



Minutes

Ordinary Council Meeting

Thursday 24 October 2024 at 5.30pm

Table of Contents

1	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS.....	1
2	ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE.....	1
3	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	1
4	PUBLIC QUESTION TIME.....	1
5	PETITIONS AND APPROVED DEPUTATIONS.....	1
6	CONFIRMATION OF MINUTES.....	1
6.1	Ordinary Council Meeting – 26 September 2024.....	1
7	ANNOUNCEMENTS BY THE PRESIDING MEMBER.....	2
8	ANNOUNCEMENTS BY ELECTED MEMBERS.....	2
9	ACKNOWLEDGEMENT OF RECEIPT OF DISCLOSURE OF INTERESTS (BY PRESIDING MEMBER).....	3
10	RECEPTION OF MINUTES AND RECOMMENDATIONS OF COMMITTEES HELD SINCE PREVIOUS MEETING OF COUNCIL.....	3
	REPORTS OF CHIEF EXECUTIVE OFFICER AND OFFICERS.....	3
11	PLANNING AND SUSTAINABILITY.....	3
12	CORPORATE GOVERNANCE.....	4
12.1	WALGA Advocacy - Local Government Elections.....	4
12.2	Minor Amendments to Register of Delegations and Authorisations from Council.....	8
12.3	Payments from Municipal and Trust Funds - September 2024.....	12
12.4	Monthly Financial Report - September 2024.....	15
13	RECREATION, ECONOMIC & COMMUNITY DEVELOPMENT.....	18
13.1	Feasibility Study into Options for Development on Lot 73 & 74 Forrest St and Lots 1 & 2 James Street, Pinjarra.....	18
14	INFRASTRUCTURE SERVICES.....	28
15	ITEMS FOR INFORMATION.....	29
15.1	Delegated Development Application Decisions - September 2024.....	29
15.2	Outstanding Council Resolutions October 2024.....	30
16	BUSINESS LEFT OVER FROM PREVIOUS MEETING.....	31
17	ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....	31
18	NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING.....	31
19	NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE PERSON PRESIDING OR BY DECISION OF THE MEETING.....	31
20	MEETING CLOSED TO THE PUBLIC (CONFIDENTIAL BUSINESS).....	31
21	CLOSURE OF MEETING.....	31

Minutes of Shire of Murray Ordinary Council Meeting held at the Murray Shire Council, 1915 Pinjarra Road, Pinjarra on Thursday, 24 October 2024

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member, President D Bolt declared the meeting open the time being 5.30pm.

2 ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

PRESENT

President David Bolt (President), Cr Douglas McLarty (Deputy President), Cr Geoff Black, Cr Stuart Kirkham, Cr Steve Lee, Cr Ange Rogers, Cr David Pike, Cr Stewart Carter, Cr Nicole Willis

IN ATTENDANCE

Dean Unsworth (Chief Executive Officer), Alan Smith (Director Infrastructure Services), Greg Delahunty (Acting Director Planning and Sustainability), Krystal Dawe (Acting Director Place, Community and Economic Development), David Bentley (Acting Director Corporate Services), Belinda Brown (Minute Taker)

APOLOGIES

Leanne McGuirk (Director Place, Community and Economic Development), Rod Peake (Director Planning and Sustainability), Tracie Unsworth (Director Corporate Services)

LEAVE OF ABSENCE

Nil.

There was one (1) member of the public and two (2) members of staff in attendance at this time.

3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

4 PUBLIC QUESTION TIME

Nil.

5 PETITIONS AND APPROVED DEPUTATIONS

Nil.

6 CONFIRMATION OF MINUTES

6.1 Ordinary Council Meeting – 26 September 2024

Recommendation/Council Decision OCM24/126

Moved: Cr D McLarty

Seconded: Cr A Rogers

That the Minutes of the Ordinary Council Meeting held on Thursday 26 September 2024 be confirmed as a true and correct record.

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

Against: Nil.

