calendar year will not be payable, as the lease will terminate on sale.

Workforce

Nil

Options

Council has the option of:

1. Supporting the recommendation, as proposed.
2. Declining to purchase the property and continue the current lease and management arrangements.

Conclusion

The opportunity to purchase the CWA Hall property in North Yunderup at the negotiated price will ensure the local community have ongoing access to a facility to meet local needs in the short term, until development of future facilities is required. If the property is not secured the likelihood is, that it will be sold on the open market for possible residential purposes and community access and use of the facility will potentially not be possible.

11.4 Batavia Quays Residents Petition - Fire Hazard Concerns - Unmade Road Reserve - Rivergum Esplanade, South Yunderup

File Ref:	1809 & 0433
Previous Items:	Nil
Applicant:	Tom van Leewen on behalf of Batavia Quay Residents
Author and Title:	Robert Marlborough, Manage Governance
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Appendix 6 - Residents Petition

Recommendation/Council Decision

OCM21/112

Moved: Cr B Beacham

Seconded: Cr S Lee

That Council:

1. receive and note the petition facilitated by Mr Tom van Leeuwen of behalf of residents of Batavia Quays, South Yunderup;
2. supports the clearing of understory and overhanging vegetation (not exceeding 4 metres in width) to facilitate an effective firebreak immediately adjacent to the footpath on Reserve 48899 to reduce potential bushfire risk; and
3. supports individual engagement with all landowners adjoining Reserve 48899 to review bushfire preparedness activities and compliance with the Shire of Murray Firebreak Notice to further promote community safety.

CARRIED UNANIMOUSLY 9:0

In Brief

- To present a petition received from residents of Batavia Quays, South Yunderup.
- To consider and determine appropriate actions to address the concerns raised by the residents in regard to bushfire risk.

Background

On 14 June 2021 a petition signed by 24 residents of Batavia Quays, South Yunderup was received via the President of the South Yunderup Residents and Ratepayers Association. The petition was acknowledged in writing to SYIRA on 15 June 2021 and to the petition facilitator on 24 June 2021.

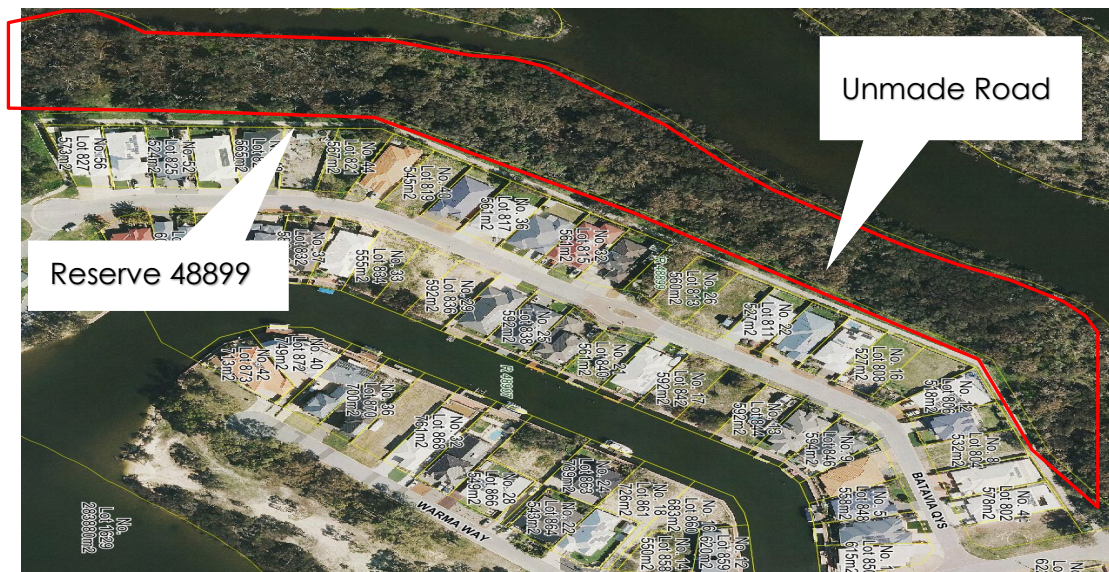
For Council's information the petition received is provided at **Appendix 6**, and the following is the broad outline -

We, the residents of Batavia Quays, South Yunderup, are extremely concerned about the potential fire hazard posed by the riverside bushland adjacent to the north of our houses. The bushland consists of a strip about 500m long and approximately 50m wide, between the rear of our properties northern boundaries and the river. The undergrowth in this area is very dense and hosts an array of perennial weed species such as wild oats which die off in summer creating a dangerous fire risk. Despite the fact that a part of this area is subject to inundation in mid-winter the bushland is a serious bushfire risk for at least nine months of the year. The area is a fire disaster waiting to happen.

To reduce the threat, we would request that the Shire parkland clear the area similar to what has been done to the riverside land immediately to the east. We would suggest that only the undergrowth be cleared enabling the area to be maintained.

This would also accommodate easy access should a wild fire occur and provide a pleasant amenity for residents and visitors alike. Clearing the thick undergrowth; will no doubt assist in the mosquito control.

We understand that the area in question is vested in the WA rivers authority, However we feel that the Shire has a responsibility to protect the interest of it's ratepayers, The Shire already mows and maintains the parkland cleared riverbank area adjoining the subject bushland so the precedent has been set.



The land of concern, highlighted red in the map above is an unmade section of Rivergum Esplanade, South Yunderup, which is under the care and control of the Shire, not the former Water and Rivers Commission.

The residential land in Batavia Quays was developed prior to 2005 (with the first houses being constructed in 2006), which was well before the Planning for Bushfire Prevention Guidelines were implemented requiring bushfire attack level assessments to determine building construction standards in areas deemed bushfire prone. The natural vegetation in the area adjacent to Batavia Quays has not changed significantly over time, other than through illegal clearing incidents which seem to link to improving river views.

As Council are aware a project to close the unmade portion of road from the Willow Gardens Canal through to Warma Way, which includes the land area in question was supported in 2015 (OCM15/325). The portion of the unmade road to be closed is then to be created as a Reserve managed by the Shire, for the purpose of recreation and conservation, given riparian vegetation on much of the land and existing uses such as the Batavia Quays boat ramp and jetty.

Furthermore, Council were recently briefed on the work that is ongoing to develop a Bushfire Risk Management Plan (BRMP) for the entire district. The area in question was mapped some months ago by the project officer and a representative of the local Volunteer Bush Fire Brigade to determine vulnerable assets and consider potential future treatment mitigation strategies.

Report Detail

The Shire's Coordinator Environment Services advises that parkland clearing (as expressed in the petition) would be a negative environmental outcome as the area is classified as priority conservation category wetland, the highest classification of wetland vegetation in terms of

environmental value and this is associated with the foreshore of the Murray Delta, is a key ecological linkage and provides significant fish habitat, it is also potential temperate saltmarsh, which is a threatened ecological community under both the new Biodiversity Conservation Act of Western Australia and the Federal EPBC Act. Carefully managed firebreak work was supported.

