



Minutes

Ordinary Council Meeting

Thursday 21 December 2023

at 5.30pm

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- (2) Nothing in this Division is to be read as preventing —
 - (a) a local government from performing any of its functions by acting through a person other than the CEO; or
 - (b) a CEO from performing any of his or her functions by acting through another person.

Other legislation provides functions to be delegated, including the *Building Act 2011*, *Cat Act 2011*, *Dog Act 1976* and *Bush Fires Act 1954*, among others.

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	The likelihood of negative community feedback in respect to this statutory review is limited.

Consultation

Nil.

Resource Implications

Financial

Nil.

Workforce

Nil.

Options

1. Accept the review outcomes as proposed.
2. Reject the review outcomes and determine an alternate position.

Conclusion

Delegated authority provides the organisation with clear guidelines and operational processes to enhance and support effective, efficient and consistent customer service. The proposed amendments through this review process further enhance the efficiencies and support that officers need to deliver outcomes to the community.

12.6 Monthly Financial Report - November 2023

File Ref:	D23/42208
Previous Items:	Nil.
Applicant:	Nil.
Author and Title:	Nathan Gilfellow, Manager Finance
Declaration of Interest:	Nil.
Voting Requirements:	Simple Majority
Appendices:	Item 12.6 Appendix 1 - November 2023 Monthly Financial Report

Recommendation/Council Decision OCM23/196**Moved: Cr S Kirkham****Seconded: Cr S Carter**

That Council receives the November 2023 Monthly Financial Report as presented at Appendix 1.

In Favour: President David Bolt, Crs Geoff Black, Stuart Kirkham, Steve Lee, Ange Rogers, Stewart Carter and Nicole Willis

Against: Nil.

CARRIED UNANIMOUSLY 7:0

In Brief

The 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.

Regulation 35 of the *Local Government (Financial Management) Regulations 1996* is now in place which requires a Statement of Financial Position.

Report Detail

The monthly financial report for November 2023 identifies the financial position of Council as at the reporting date and consist of:

- Statement of Financial Activity
- Statement of Financial Position
- Notes to Statement of Financial Activity

- Basis of Preparation
- Statement of Financial Activity Information
- Significant Accounting Policies
- Net Current Funding Position
- Explanation of Variances
- Key Information
- Cash and Financial Assets
- Reserves
- Capital Acquisitions
- Receivables
- Disposal of Assets
- Borrowings
- Lease Liabilities
- Grants and Contributions
- Capital Grants and Contributions
- Trust Fund
- Budget Amendments

Council Plan

Focus Area	Performance
Outcome	Capable and accountable leadership and governance.
Objectives	Establish a strong corporate governance framework to ensure high standards of integrity, ethics, and accountability.

Other Strategic Links

Shire of Murray 2023/2024 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.

Regulation 35 of the *Local Government (Financial Management) Regulations 1996* adds a requirement to include a Statement of Financial Position.

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 may result in a breach of legislative requirements.

Consultation

Nil.

Resource Implications*Financial*

Nil.

Workforce

Nil.

Options

1. Receiving the monthly financial report for November 2023.
2. Not receiving the monthly financial report for November 2023.

Conclusion

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

12.7 Fee Waiver Request: Life Cycle for Canteen

File Ref: D23/42230
Previous Items: Nil.
Applicant: Jennifer Aramini, Life Cycle for Canteen Inc.
Author and Title: Ben Jordan, Manager Murray Aquatic and Leisure Centre
Declaration of Interest: Nil.
Voting Requirements: Absolute Majority
Appendices: Nil.

Recommendation/Council Decision OCM23/197

Moved: Cr S Lee

Seconded: Cr N Willis

That Council support a part fee waiver to Life Cycle for Canteen Inc for the use of the Murray Aquatic and Leisure Centre from 9 – 11 March 2024, reducing the fee from \$2,327.00 to \$616.25 (inclusive of GST), to cover additional staff supervision costs during their booking.

In Favour: President David Bolt, Crs Geoff Black, Stuart Kirkham, Steve Lee, Ange Rogers, Stewart Carter and Nicole Willis

Against: Nil.

CARRIED BY ABSOLUTE MAJORITY 7:0

In Brief

Life Cycle for Canteen Inc are holding their 25th Annual Charity Ride from 9 – 11 March 2024. They will be staying overnight in Pinjarra on 10 March, utilising the Murray Aquatic and Leisure Centre (MALC) for their accommodation. Given the event is a fundraiser for Canteen, they have asked the Shire of Murray to waive hire fees.