CARRIED UNANIMOUSLY 9:0

7 ANNOUNCEMENTS BY THE PRESIDING MEMBER

On 28 September I attended the Murray Toy Library 30-year anniversary event at the Pinjarra Junction Shopping Centre. This was followed by a photo opportunity at the Alcoa Bindjareb Office, with the winner of the Alcoa D100 Mountain Bike Competition Draw Winner.

On 1 October I attended the OVIS Annual General Meeting held at the Mandurah Offshore Fishing and Sailing Club. This was followed by me having the pleasure of welcoming 11 new citizens to the Shire of Murray at our Citizenship Ceremony held in the Council Chambers. I was joined and assisted by Councillors Willis and Lee.

On 2 October I attended the Dwellingup Community Village's community room event and 70th Celebration which was held at the village in Dwellingup. Later in the afternoon fellow Councillors, Shire Officers and I took part in the Metro Outer DAP meeting which was held online.

On 4 October Shire Officers and I met at the Shire Administration Building, with a local business owner to discuss a new Agricultural Research business proposal. Later in the evening I attended the Murray Music and Drama Club's 2025 season launch event held at the Pinjarra Civic Centre.

On 5 October I attended the Official Launch Luncheon of the 93rd Waroona Show, as a guest of the Waroona Agricultural Society which was held at the Waroona Show Grounds.

On 7 October the CEO and I met with a Local Resident to discuss various issues and projects. This was followed in the evening by a photo shoot at the Pinjarra Town Square and Swing Bridge to mark the completion of the lighting of the precinct and project funding contribution by the Pinjarra Community Bank.

On 8 – 10 October fellow Councillors, CEO and I attended the WALGA Convention and AGM meeting held at the Perth Convention and Exhibition Centre. On the evening of 10 October, I attended the Austin Cove Year 12 Graduation event held at the Eastlake Church in Mandurah.

On 13 October I attended the Ravenswood Community Group Annual General Meeting held at the Ravenswood Community Centre and gave a presentation on the Shires 2025 Plans and update on the Rivers Regional Council's Waste to Energy Project. In the evening, I attended the Pinjarra Golf Club's Presentation Ceremony for the Women's Annual Amateur Tournament which was held at the Pinjarra Golf Club.

On the 17 October I attended and chaired the regular Rivers Regional Council Meeting which was held online.

On the 22 October I attended and presented the Dux VET award at the Pinjarra Senior High School Presentation and Awards Night held at the Pinjarra Senior High School Performing Arts Centre.

8 ANNOUNCEMENTS BY ELECTED MEMBERS

On 4 October I attended the Alcoa Peel Business Excellence Finalist Announcements event held at the Exchange Hotel.

On 8 – 10 October fellow Councillors, CEO and I attended the WALGA Convention held at the Perth Convention and Exhibition Centre.

On 20 October I attended and said a few words of welcome on behalf of the Shire of Murray at the Pinjarra Garden Day event which was held at the Edenvale Heritage Precinct.

On 21 October fellow Councillors, and I attended a meeting at the Shire of Murray to discuss the 2024/25 Firebreak notice.

On 24 October I attended the October Ordinary Council Meeting, held in the Council Chambers.

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

Nil.

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

Nil.

REPORTS OF CHIEF EXECUTIVE OFFICER AND OFFICERS

11 PLANNING AND SUSTAINABILITY

Nil.

12 CORPORATE GOVERNANCE

12.1 WALGA Advocacy - Local Government Elections

File Ref:	D24/32910
Previous Items:	Nil.
Applicant:	Nil.
Author and Title:	David Bentley, Manager Governance and Strategy
Declaration of Interest:	Nil.
Voting Requirements:	Simple Majority
Appendices:	Item 12.1 Appendix 1 - WALGA Elections Advocacy Positions

Recommendation/Council Decision OCM24/127

Moved: Cr D McLarty

Seconded: Cr N Willis

That Council recommends that WALGA adopt the following Local Government Election Advocacy Positions:

- 1. Participation: Council support advocacy position A**
- 2. Terms of Office: Council support advocacy position A**
- 3. Voting Methods: Council support advocacy position A**
- 4. Internal Elections: Council support advocacy position A**
- 5. Voting Accessibility: Council support advocacy position A, B & C**
- 6. Method of Election of Mayor: Council support advocacy position B**

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

Against: Nil.