The outcome determined from the prior BRMP assessment was to install an improved firebreak immediately inside the road reserve land behind the Batavia Quays residential properties, and this type of work would not adversely impact the lands high environmental values, as work would be done by mulching.

It was hoped to wait for State funding through the Mitigation Activity Fund (MAF) to complete and install an improved firebreak in this particular location and in other locations in South Yunderup that are very similar in nature. However, in support of the petitioner request for improved bush fire mitigation (being mindful to protect natural assets), an improved firebreak as recommended can be installed prior to November this year.

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.
Focus Area	Capable and Accountable
Aspiration	Murray has a sustainable future.
Strategy	To develop strong leadership through good governance, effective communication and ensuring value for money.

Murray 2021-2025 Corporate Business Plan

Focus Area	Places for People
Objective	Socially connected, safe and cohesive community.
Strategy	Facilitate safe neighbourhoods and communities.
Actions	Develop, implement and maintain bushfire risk management planning.

Other Strategic Links

Nil

Statutory Environment

Shire of Murray Meeting Procedures Local Law 2015 - Clause 3.6 Petitions

- (1) A petition is to—
 - a. be addressed to the president;
 - b. be made by electors of the district;
 - c. state the request on each page of the petition;
 - d. contain the name, address and signature of each elector making the request, and the date each elector signed;
 - e. contain a summary of the reasons for the request; and
 - f. state the name of the person to whom, and an address at which, notice to the petitioners can be given.
- (2) Upon receiving a petition, the local government is to submit the petition to the relevant employee to be included in the employee's deliberations and report on the matter that is the subject of the petition, subject to subclause (3).

- (3) At any meeting, the council is not to vote on any matter that is the subject of a petition presented to that meeting, unless—
- a. the matter is the subject of a report included in the agenda; and
 - b. the council has considered the issues raised in the petition.

Sustainability & Risk Considerations

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

The costs of installing additional width firebreaks in area adjacent to Batavia Quays, using machines that mulch vegetation to minimise environmental impacts is expected to cost in the vicinity of \$4,000.

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

Additional works as proposed will reduce bushfire risk by providing additional low fuel buffer zone between the residential premises adjoining the unmade portion in Rivergum Esplanade adjacent to the residential properties in Batavia Quay. Improved fire appliance access will also be achieved. individual landowner preparedness within each residential property further supports reduced risk.

Environment – (Impact on environment's sustainability)

As provided in the report detail section of this report.

Policy Implications

Nil

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
High	Not supporting reasonable additional preventative and preparedness work, that balances sound environmental considerations may expose the Shire to negative community feedback.

Consultation

Nil

Resource Implications

Financial

The cost of this additional work, if supported will be in the vicinity of \$4000. Council provide funds annually during the annual budget process for bushfire preparedness work on Shire owned freehold and Reserve managed land. Once the BRMP is endorsed for the district additional opportunities will become available to access MAF funding to mitigate identified bushfire risk by applying appropriate treatments.

Workforce

Sufficient resources are in place to oversee and manage bush fire preparedness activities.

Options

Council has the option of:

1. Supporting the recommendation presented.
2. Rejecting the recommendation presented and determine an alternate outcome.

Conclusion

Bushfire concerns require investigation and appropriate mitigation strategies need to be applied to effectively manage and reduce risk, as this supports the community, whilst being cognisant of broader environmental considerations.

11.5 Alfresco Dining Licence Proposal – Dwellingup Hotel – Portion of Marinup Street, Dwellingup

File Ref:	MA03/8 & 0228
Previous Items:	Nil
Applicant:	Dwellingup Community Association Inc
Declaration of Interest	Nil
Author and Title:	Robert Marlborough
Voting Requirements:	Simple Majority

Appendix 7 – Market Rental Assessment Report

Recommendation/Council Decision

OCM21/113

Moved: Cr G Black

Seconded: Cr S Kirkham

That Council:

1. supports an Alfresco Dining Licence being entered into with The Dwellingup Community Association Inc or the licensee of the Dwellingup Hotel (Rossgem Pty Ltd) or for an area of about 140m² in Marinup Street, Dwellingup for a period of 5 years, with the annual licence fee commencing at \$1,050 per annum, plus GST, paid in advance, with the licence fee increasing by 3% or CPI, whichever is greater, on each anniversary of the licence;
2. accepts the market rental valuation for the area to which the Alfresco Dining Licence is to apply, as provided by Acrementis dated 29 June 2021, being \$1,050 per annum, plus GST, paid in advance; and
3. approves for the Chief Executive Officer to –
 - (a) publish a local public notice in accordance with Section 3.58 of the *Local Government Act 1995* inviting written submissions on the lease proposal, to be received for at least 14 days; and
 - (b) subject to no submissions being received by the closing date negotiate, endorse and enter into the licence with, as outlined; and
4. if adverse submissions are received, a further report is to be prepared and presented to Council to review the submissions and determine a position on the licence proposal.

CARRIED UNANIMOUSLY 9:0

In Brief

To consider a new alfresco dining licence arrangement on a portion of Marrinup Street, Dwellingup which is currently being used in association with the Dwellingup Hotel at 13 and 15 Marinup Street, Dwellingup.

Background

An alfresco area fronting Marinup Street, Dwellingup, outside the Dwellingup Hotel has operated for some time. Historically annual licensing has occurred under the Shire's Local Laws.

Given that this is a larger scale ongoing operation it is proposed to bring the prior licensing arrangement into line with similar larger scale alfresco operations in the district (Dome Pinjarra), where an extended licence is issued rather than through an annual process.

The area in question is approx 140m² and this is detailed in the following site plan, public access at least 1.5 metres wide will be maintained through the proposed area for the public.



The licensee of the Dwellingup Hotel (Rossgem Pty Ltd) was advised on 13 May 2021 of the proposal to implement a new process for the licensing the Alfresco Dining area associated with the Dwellingup Hotel.

The licensee subsequently confirmed that a current extended liquor trading permit (No: 0208770316) was in effect within the alfresco area. This trading permit allows the consumption of alcohol.

Report Detail

As detailed, historically annual alfresco licensing has occurred with the subject area.

The proposal presented for Council to consider is to enable a longer-term licencing arrangement to be put in place, similar to situation that applies to a portion of James Street, Pinjarra, occupied for alfresco purposes by Dome, Pinjarra.

The licence term proposed is for 5 years, with the annual fee commencing at \$1050 per annum, plus GST with annual review, based on CPI or 3% whichever is greater.

To support the proposed fee a formal market rental valuation, dated 29 June 2021 was sourced from Acumentis Valuers. This report suggested a range for the annual fee of \$700 to \$1400 per annum based on market evidence, with the midrange fee being suggested at \$1050 per annum. A copy of the valuation report is provided for Council's information at **Appendix 7**.

Supporting a longer-term licence provides improved surety for the use of the area for alfresco purposes and the licence terms when developed will ensure that the licensee is obligated to ensure the area is clean and tidy.