Background

Life Cycle for Canteen Inc is a registered not for profit charity that is comprised completely of volunteers. For the past 24 years they have been conducting an annual charity ride to raise funds for Canteen. Canteen support young people aged 12 to 25 who are cancer patients or are the offspring or siblings of cancer patients, offering a large variety of services in their support.

The Life Cycle event runs from Bassendean to Busselton, with around 200 cyclists making their way south over 3 days, including stopovers in Pinjarra and Brunswick. For the past 3 years, the cyclists have stopped in Pinjarra overnight at Sir Ross McLarty Oval, however due to a fixture clash with the Pinjarra Tigers Football Club, that facility is not available.

The group are running the event again in 2024 from the 9 – 11 March with all profits from the event going directly to Canteen, with most costs from the ride being met through fundraising or donations.

Report Detail

Life Cycle for Canteen Inc were unable to find any accommodation for their 2024 Pinjarra stopover and have approached the MALC as a host. This includes providing sleeping areas (both internal and external, using Court 3, the Group Fitness Room and the fenced outdoor grassed area for tents), toilets, changerooms and food preparation facilities. In addition, they will be holding a special presentation on the Saturday night in Court 3 for participants and special guests.

As the Life Cycle for Canteen event is a fundraising event, the organisers have requested a fee waiver for the use of the facility where possible. The booking requires access to the MALC primarily after hours and includes various elements such as:

- Access to Court 3 for riders and volunteers to sleep on the floor. In addition, a presentation will be held for all participants in the evening. Access is required from 2.00pm Saturday 10 March through to 9.00am Sunday 11 March 2024.
- Access to the Group Fitness Room (formerly known as the PAW) from 5.00pm Friday 9 March to 9.00am Sunday 11 March 2024. Riders and volunteers will be sleeping in the room overnight Saturday, plus a group of around 4 people will be in an advance party on the Friday.
- Access to the lower court toilets and changerooms from 5.00pm Friday 9 March to 9.00am Sunday 11 March 2024.
- Access to the MALC kitchen and kiosk seating area to prepare and serve dinner on 10 March and breakfast, 11 March 2024.
- Access to the Aquatic grassed area for riders to put tents from 2.00pm 10 March to 9.00am 11 March 2024.
- Access to the Aquatic toilet and change rooms from 2.00pm to 7.00pm 10 March 2024 and 6.00am to 9.00am 11 March 2024. This will require staff supervision.
- Additional facility cleaning.

The hire costs chargeable as per the MALC Schedule of Fees and Charges is \$2,327. This amount excludes any allowance for additional staff costs. The minimum additional staff costs that would be incurred to provide this hire is \$616.25.

Council Plan

Focus Area	People
Outcome	An active and healthy community.
Objectives	Improve community health and wellbeing.

Other Strategic Links

Nil.

Statutory Environment

Nil.

Sustainability & Risk Considerations

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

It is expected that riders while staying at the MALC will support many local retailers in the Pinjarra townsite.

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	<p>There are some potential risks with this event, however they are considered low and manageable with measures in place.</p> <p>Access to the Centres kitchen and equipment will be supervised by a qualified chef and only minimal volunteers will be permitted in the space. A MALC staff member will provide an induction on equipment use.</p> <p>When the aquatic toilets and changerooms are made available to members across the booking, at all times a Supervisor will be in the Centre as well as traffic bollards being in situ to ensure there is no pool access.</p> <p>Security will be managed by the group, with a group of riders taking it in turns to primarily look out for the 200 bikes, but also thwarting any unwanted access.</p> <p>A full risk assessment and treatment plan will be conducted with the organiser prior to the event to address any potential issues that may arise once the final event plan is completed.</p>

Consultation

Jennifer Aramini, the event organiser, has been liaising with Shire of Murray Events staff in preparation for the event and have sought appropriate approvals. The event organiser, chef and a volunteer had a walk through at the MALC on 24 November to work through their requirements for the accommodation aspect of the event.

Resource Implications

Financial

The Schedule Fees for the hire of this event are \$2,327 which would be forgone with a fee waiver. There is a cost to the Centre to provide supervision of the facility during periods when the riders can access the aquatic toilets, changerooms and kiosk kitchen facilities, as well as additional cleaning, totalling \$616.25.