CARRIED UNANIMOUSLY 9:0

In Brief

Council has been requested by the West Australian Local Government Association (WALGA) to provide its positions on key advocacy positions relating to local government elections.

Background

The *Local Government Amendment Act 2023* (the Tranche 1 reform bill that was passed by Parliament last year) introduced a range of electoral reforms that came into effect prior to the 2023 Local Government ordinary elections:

- The introduction of optional preferential voting (OPV);
- Extending the election period to account for delays in postal services.
- Changes to the publication of information about candidates.
- Backfilling provisions for extraordinary vacancies after the 2023 local government election;
- Public election of the Mayor or President for larger local governments (including the Shire of Murray)
- Abolishing wards for smaller local governments; and

- Aligning the size of councils with the size of populations of each local government (change to representation).

Following requests from several WALGA zones, WALGA undertook a comprehensive review and analysis of five ordinary election cycles up to and including the 2023 election against the backdrop of these legislative reforms. The review and report focused on postal elections conducted exclusively by the Western Australian Electoral Commission (WAEC), with the analysis finding evidence of the rising cost and a reduction in service of conducting local government elections in Western Australia.

Report Detail

The Elections Analysis Review and Report created by WALGA was presented to the WALGA State Council on 4 September 2024, with the State Council supporting a review of WALGA's local government elections advocacy positions.

WALGA is requesting Councils consider the current and alternative Elections Advocacy Positions and provide a response back to WALGA for the December 2024 State Council Meeting.

The summary of WALGA's current advocacy positions is provided in the Infopage sent to local governments and is included as **Attachment 1**.

WALGA has requested the Shire of Murray to provide its view on the which option to support in WALGA's advocacy efforts.

Officer comment prior to considering WALGA's advocacy positions

As a note prior to considering the advocacy positions from WALGA, it is noted that, from the experience in the 2023 local government elections, there were some teething issues in the election reforms. Further minor changes will come into play for the 2025 elections that weren't ready for 2023. As this was a fundamental shift in the way elections are conducted by the WAEC, there was some decision inertia on election night to ensure the WAEC got their decisions and processes right. This meant almost no local governments had their elections called on election night, including the Shire of Murray. It is anticipated that the 2025 election would run smoother now that any potential issues have been identified and addressed. This could be what is meant when WALGA refers to a service level drop by the WAEC in the background of the report.

There are also changes in legislation as part of Tranche 2 in the *Local Government Amendment Act 2024* which removes the need to hold an internal election for the presiding member of Committees. This is now something that is decided by Council. This results in there only being a need for an "internal election" to elect the Deputy President at the Shire of Murray as the Shire President is elected by electors.

WALGA Advocacy – Participation

Position A: The sector continues to support voluntary voting at local government elections.

Position B: The sector supports compulsory voting at local government elections.

WALGA Advocacy – Terms of Office

Position A: The sector continues to support four-year terms with a two-year spill.

Position B: The sector supports four-year terms on an all in / all out basis (full spill each election).

WALGA Advocacy – Voting Methods

Position A: The sector supports First Past the Post (FPTP) as the preferred voting method for general elections. If Optional Preferential Voting (OPV) remains as the primary method of voting, the sector supports the removal of the 'proportional' part of the voting method for general elections.

Position B: The sector supports Optional Preferential Voting (OPV) as the preferred voting method for general elections.

WALGA Advocacy – Internal Elections

Position A: The sector supports First Past the Post (FPTP) as the preferred method for all internal elections.

Position B: The sector supports Optional Preferential Voting (OPV) as the preferred voting method for all internal elections.

WALGA Advocacy – Voting Accessibility

The sector supports the option to hold general elections through:

Position A: Electronic voting; and / or

Position B: Postal voting; and / or

Position C: In-Person voting.