Murray 2030 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 licence proposal with the Department of Education presented for consideration is an excluded disposition of property under Regulation 30(2)(c) 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 licence arrangement for alfresco site will not negatively impact the community and the annual licence fee to be charged has been determined by an independent licenced property valuer.

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

A new licence for the continuing use of a portion of the road reserve for alfresco dining is not likely to adversely affect adjoining landowners, as no change of current use is proposed.

Environment – (Impact on environment's sustainability)

Nil

Policy Implications –

The *Local Government Act 1995* provides formal process for the disposition of property and Council policies are not impacted by this proposal.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	With the advertising required and the opportunity to comment on the proposal, the risk of negative community feedback is limited. No change or intensification of use of the current site is proposed.

Consultation

Nil

Resource Implications

Financial

The annual alfresco dining licence fee paid for the period 1 July 2020 to 30 June 2021 was not charged due to Covid – 19. Council have the ability to consider an alternate annual fee structure. However, the proposed fee represents market indicators by way of an independent assessment, by a licenced property valuer.

The Shire will be responsible for advertising the licence proposal, which will be approximately \$400.

Workforce

Capacity exist to prepare the licence agreement.

Options

Council has the option of:

1. Supporting the new licence, as recommended.
2. Supporting the new licence and determine an alternate annual fee structure.
3. Declining support for a new licence.

Conclusion

The alfresco dining area adjacent to Dwellingup Hotel is very popular. Visitor numbers to the town are increasing especially on weekends and during holiday periods. Supporting a new licence for a longer term provides the Hotel licensee greater surety to plan for business needs and explore growth opportunities.

11.6 Review - Shire of Murray Policy Manual

File Ref:	1157		
Previous Items:	SCM. 9 April 20	Item 5.2	(SCM20/050)
	OCM. 25 June 20	Item 11.11	(OCM20/111)
	OCM. 27Aug 20	Item 11.3	(OCM20/153)
	OCM.22 Oct 20	Item 11.9	(OCM20/191)
	OCM.25 Mar 21	Item 11.2	(OCM21/033)
	OCM. 22Apr 21	Items 11.1 &11.2	(OCM21/62&63)
Author and Title:	Robert Marlborough, Manager Governance		
Declaration of Interest:	Nil		
Voting Requirements:	Simple Majority		

Appendix 8**Recommendation/Council Decision****OCM21/114****Moved: Cr S Lee****Seconded: Cr B Beacham**

That Council adopts the amendments to Shire of Murray Policy Manual as detailed and provided at Appendix 8.

CARRIED UNANIMOUSLY 9:0**In Brief**

To consider amendments to the Shire of Murray Policy Manual to ensure effective and up to date polices are in place.

Background

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

Council policies are broadly designed to –

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

The last comprehensive review was undertaken in December 2019, with further policy amendments being considered in April, June, August and October 2020 and in March and April 2021.

Report Detail

The proposal presented for Council to consider is amendments to Policy manual, as broadly outlined in the following table –

Policy Area/Reference	Page No/s	Proposed Amendments / Rationale
Foreward	2	Update the organisational structure to include Community and Economic Development. Include reference to the Model standards for CEO Recruitment, Performance and Termination and Code of Conduct for Council Members, Committee Members and

		Candidates Corporate/Council documents other minor text amendments.
Policy Area/Reference	Page No/s	Proposed Amendments / Rationale - Continued...
Policy G1 - Code of Conduct	24 & 33	Remove all references to the <i>Local Government (Rules of Conduct) Regulations 2007</i> , as this Regulation has been repealed.
Policy G6 - Public Interest Disclosure	41	Remove Director Place and Community Development as the Public Interest Disclosure Officer (PID) and replace with Director Corporate Services.
Policy G11 - Purchasing	53 to 62	Within the purchasing thresholds amendments are recommended to establish that an online procurement portal is the preferred method of sourcing quotes for the supply of goods and services, up to the value of \$250,000.
		Amendment to the policy provisions relating to buy local. The flat \$15,000 for purchases between \$100,000 and \$150,000 and the flat \$20,000 for purchases between \$150,001 and \$250,000, (for assessment purposes), only apply during a state of emergency declaration as prescribed in the <i>Emergency Management Act 2005</i> , section 3.
		Delete the Footnote in the Policy as it is no longer required as the \$250,000 for the requirement to invite tenders is now prescribed in the <i>Local Government (Functions and General) Regulations 1996</i> .
Policy G14 - Fraud and Corruption Control	66 to 70	Remove reference to the <i>Local Government (Rules of Conduct) Regulations 2007</i> , as this Regulation has been repealed.
Policy A5 – Information Services	83 to 87	Clause 2.24, clarification made regarding the appropriate storage of corporate documents.
		Deleted clause 2.4.5 and substituted new clause to outline that computer accounts are exclusive to allocated users and use by others is not permitted without appropriate authorization.
		New clauses 2.5.7 and 2.5.8 inserted to articulate that precautions for system security are required.
Policy A12 – Appointment of Rangers as an Authorised Officer/Person	102	Insert a reference for appointments as Inspectors under the Biosecurity and Agriculture Management Act 2007 to ensure authority to manage and control cottonbush in the district, subject to approval by the Director General of the Department of Primary Industries and Regional Development.
Policy C11 – Lane Allocation – Murray Aquatic & Leisure Centre	152 & 153	Amendment to point 2.2.1 as it had referred to scaled discounting relative to dates in the future which are now current as of 1 July 2021. Insertion of “Aquatic &” into Centre name. Update Policy title to also reflect name change.

Policy Area/Reference	Page No/s	Proposed Amendments / Rationale - Continued...
Policy W13 - Naming of Localities, Roads, Parks and Reserves and Buildings	182 to 185	Following prior concerns with the naming of a park in Ravenswood, amendments to this policy are suggested to clearly demonstrate that in the case of any inconsistency between the Policy, Landgate's Policies and Standards for Geographical Naming in Western Australia, are to prevail. The proposed amendments further <ul style="list-style-type: none"> ➤ confirm that all applications are to be in writing, with all supporting information be provided, as directed; and ➤ clause 2.4 is amended to clearly indicated that Landgate is to be consulted with support for the proposed name being required.
Policy PS2 – Applications for Determination by the Development Assessment Panel	201	Delete the word 'Peel'. The WAPC has reviewed the number and extent of DAPs since the last policy review and the Peel JDAP no longer exists.

Policy G11 - Purchasing

An online procurement portal (Vendor Panel) has been established to streamline purchasing goods and services up to the value of \$250,000. Over this value a tender is still required to be invited for the provision of goods and services, unless exempt under the *Local Government Act 1995*.

The online portal allows suppliers to pre-register (All current suppliers (vendors) for goods and services to the Shire been invited to register on the online portal). The portal enables suppliers to be identified based on distance and by the specific services/goods they can provide.