Workforce

A Duty Supervisor will be required to be in attendance from 2.00pm to 7.00pm on 10 March, and 6.00am to 9.00am on 11 March. A minimum of an additional two hours cleaning (provided by MALC cleaners) will also be required over the weekend to maintain the facilities between and after use.

Options

1. To support a full fee waiver to the Life Cycle for Canteen Inc, for the hire of the MALC from 9 – 11 March 2024, to the value of \$2,327.
2. To support a part fee waiver to Life Cycle for Canteen Inc, charging only for the additional cost to the Centre of staff wages and cleaning, being \$616.25 (inclusive of GST).
3. To not support a fee waiver for Life Cycle for Canteen Inc, with standard hire fees and charges to be applicable.
4. To support an alternate fee option/fee waiver for Life Cycle for Canteen Inc.

Conclusion

The MALC is pleased to be able to host the Life Cycle for Canteen Inc group in March 2024 as part of their charity ride. The Centre is allowing additional access to areas such as the kiosk kitchen and

grass area for tents, areas we wouldn't normally give access to but have done so as it's a worthwhile cause and they had no other accommodation options.

A staff member will be on site during the food preparation and expected peak showering time to provide venue supervision, leaving the group with access to the lower court areas after this time. It is considered important to lock and alarm the central and aquatic areas of the Centre overnight, ensuring both security of the venue and safety of the guests, particularly given that the 24/7 gym will continue to operate.

In addition, with the group intending to seek permission to consume and potentially sell alcohol at their event on the Saturday night, the increased risks associated with leaving the aquatic toilets and therefore pool hall accessible overnight was deemed too large, hence why access to them will not be available overnight.

Without access to the aquatic toilets and change rooms, the group will only have the Court 3 toilets for use between 7.00pm 10 March and 6.00am 11 March, therefore the Life Cycle for Canteen Inc are planning to hire portable toilets to provide additional facilities at their cost.

Should Council choose to provide a full fee waiver, it is important to note there are costs to the Centre to provide access for Life Cycle for Canteen Inc.

12.8 Adoption of 2022/2023 Annual Report

File Ref: D23/42295
Previous Items: Nil
Applicant: Nil.
Author and Title: Dean Unsworth, Chief Executive Officer
Declaration of Interest: Nil.
Voting Requirements: Absolute Majority
Appendices: Item 12.8 Appendix 1 - 2022 / 2023 Annual Report

Alternative Officer Recommendation/Council Decision OCM23/198

Moved: Cr S Lee

Seconded: Cr A Rogers

That Council:

- 1. Receives the Shire of Murray Annual Report for the financial year ended 30 June 2023 with the amendments that “Draft” be put before the heading “Coastal Hazard Risk Management and Adaptation Plan” on page 162, and changes the wording “the Shire has developed a Coastal Hazard Risk Management Adaptation Plan (CHRMAP) to “the Shire prepared a draft Coastal Hazard Risk Management Adaptation Plan (CHRMAP) with the final report due to be considered by Council after public consultation in the first quarter of 2024”.**
- 2. Gives local public notice of the availability of the Shire of Murray Annual Report.**
- 3. Receives the Shire of Murray Annual Financial Report and Auditor’s Report for the financial year ended 30 June 2023 as contained in the Annual Report (formerly Recommendation 2).**
- 4. Resolves to hold the Annual Electors’ Meeting for the financial year ended 30 June 2023 on Thursday 8 February 2024 in the Council Chambers commencing at 5.00pm (formerly Recommendation 3).**
- 5. Gives local public notice of the Annual Electors’ Meeting in accordance with Section 5.29 of the Local Government Act 1995 (formerly Recommendation 4).**

In Favour: President David Bolt, Crs Geoff Black, Stuart Kirkham, Steve Lee, Ange Rogers, Stewart Carter and Nicole Willis

Against: Nil.

CARRIED BY ABSOLUTE MAJORITY 7:0

Original Recommendation

That Council:

- Receives the Shire of Murray Annual Report for the financial year ending 30 June 2023 and gives local public notice of its availability.
- Receives the Shire of Murray Annual Financial Report and Auditor’s Report for the financial year ending 30 June 2023 as contained in the Annual Report.
- Resolves to hold the Annual Electors’ Meeting for the financial year ending 30 June 2023 on Thursday 8 February 2024 in the Council Chambers commencing at 5.00pm.