WALGA Advocacy – Method of Election of Mayor

The sector supports:

Position A: As per the current legislation with no change – Class 1 and Class 2 (including the Shire of Murray) local governments directly elect the Mayor or President (election by electors method), with regulations preventing a change in this method.

Position B: Return to previous legislated provisions – all classes of local governments can decide, by absolute majority, the method for electing their Mayor or President.

Position C: Apply current provisions to all Bands of local governments – apply the election by electors method to all classes of local governments.

Council Plan

Focus Area	Performance
Outcome 14	Capable and accountable leadership and governance.
Objectives 14.1	Establish a strong corporate governance framework to ensure high standards of integrity, ethics and accountability.
Actions 14.1.6	Implement the suite of local government reforms by required statutory dates.

Other Strategic Links

Nil.

Statutory Environment

The Shire has fully implemented the required legislative changes to elections regimes as part of the reforms passed in 2023. If any advocacy efforts by the Council or by WALGA are successful, those impacts will be assessed when released and changes would be made then to processes and forms.

Sustainability & Risk Considerations

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

Nil.

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

Nil.

Environment – (Impact on environment’s sustainability)

Nil.

Policy Implications

Nil.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	There is negligible risk to the Shire in any of the advocacy relating to this report. The Shire will implement whatever the prevailing legislative framework is to ensure compliance.

Consultation

Nil

Resource Implications

Financial

Nil.

Workforce

Nil.

Options

Council has the option available to it to consider any of the proposals and come to its position. Council could also determine to not contribute to the advocacy efforts of WALGA.

Conclusion

The advocacy efforts by WALGA are designed to ensure a clear and consistent message comes from the local government sector in relation to these reforms.

12.2 Minor Amendments to Register of Delegations and Authorisations from Council

File Ref: D24/34323
Previous Items: Nil.
Applicant: Nil.
Author and Title: Julie Pantaleo, Governance Officer
Declaration of Interest: Nil.
Voting Requirements: Absolute Majority
Appendices: Item 12.2 Appendix 1 - Delegation Modifications

Recommendation/Council Decision OCM24/128

Moved: Cr A Rogers

Seconded: Cr S Lee

That Council by absolute majority adopts the amendments proposed to the Register of Delegations and Authorisations from Council as provided in Appendix 1.

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

Against: Nil.

CARRIED BY ABSOLUTE MAJORITY 9:0

In Brief

Council is requested to consider amendments to the Register of Delegations and Authorisations from Council undertaken by officers to insert position titles to reflect new positions created.

Background

The *Local Government Act 1995* and other legislation requires Council to review its delegations at least once each financial year. Council last reviewed its delegations to the CEO and other officers at the Ordinary Council Meeting on 22 August 2024.

The aim and purpose of delegated authority is to assist with the efficiency of local government operations and activities by way of quicker decision-making. Under the *Local Government Act 1995*, and other legislation, Council may delegate functions, duties and powers of the local government to the Chief Executive Officer to assist with efficient and timely decision making.

The Chief Executive Officer may then sub-delegate some of these functions, duties and powers to other officers. Sub-delegated functions are also required to be reviewed once every financial year or as otherwise required to meet operational needs.

Delegations are a proven effective organisational tool that enhances productivity and supports effective customer service and timely decision making.

Report Detail

The recent recruitment of a Building Surveyor will require an amendment to the Register of Delegations and Authorisations from Council to ensure the new position is able to effectively undertake their roles and responsibilities. The changes are identified in track change in the Register of Delegations and Authorisations from Council as provided at **Appendix 1**.

A summary of the changes is also included in the below table:

Delegation No.	Current Delegation Title	Amendment / Action
6.1	Appointment of Authorised Persons – <i>Building Act 2011</i>	Insert the position title of Building Surveyor to the list of Authorised Persons identified on Appendix 1
6.2	Building and Demolition Permits	Insert the position title of Building Surveyor as an authorised person for the Power/Duty identified on Appendix 1
6.6	Swimming Pools – <i>Building Act 2011</i>	Insert the position title of Building Surveyor as an authorised person for the Power/Duty identified on Appendix 1

Council Plan

Focus Area	Performance
Outcome 14	Capable and accountable leadership and governance.
Objectives 14.1	Establish a strong corporate governance framework to ensure high standards of integrity, ethics and accountability.