When sourcing quotes through the portal local suppliers can be easily identified, as can providers for specific goods or services. Work is ongoing to encourage existing and new suppliers to pre-register on the online portal. Suppliers that register -

- have direct access to sales leads which is an easy way to qualify projects and a smart and simple way to win more work, and its free; and
- receive email notifications for quote submission requests; and
- are provided an easy process to lodge submission process through the use of a structured template that guides you through aligning your relevant experience, ideas, capability and availability with the requirements of the project; and
- receive application progress updates and immediate notification if they are selected.

Information on the online portal is provided on the Shires website.

For clarity the proposed amendment to the policies identified are provided for Council's information in full at **Appendix 8**. Insertions are in bold italic text and deletions have been struckthrough.

Policy PS3 – Trading in Public Places

This current Policy was adopted in November 2015 and amended in December 2019 following concerns from businesses operators that mobile vendors were detrimentally impacting established business.

The last policy amendment supported by Council, required staff to report on the operation of the Trading in Public Places Policy annually. Accordingly, the following table summarises trading activities approved in the 2020/21 financial year, under this policy.

General Trading Information	Details	
Approved traders in 20/21	11	3 icecream, 2 coffee, 5 food, 1 other
	11	4 Pinjarra, 3 North Dandalup, 4 other
Change to traders in 20/21	-2	-1 coffee, -1 food
Anticipated traders in 21/22	9	3 icecream, 2 coffee, 4 food
Complaints about the policy since last policy review	0	
Issues	Whilst some businesses do not support the operation of mobile vans, the number, type and location of mobile vans within the Shire of Murray seems to meet the current market without having an unreasonable impact on established businesses.	
Suggest changes to trading policy	Nil	

Note that mobile vendors that only trade at events, or trade infrequently under a food stall permit are not included in the above table. It is not proposed to seek an amendment to this policy.

Murray 2031 Strategic Community Plan

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

Murray 2021 - 2025 Corporate Business Plan

Nil

Other Strategic Links

Nil

Statutory Environment

Local Government Act 1995

Section 2.7 Role of Council

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

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

Policy M5 - Council Members Continuing Professional Development;
Policy M7 - Attendance at Events and Functions;

Policy G10 - Appointment of Acting Chief Executive Officer.

Sustainability & Risk Considerations

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

The proposed policy amendments will not financially impact the community.

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

Nil

Environment – (Impact on environment's sustainability)

Nil

Policy Implications

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

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	Implementing the policy changes as proposed, resolve minor errors and provide corrections as necessary, ensures alignment with legislation, provides improved purchasing processes and resolves existing conflict when considering place naming applications. The risk of negative community comment with the proposed amendments is limited.

Consultation

Nil

Resource Implications

Financial

Nil

Workforce

Nil

Options

Council has the option of:

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

Conclusion

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

11.7 Payments from Municipal and Trust Funds – June 2021

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

Appendix 9

Recommendation/Council Decision

OCM21/115

Moved: Cr D McLarty

Seconded: Cr A Rogers

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

CARRIED UNANIMOUSLY 9:0

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 June 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 June 2021.
2. Not receiving the Payments from Municipal and Trust Funds report for June 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.

11.8 Monthly Financial Report – June 2021

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

Appendix 10

Recommendation/Council Decision

OCM21/116

Moved: Cr S Kirkham

Seconded: Cr S Lee

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

CARRIED UNANIMOUSLY 9:0

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 June 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
 - * Disposal of Assets
 - * Capital Acquisitions
 - * Operating Grants and Contributions
 - * Non-Operating Grants and Contributions
 - * Cash Backed Reserves
 - * Budget Amendments
 - * Variances

Murray 2031 Strategic Community Plan

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

Other Strategic Links

Shire of Murray 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 June 2021.
2. Not receiving the monthly financial report for June 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

11.9 Endorsement of Youth Plan 2021-2024

File Ref:	7252-01
Previous Items:	OCM. 12 Nov 15 Item 12.6 (OCM10/160)
Author and Title:	Trick Cole, Place and Community Development Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

Appendix 11

Recommendation/Council Decision

OCM21/117

Moved: Cr S Lee

Seconded: Cr C Rose

That Council endorses the Youth Plan 2021 – 2024.

CARRIED UNANIMOUSLY 9:0

In Brief

The Shire of Murray Youth Strategy 2016-2020 is due for review. Community engagement has been undertaken to inform a new strategy document that reflects our young people's evolving needs, ideas and aspirations. Council is requested to consider endorsing the presented Youth Plan 2021-2024 (**Appendix 11**).

Background

Youth development is a priority program area for the Shire as it is recognised that our young people are vital to a healthy and thriving community, add life and energy to a place and are our future civic leaders, business owners and landowners.

Recognising this and the need and value of engaging our young people to ensure that their needs, ideas and aspirations are considered and embedded into our planning, the Shire first adopted the *Shire of Murray Youth Strategy 2016-2020* in 2016 to provide a framework to guide and focus on Council's approach to its young people.

Over the duration of the *Shire of Murray Youth Strategy 2016 – 2020*, the Shire successfully delivered and/or partnered on a wide range of youth programs and events that catered to a diverse range of interest groups as well as made improvements to public open spaces. Some of these successes included, but is not limited to, the following:

- Formation of the youth reference group Murray Youth for Youth (formerly myVoice Youth Reference Group) and working with these young people to capacity build, empower and deliver youth related programs and events.
- Assisting in the formation of the Dwellingup Teenz ongoing youth group.
- Trial of an ongoing youth space in Pinjarra.
- Development of new youth spaces including the Dwellingup Skate Park and Pump Track.
- Assisting in the formation and delivery of Blue Light events in Pinjarra in partnership with local police and parents.
- Delivery of WA Youth Week Activities and events including the Street Chillz Drug Aware Youth Festival and school holiday excursions.
- Delivery of the Night Hoops Midnight Basketball program and other sporting and recreational activities such as skateboard clinics and basketball clinics.

- Partnering with youth and government organisations to deliver events for mental health initiatives such as RUOK Day and Mental Health Month.
- Provision of training such as Mental Health First Aid, resume writing, career development, cooking and life skills.
- Development of the Shire of Murray Youth Trailer and Youth Kit containing equipment for pop-up youth activities for community group usage.
- Delivery of STEM based activities such as video game design and coding workshops.
- Delivering a range of artistic and creative activities for youth including painting, pyrography, spray paint art, mosaic and craft.

The term of the *Shire of Murray Youth Strategy 2016 – 2020* has now expired and consultation began in late 2020 to inform the development of a new 'youth plan'. The *Shire of Murray Youth Plan 2021-2024 (Youth Plan)*, has been designed to provide strategic direction to Council's approach to its young people while allowing flexibility so that the Shire can be adaptive and responsive to our young people's evolving needs, ideas and aspirations and in line with industry trends.

Report Detail

In October 2020, the Shire commenced consultation to inform the direction of the Youth Plan and this took place in a variety of formats which included workshops with different schools, attendance at youth events in the Murray Region and through established youth groups; Murray Youth for Youth, Austin Cove Youth and Dwellingup Teenz.

Additionally, the Shire utilised its YourSay platform to provide opportunity for the wider community to be able to provide their ideas and feedback and Youth agencies such as headspace, Fairbridge Western Australia, Homestead4Youth and Peel Youth Services were also approached.

In total, the Shire received almost 200 responses to the consultation and young people have made a wide range of suggestions for activities and events they would like to see in the Shire of Murray and are keen to be involved in seeing these ideas come to fruition.

Some of the key findings from the engagement and consultation are as follows:

- Young people have identified not only a perceived lack of 'things to do', but generally feel uninformed as to happenings in the Shire and activities available to them.
- An identified need for activities that cater to a broad range of interests including sports and recreation, gaming, coding and artistic endeavours.
- A need for programs and events that prioritise inclusion and diversity, including the LGBT+ community.
- Lack of opportunities for training and education and concerns about future employment prospects and career paths following school.
- A demand for health and wellbeing and an increase in support services available to young people.
- Young people would like to be more involved in projects that improve the environment.

Based on the key findings and the information received during the engagement and consultation process, the following key focus areas have been developed and are the themes of the newly developed Youth Plan:

- Engaged and Informed
- Empowered and Encouraged

- Educated and Employed

The Youth Plan is intended to be multi-dimensional to support our young people's wellbeing and complement the Shire of Murray 2030 Vision. To achieve this, it is supported by an action plan that relates to the key focus areas.

Murray 2031 Strategic Community Plan

Focus Area	Places for People
Aspiration	To create great places for the people through strong partnerships with the community; innovative urban design; and improve the well-being and quality of life for residents.
Strategy	In partnership with communities, identify and prioritise community-led projects and initiatives. Enable, engage and support youth. Develop and support activities that encourage an active and healthy lifestyle.

Focus Area	Capable and Accountable
Aspiration	To develop strong leadership through good governance, effective communication and ensuring value for money.
Strategy	Actively increase the level of engagement with the community. A participatory community to engage with the Shire to build better places.

Murray 2021- 2025 Corporate Business Plan

Focus Area	Places for People
Objective	Socially connected, safe and cohesive community.
Strategy	Engage, enable and support youth.
Actions	Review and implement initiatives that meet the aims and outcomes of the Youth Plan. Support Murray Youth for Youth in delivering events and initiatives.

Other Strategic Links

- Shire of Murray Youth Strategy 2016 – 2020
- Pinjarra Town Centre Revitalisation Strategy

Statutory Environment

Nil

Sustainability & Risk Considerations

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

The economic impact associated with targeted youth strategies is difficult to quantify, however research indicates that investment in capacity building, education and social outcomes can accelerate economic growth, particularly in regional communities if its young people develop a sense of place and an emotional attachment to their place, are provided with opportunities and innovation is encouraged.

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

Many of the actions in the Youth Plan directly relate to improving the quality of life for young people aged 12 to 25 within the Shire of Murray region. These improvements will likely have a follow-on effect to the wider community and impact many other social areas in a positive way. Additionally, as there are presently no youth organisations delivering over-arching services in the Shire of Murray, should the Shire not actively deliver youth focused programs and initiatives, it is unlikely that youth activities will continue in the short to medium term.

Environment – (Impact on environment’s sustainability)

Nil

Policy Implications

Nil

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	The Shire of Murray has made significant progress in the youth area since implementation of the 2016 – 2020 Strategy. There may be a reputational risk to the Shire this approach does not continue for future years as there is no overarching youth support agencies in the Murray region.

Consultation

Considerable consultation has taken place over 2020 / 2021 to inform the development of the Plan including workshops, online and in person surveys, school consultations and utilisation of the Shire’s YourSay portal.

Resource Implications*Financial*

There are no financial implications in endorsing the Plan however financial resources will be required to implement its outlined actions. This will be managed through the annual budgeting process and external grant funding opportunities.

Workforce

The implementation of the Youth Plan falls in the scope of the role of the Place and Community Officer and there are not considered to be any significant workforce implications that cannot be absorbed within existing resources.

Options

Council has the option of:

1. Endorsing the Youth Plan 2021-2024.
2. Endorsing the Youth Plan 2021-2024, subject to modifications being made.
3. Not endorsing the Youth Plan 2021-2024.

Conclusion

Our young people are an important part of our community and have many pressing health, education, economic and social needs with youth-focused interventions and initiatives having the potential to improve wellbeing and provide overall benefits to a community.

The development of the Shire of Murray Youth Plan 2021-2024 has occurred in partnership with schools, youth support services, local young people and community groups. The comments made as part of the consultation process have formed the development of the Strategy and internal consultation has occurred with the relevant departments to ensure realistic goals that align with other strategies and plans of the Shire of Murray. The Plan will allow the Shire to adapt to trends and community needs while involving young people in the delivery of the outcomes that best support them reach their goals.

11.10 Sir Ross McLarty Sports Precinct Master Plan - Draft for Public Comment

File Ref: 7/8474, R5170
Previous Items: OCM. 27 Aug 2020 Item 11.10 (OCM20/159)
Applicant: Nil
Author and Title: Marlene Renton, Coordinator Sport and Recreation
Declaration of Interest: Nil
Voting Requirements: Simple Majority

Appendix 12: Sir Ross McLarty Sports Precinct Master Plan and Report – Draft**Recommendation/Council Decision****OCM21/118****Moved: Cr G Black****Seconded: Cr A Rogers**

That Council endorse advertising of the Draft Sir Ross McLarty Sports Precinct Master Plan and Report for public comment in August 2021.

CARRIED UNANIMOUSLY 9:0**In Brief**

In August 2020 Council endorsed a full review of the Sir Ross McLarty Sports Precinct (SRMSP) Master Plan (the Master Plan). The aim of the Master Plan is to provide an evidence-based strategy for the sustainable development of facilities at the SRMSP.

Background

CCS Strategic was engaged by the Shire to undertake a review of the Master Plan which was first developed in 2008 as the 'Sir Ross McLarty Complex Sport and Recreation Facilities Master Plan'. At this time the Shire was forecast to experience rapid population growth and the Master Plan was created to prepare for the predicted increase in sport and recreational activity.

Elements of the original master plan that have been implemented include the relocation of equestrian activities to Coolup, the development of the new shared use oval (Oval 3), the construction of the Pinjarra Multipurpose Community Facility (Pinjarra Bowling and Recreation Club and Peel Community Care), and the installation of a cricket wicket and three bay practice nets on Oval 3.

The SRMSP currently consists of a mixture of new facilities and ageing infrastructure that is no longer fit for purpose or is unused. A new facility plan is required that reflects the planning principles of co-location and shared use through contemporary design. This will result in facilities that are multi-purpose, accessible, and gender neutral, thereby maximising use and future proofing investment.

Report Detail

The draft Master Plan is attached as **Appendix 12**. The final recommendations reflect the analysis of Shire population forecasts, sport participation trends, relevant industry and state organisation strategic plans, club membership and future planning, and considerable engagement with primary and secondary stakeholders.

The Master Plan includes an implementation plan that prioritises infrastructure development, including potential funding sources, that spans over 15 years for a total investment of \$11m in today's dollars. This implementation plan will inform the Shire's Community Infrastructure Plan and Long Term Financial Plan.