Other Strategic Links

Nil.

Statutory Environment

5.42. Delegation of some powers and duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —
 - (a) this Act other than those referred to in section 5.43; or
 - (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).

* *Absolute majority required.*

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.43. Limits on delegations to CEO

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority of the council;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government’s powers under section 5.98, 5.98A, 5.99, 5.99A, 5.100 or 5.129;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;

- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- (h) any power or duty that requires the approval of the Minister or the Governor;
- (i) such other powers or duties as may be prescribed.

5.44. CEO may delegate powers and duties to other employees

- (1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —
 - (a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and
 - (b) the exercise of that power or the discharge of that duty by the CEO's delegate,are subject to any conditions imposed by the local government on its delegation to the CEO.
- (4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.
- (5) In subsections (3) and (4) —
conditions includes qualifications, limitations or exceptions.

5.45. Other matters relevant to delegations under this Division

- (1) Without limiting the application of sections 58 and 59 of the *Interpretation Act 1984* —
 - (a) a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and
 - (b) any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.
- (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>
High	As delegations are enacted to a position rather than an individual person, the risk to the organisation if the delegations as proposed are not passed is high as those officers will no longer be able to perform their delegated functions.

Consultation

Nil.

Resource Implications

Financial

Nil.

Workforce

Nil.

Options

1. Accept the position title insertions as proposed.
2. Reject the position title insertions 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 position title insertions through this process will enhance the efficiencies and support that the officer needs to deliver outcomes to the community.

12.3 Payments from Municipal and Trust Funds - September 2024

File Ref: D24/36225
Previous Items: Nil.
Applicant: Nil.
Author and Title: Nathan Gilfellon, Manager Finance
Declaration of Interest: Nil.
Voting Requirements: Simple Majority
Appendices: Item 12.3 Appendix 1 - List of Accounts Paid in September 2024

Recommendation/Council Decision OCM24/129

Moved: Cr N Willis
Seconded: Cr G Black

That Council receives the Payments from Municipal and Trust Funds Report September 2024 as presented.

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

Against: Nil.

CARRIED UNANIMOUSLY 9:0

In Brief

This report of payments made from the Shire's Municipal and Trust bank accounts are 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 Officer is provided to Council.

The report contains the list of payments made from the Shire of Murray’s Municipal and Trust bank accounts for the months of September 2024.

This list includes details for each payment made, incorporating:

- The payees name
- The description 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.

Council Plan

Focus Area	Performance
Outcome 14	Capable and accountable leadership and governance.

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 <i>Local Government (Financial Management) Regulations 1996</i> .

Consultation

Nil.

Resource Implications*Financial*

Nil.

Workforce

Nil.

Options

1. Receiving the Payments from Municipal and Trust Funds report for September 2024.
2. Not receiving the Payments from Municipal and Trust Funds report for September 2024.

Conclusion

The Payments from Municipal and Trust Funds reports have been prepared in accordance with the *Local Government (Financial Management) Regulations 1996* and are 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.

12.4 Monthly Financial Report - September 2024

File Ref:	D24/36227
Previous Items:	Nil.
Applicant:	Nil.
Author and Title:	Nathan Gilfellon, Manager Finance
Declaration of Interest:	Nil.
Voting Requirements:	Simple Majority
Appendices:	Item 12.4 Appendix 1 - September 2024 Monthly Financial Report

Recommendation/Council Decision OCM24/130

Moved: Cr S Lee

Seconded: Cr G Black

That Council receives the September 2024 Monthly Financial Report as presented at Appendix 1.

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

Against: Nil.