Council is requested to endorse the release of the draft Master Plan for public comment in early August with a view to adopting the Master Plan in September 2021. The Master Plan will then support an application for funding to the Department of Local Government, Sport and Cultural Industries under the Community Sporting and Recreation Facilities Fund (CSRFF) 2022/23 in September for the new shared sports pavilion which will service ovals 2 and 4, and accommodate both the Pinjarra Cricket Club and Pinjarra Hockey Club.

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	Plan community facilities for future generations. Actively take opportunities to enhance public health.

Murray 2021-2025 Corporate Business Plan

Focus Area	Places for People
Objective	Encourage an active and healthy community.
Strategy	Plan community facilities for future generations.
Actions	Review the Sir Ross McLarty Sports Precinct Master Plan.

Focus Area	Places for People
Objective	Encourage an active and healthy community.
Strategy	Actively take opportunities to enhance public health.
Actions	Support the development, growth and sustainability of sport and recreation clubs.

Other Strategic Links

- Shire of Murray Draft Community Infrastructure Plan
- Shire of Murray Long Term Financial Plan

Statutory Environment

Nil

Sustainability & Risk Considerations

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

Advertising the Master Plan will have no financial impact to the Shire economy. It should be noted however that implementation of the Master Plan is estimated at \$11 million and, if adopted, priority infrastructure will need to be considered in the Long Term Financial Plan.

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

The Sir Ross McLarty Sports Precinct has been the focal point for sport and recreation in the Shire for over fifty years. It has evolved into a district sporting precinct that provides local and regional sport competitions, formal and informal recreation pursuits, social activities, neighbourhood meetings and school curriculum activities. The Master Plan proposes the addition or upgrade of significant infrastructure that will provide the community with contemporary and accessible amenities to build upon current activities. The proposed formalised events space adds a new activation opportunity to bring recreational and cultural events to the precinct. This will continue to build the capacity of local clubs and organisations and increase community engagement and create social capital.

The Master Plan proposes the construction of roads and car parking that may impact on residents in the immediate area. Therefore, it is important that the community has an opportunity to provide comment.

Environment – (Impact on environment’s sustainability)

Nil

Policy Implications

Policy A15 – Asset Management: new infrastructure assets provide the desired level of service to meet the community’s needs and expectations in a financially sustainable manner.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Moderate	If the Master Plan is not released for public comment there may be a reputational risk that Council is perceived to not adequately engage or involve the community in the planning of significant infrastructure. The timing for public advertising is critical to ensure that Council are in a position to endorse the Master Plan by September 2021 and enable lodgement of a CSRFF application for the new shared facility in September 2021.

Consultation

The following groups and organisations were consulted in the early stages of the Master Plan. The majority of Primary Stakeholders have been offered an opportunity to comment on the draft master plan. The Pinjarra Cricket Club, Pinjarra Football and Netball Club, Pinjarra Junior Football Club, Pinjarra Hockey Club, Pinjarra Primary School, WA Cricket Association, WA Football Commission, and Hockey WA were involved in providing comment on the final options and played an important part in shaping the final recommendations.

Primary Stakeholders	Secondary Stakeholders
Shire of Murray	Murray District Rangers Soccer Club
Pinjarra Football and Netball Club	WA Netball Association
Pinjarra Junior Football Club	WA Cricket Association
Pinjarra Cricket Club	WA Football Commission
Pinjarra Bowling and Recreation Club	WA Netball Association
Peel Community Care	City of Mandurah
Murray District Sea Scouts	Department of Education
Pinjarra Primary School	Department of Local Government,
Pinjarra Cricket Club Premises Working Group	Sport and Cultural Industries, Peel
Pinjarra Hockey Club	Department of Planning

The Master Plan has also been informed by the Shire’s internal Development Facilitation Group which is comprised of the technical officers from all Teams.

Resource Implications

Financial

Nil

Workforce

Nil

Options

Council has the option of:

1. Endorsing the draft Sir Ross McLarty Sports Precinct Master Plan for public comment.
2. Not Endorsing the draft Sir Ross McLarty Sports Precinct Master Plan for public comment.

Conclusion

The draft Sir Ross McLarty Sports Precinct Master Plan is the culmination of information gathered from a number of sources including industry benchmarking, Shire population forecasts, sport participation trends, and state, regional and local planning. An extensive stakeholder consultation process was undertaken which informed the development of facility options at the precinct. A detailed analysis of the above information and stakeholder input resulted in the attached master plan which also reflects the planning principles of co-location and shared use through contemporary design. This approach will provide facilities that are multi-purpose, accessible, and gender neutral, thereby maximising use and future proofing investment.

11.11 Pinjarra Cricket Club Premises Working Group – Final Report

File Ref:	7/8473	
Previous Items:	OCM. 24 Jun 2021 Item 11.9	(OCM21/090)
	OCM. 22 Oct 2020 Item 11.8	(OCM20/190)
	OCM. 24 Sep 2020 Item 11.9	(OCM20/176)
Applicant:	Nil	
Author and Title:	Marlene Renton, Manager Community and Library Services	
Declaration of Interest:	Nil	
Voting Requirements:	Absolute Majority	

**Appendix 13 – Pinjarra Cricket Club Premises Working Group Final Report
Appendix 14 – George Beacham Pavilion Management Plan**

Recommendation/Council Decision**OCM21/119****Moved: Cr D McLarty****Seconded: Cr A Rogers****That Council:**

- 1. accept the final report and recommendations of the Pinjarra Cricket Club Premises Working Group, acknowledge the group’s objectives have been met and consequently dissolve the Pinjarra Cricket Club Premises Working Group;**
- 2. supports the Pinjarra Cricket Club’s use of the Lovegrove Street Hall (old Pinjarra Tennis Club Pavilion) by way of a periodic hire agreement, with hire fees being set in accordance with the adopted Schedule of Fees and Charges for the premises, with;**
 - a) the Pinjarra Cricket Club being the exclusive hirer of the building for 5 years, noting that the Murray District Sea Scouts have an existing seasonal booking until 31 December 2021, that will be accommodated; and**
- 3. supports a contribution of up to \$10,000 from the Building Renewal Reserve towards minor upgrades and refurbishments to the Lovegrove Street Hall.**

CARRIED UNANIMOUSLY 9:0**In Brief**

- In September 2020, Council resolved to provide the Pinjarra Cricket Club (PCC) with a Holding Over Lease until 30 June 2021 and requested that the Pinjarra Cricket Club Premises Working Group be formed to explore short to medium term solutions for the PCC until a permanent home could be established.
- The Working Group has completed the deliverables outlined in the groups Terms of Reference and requests Council accept the final report which includes the recommendation that the Lovegrove Pavilion is to be the temporary premises for the PCC until the new facility is built.

Background

In September 2020 officers submitted a report to Council regarding the PCC lease at George Beacham Pavilion and advised the following:

- The PCC lease had expired on 2 September 2020.
- A Disability Access Review, completed by O’Brien Harrop Access in 2016, of George Beacham Pavilion concluded that the building did not meet the Disability (Access to

Premises – Buildings) Standard 2010. The report made 17 recommendations to enable the building to be compliant.

- The George Beacham Management Plan that was developed to address the 17 recommendations remained in draft and had not been implemented.
- LGIS provided advice that both Council and the PCC could be exposed to reputational and financial risk in relation to the Human Rights Commission and the Disability Discrimination Act 1992, and / or a public liability claim.

Council resolved to provide the PCC with a Holding Over Lease until 30 June 2021 and requested that a working group be formed (subsequently named the Pinjarra Cricket Club Premises Working Group) to investigate the options, costs and practicality of implementing the George Beacham Management Plan, and to explore short-term options for alternate premises for the PCC.

Council also requested that the Working Group be consulted as a key stakeholder in the Review of the Sir Ross McLarty Sports Precinct Master Plan, as the scope of the Master Plan included investigating:

- a) full refurbishment of the George Beacham Pavilion to meet current BCA legislation and state sporting association contemporary facility guidelines;
- b) demolition of the George Beacham Pavilion and the PCC share premises with existing clubs on long term leases, and
- c) demolition of George Beacham Pavilion and development of a new facility.

At the Council meeting 24 June 2021, Council resolved not to extend the holding over lease and that the PCC must vacate the premises by 31 July 2021. Council also supported the development of detailed concepts and costings for a new shared facility for cricket and hockey in preparation for funding applications.

Report Detail

The Working Group members include one Elected Member, three PCC representatives, and two Shire Officers (Manager Community and Library Services and Manager Building). A Terms of Reference was developed for the Working Group with the following deliverables:

- Development of the George Beacham Pavilion Management Plan and to provide recommendations on the feasibility of undertaking the works.
- Prepare a report outlining alternate club premise options.

The Working Group met three times over 8 months. As part of the actions, additional meetings were held with the Pinjarra Bowling and Recreation Club, the Pinjarra Football and Netball Club, and CCS Strategic as part of the Review of the Sir Ross McLarty Sports Precinct Master Plan.

Deliverables

1. The George Beacham Pavilion Management Plan (**Appendix 14**) has been ratified by the Working Group, who have supported the outcome of the Sir Ross McLarty Sports Precinct Master Plan which recommends the demolition of the Pavilion and the construction of a new facility to be shared between cricket and hockey.
2. The final report of the Working Group (**Appendix 13**) recommends that the Lovegrove Street Hall (the Hall) be the temporary home of the PCC until a new facility is built to serve as a permanent home. The report also identifies that the Hall is over 40 years old and that some minor upgrades and refurbishment will be required to make it functional for the next 5 years. The Working Group recommends that the Shire and the PCC work together to develop a schedule of works to be implemented in partnership.

Pinjarra Cricket Club

The top floor of the George Beacham Pavilion was originally a gym for the Pinjarra Football and Netball Club. The PCC have worked hard over the last 10 years to make the space a home, and have invested significant funds into the installation of a kitchen, bar area, furniture, air conditioning and toilets. This has enabled the club to thrive and to build membership, sponsors and supporters.

While the PCC are very excited about the future they understand that the next few years will be challenging. The priority for the club is to ensure they can continue to provide a positive and safe environment for members, supporters and volunteers while remaining financially viable.

Therefore, the PCC have requested that Council approve the Lovegrove Street Hall as the club's home base, under an exclusive arrangement, until permanent premises have been established, which they understand to be a new facility to be shared with the Pinjarra Hockey Club as recommended in the draft Sir Ross McLarty Sports Precinct Master Plan. The PCC understand that the Murray District Sea Scouts have an annual booking on Monday nights and for four weekends at the Hall until 31 December 2021 which they acknowledge needs to be honoured.

The PCC have inspected the Hall and provided a list of works that they have identified will be required in order for the club to conduct normal operations for the next 5 years. Relevant Shire officers have met with the Club on site to ascertain the works required to make the Hall safe and functional. Both parties are working together to develop a schedule of works which is anticipated to include, but not be limited to, the installation of security shutters, electrical upgrades, painting, installation of air conditioning, and minor kitchen refurbishment (using cabinetry and fittings from George Beacham Pavilion).

As of 31 July 2021, the PCC will no longer be accessing the George Beacham Pavilion for meetings or events. However, club equipment, fixtures and furnishings will need to be accessed over the next 6 months as the club and the Shire undertake the schedule of agreed works.

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	Actively take opportunities to enhance public health. Foster and value our volunteers.

Murray 2021-2025 Corporate Business Plan

Focus Area	Places for People
Objective	Encourage an active and healthy community.
Strategy	Actively take opportunities to enhance public health.
Actions	Support the development, growth and sustainability of sport and recreation clubs.

Other Strategic Links

Nil

Statutory Environment

Nil

Sustainability & Risk Considerations

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

Nil

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

The PCC was formed in 1874, making it one of the oldest cricket clubs in WA, and one of the oldest country cricket clubs in Australia. The PCC aim to create a vibrant, family-oriented environment that welcomes people of all ages, backgrounds and abilities, and where players, spectators and volunteers are fully engaged in the club. They field senior and junior teams, two female teams, and offer entry level cricket programs for 5 to 8 year olds.

The hosting of three regional grand finals in March 2021 received overwhelming positive feedback for the club, the grounds and the Shire. The club has over 25 volunteers whose hard work continues to build capacity within the community, create a sense of belonging and place, and contribute to the social capital of the Shire.

Environment – (Impact on environment's sustainability)

Nil

Policy Implications

Nil

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
High	<p>If Council does not support the Lovegrove Street Pavilion as the home for PCC for the next 5 years, the Club will have no premises to operate from.</p> <p>Risks</p> <ul style="list-style-type: none"> - The club may suffer financially, lose sponsors, and experience a decline in membership. - The reputation of Council is likely to be adversely affected.

Consultation

- Pinjarra Cricket Club
- Pinjarra Football and Netball Club
- Pinjarra Bowling and Recreation Club

Resource Implications

Financial

Council is requested to support a contribution of up to \$10,000 from the Building Renewal Reserve towards minor upgrades and refurbishments to the Lovegrove Street Hall in order to make it safe and functional for the PCC to conduct normal club operations for the next 5 years. This makes the 30 June 2022 estimated balance of the Building Renewal Reserve, inclusive of this expenditure, \$229,411.

Workforce

Nil

Options

Council has the option of:

1. Accepting or not accepting the Pinjarra Cricket Club Premises Working Group final report, that the group's objectives have been met and that the Pinjarra Cricket Club Premises Working Group be dissolved.
2. Approving an exclusive hire agreement for the Pinjarra Cricket Club at Lovegrove Street Hall for a period of 5 years, or not approving an agreement, or approving an agreement under alternate arrangements.
3. Supporting or not supporting the allocation of up to \$10,000 to assist with minor upgrades to the Lovegrove Street Hall.

Conclusion

The Pinjarra Cricket Club Premises Working Group has fulfilled its requirements under the Terms of Reference and provides a final report and recommendations for Council's consideration.

The final report takes into consideration the draft outcomes of the Master Plan Review, Council's decision not to renew the holding over lease and to support the detailed concepts and costing for a new facility. A fundamental outcome is the need to ensure the PCC can continue to operate effectively, grow membership, and build upon the club's proud history until the new facility can be funded and built.

Infrastructure Services

Nil

Items for Information

11.12 Council Resolution/Outstanding Items

Resolution Register is attached for information.

Appendix 15

11.13 Delegated Decisions – June 2021

Delegated Decisions is attached for information.

Appendix 16

11.14 Corporate Business Plan 2021 – 2025 Progress Report as at – 30 June 2021

Corporate Business Plan 2021 – 2025 is attached for information.

Appendix 17

12. BUSINESS LEFT OVER FROM THE PREVIOUS MEETING

Nil

13. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

14. NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING

Nil

15. NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE PERSON PRESIDING OR BY DECISION OF THE MEETING

Nil

16. MEETING CLOSED TO THE PUBLIC (CONFIDENTIAL BUSINESS)

Recommendation/Council Decision

OCM21/120

Moved: Cr C Rose

Seconded: Cr A Rogers

That Council proceeds behind closed doors the time being 5.50pm as per Section 5.23(2)(c) of the Local Government Act for the purpose of considering confidential item 16.1 Report to Address Chief Executive Officer Key Performance Indicator – Resource Sharing and item 16.2 Tender T21/3 Provision of Banking and Bill Payment Services.

CARRIED UNANIMOUSLY 9:0

16.1 Report to Address Chief Executive Officer Key Performance Indicator – Resource Sharing

File Ref:
 Previous Items: Nil
 Applicant: N/A
 Author and Title: Dean Unsworth, Chief Executive Officer
 Declaration of Interest: Financial Interest
 Voting Requirements: Simple Majority

Confidential Appendix 18 - 26

Mr D Unsworth declared a Financial Interest in Item 16.1 Report to Address Chief Executive Officer key Performance Indicator – Resource Sharing in that a decision to withdraw from the Chief Executive Officer Resource Sharing Agreement will have a negative financial impact on his salary.

Council Decision

OCM21/121

Moved: Cr S Lee

Seconded: Cr A Rogers

1. **That both Councils acknowledges that the Chief Executive Officer has met his Key Performance Indicator set by both the Murray and Waroona Councils, being:**
 - o *Develop a Strategy and Organisational Structure in the event of State Government enforced Local Government Reform by 30 September 2021.*

CARRIED UNANIMOUSLY 9:0

Recommendation

1. That both Councils acknowledges that the Chief Executive Officer has met his Key Performance Indicator set by both the Murray and Waroona Councils, being:
 - o *Develop a Strategy and Organisational Structure in the event of State Government enforced Local Government Reform by 30 September 2021.*
2. That the CEO Resource Sharing Committee recommends Option 2 for further consideration at both the Murray and Waroona Shire Councils.

Council Decision

OCM21/122

Moved: Cr S Lee

Seconded: Cr C Rose

That Council suspend Meeting Procedures (as per Shire of Murray Meeting Procedures Local Law 2015 Clause 12.1) to allow open discussion on Confidential Item 16.1 Report to Address Chief Executive Officer Key Performance Indicator – Resource Sharing, the time being 5.52pm.

Council Decision

OCM21/123

Moved: Cr S Lee

Seconded: Cr D McLarty

That Council resume Meeting Procedures (as per Shire of Murray Meeting Procedures Local Law 2015 Clause 12.1) the time being 6.13pm.

Alternative Recommendation/Council Decision**OCM21/124****Moved: Cr B Cardilini****Seconded: Cr S Lee****That Council advises the Shire of Waroona Council that it:**

- 1. gives advice to formally terminate the CEO Resource Sharing Agreement, effective 22 January 2022 or earlier if requested by the Shire of Waroona; and**
- 2. gives advice to formally terminate the shared Planning & Sustainability Directorate agreement, and that this date be up to three months after the commencement date of the new Waroona CEO.**

CARRIED UNANIMOUSLY 9:0**16.2 Tender T21/3 - Provision of Banking and Bill Payment Services**

File Ref: T21/3
 Previous Items: OCM 23 June 16 Item 16.2 (OCM16/147)
 Applicant: Nil
 Author and Title: Tracie Unsworth, Director Corporate Services
 Declaration of Interest: Nil
 Voting Requirements: Simple Majority

Confidential Appendix 27

Cr S Lee declared an Impartiality Interest in Item 16.2 Tender T21/3 – Provision of Banking and Bill Payment Services in that he is the chairperson of the Board of Directors of the Pinjarra Community Financial Services LTD who operate the Pinjarra Bendigo Community Bank.

Cr D McLarty declared an Impartiality Interest in Item 16.2 Tender T21/3 – Provision of Banking and Bill Payment Services in that his step father is on the Board of Directors of the Pinjarra Community Financial Services LTD who operate the Pinjarra Bendigo Community Bank.

Cr S Lee and **D McLarty** advised that they would consider the matter on its merits and vote accordingly.

Cr S Lee and **D McLarty** remained in the meeting.

Cr D Bolt declared a Financial Interest in Item 16.2 Tender T21/3 – Provision of Banking and Bill Payment Services in that he has a bank account with the Bendigo Bank Pinjarra.

Cr D Bolt vacated the Chair and withdrew from the meeting the time being 6.17pm.

Cr D McLarty assumed the Chair.

Recommendation/Council Decision**OCM21/125****Moved: Cr G Black****Seconded: Cr A Rogers**

That Council authorises the Chief Executive Officer to enter into a formal written agreement with the Bendigo & Adelaide Bank to provide the Shire of Murray with Banking and Bill Paying Services for a period of three years with the option of two further 12 months extension periods based on Tender T21/3.

CARRIED UNANIMOUSLY 8.0**In Brief**

Tenders have been called for the provision of Banking and Bill Payment Services for the Shire of Murray for a period of three years with the option of two twelve-month extensions.

Report Detail

All details are contained within the confidential report.

Other Strategic Links

All details are contained within the confidential report.

Statutory Environment

All details are contained within the confidential report.

Consultation

All details are contained within the confidential report.

Resource Implications*Financial*

All details are contained within the confidential report

Workforce

All details are contained within the confidential report.

Options

All details are contained within the confidential report.

Conclusion

All details are contained within the confidential report.

Cr D Bolt rejoined the meeting the time being 6.24pm and resumed the Chair.

Recommendation/Council Decision**OCM21/126****Moved: Cr S Lee****Seconded: Cr C Rose**

That Council proceeds with open doors the time being 6.25pm.

17. CLOSURE OF MEETING

There being no further business the Presiding Member declared the meeting closed the time being 6.25pm.

I confirm that these minutes were confirmed at the Ordinary Council Meeting held on 26 August 2021 as being a true and correct record.



.....
Presiding Member

26 August 2021

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Date