CARRIED UNANIMOUSLY 9:0

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:

- 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*;
- Budget estimates to the end of the month to which the statement relates;
- Actual amounts of expenditure, revenue and income to the end of the month to which these statements relate;
- The material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- 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 September 2024 identifies the financial position of Council as at the reporting date and consists 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 14	Capable and accountable leadership and governance.
Objectives 14.1	Establish a strong corporate governance framework to ensure high standards of integrity, ethics, and accountability.

Other Strategic Links

Shire of Murray 2024/2025 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 September 2024.
2. Not receiving the monthly financial report for September 2024.

Conclusion

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

13 RECREATION, ECONOMIC & COMMUNITY DEVELOPMENT**13.1 Feasibility Study into Options for Development on Lot 73 & 74 Forrest St and Lots 1 & 2 James Street, Pinjarra**

File Ref: D24/35448
Previous Items: Nil.
Applicant: Nil.
Author and Title: Dean Unsworth, Chief Executive Officer
Declaration of Interest: Nil.
Voting Requirements: Simple Majority
Appendices: Nil.

Recommendation/Council Decision OCM24/131

Moved: Cr S Carter

Seconded: Cr S Kirkham

That Council:

- 1. Supports the proposal to have developed a Feasibility Study that considers options for development on Lots 73 & 74 Forrest St and Lots 1 and 2 James Street, Pinjarra.**
- 2. Supports a funding allocation from the Consultancies 2024/25 budget allocation to progress (1) above.**
- 3. Requests that the CEO incorporate Action 11.1.5 from the Murray 2033 Council Plan (*Present a discussion paper to consider either long-term ownership or divesting in the FIPWA and Exchange Hotel with funding going towards other key Civic infrastructure*) as part of this proposal so that a strategic view can be taken into the financial modelling and timing of all future major infrastructure proposals, including a future Library, Civic Centre and Administration building.**
- 4. Supports a Civic Centre Precinct Working Group be formed that includes**
 - Chief Executive Officer (Chair)**
 - Shire President**
 - Deputy Shire President**
 - Councillor A Rogers**
 - Councillor N Willis (Cr Black Proxy)**
 - All 4 Shire Directors**
 - Manager Community and Library Services**
 - Project consultant**

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

Against: Nil.

CARRIED UNANIMOUSLY 9:0

In Brief

With the successful redevelopment and opening of the Exchange Hotel in Pinjarra, Council is now requested to consider maximising and expanding the economic development opportunities in the town of Pinjarra.

The Exchange Hotel already has had a positive impact on the town centre, with a number of local adjacent businesses advising that there has been an increase in custom.

With the increasing numbers coming to Pinjarra, there is a need for strategic consideration now as to how the Shire can facilitate investment to create short-stay accommodation.

Background

Council will be well aware of the Business Case proposal for the redevelopment of the Pinjarra Rail Heritage Precinct. This project identifies up to 32 new accommodation short-stay rooms to capture the increasing tourist visitor numbers.

However, this accommodation is very niche, and there is a need for the town and Shire to add more contemporary short-term accommodation, particularly with the recent redevelopment of the Exchange Hotel, and the future upgrade of the Edenvale Precinct to include ablutions to the 1861 St Johns Church and a lighting overhaul to foster night activation.

The other issue that is causing concern is the inability for the Shire to be able to progress any short-term accommodation opportunities in Dwellingup with the current objections to the draft Dwellingup Town Centre Structure Plan, where State Departments are objecting on the grounds of (perceived) fire risk. While the Shire's planning is presenting options to actually increase the safety of the town through quality development, there is little progress being made. Hence, an increased need for further short-term stay accommodation.

Another benefit of offering short-term accommodation is the fact that thousands of people visiting the Bush Fire Centre of Excellence, students at the Food Innovation Precinct and other large businesses, for example Murray Engineering, are either booking their accommodation in Mandurah or going back to Perth for their accommodation requirements.

Report Detail

Council is requested to make it a strategic focus to consider the adjacent Lots 73 and 74 Forrest St/Lots 1 and 2 James Street, land owned by the Shire of Murray, to be considered land that could be developed and fill the significant economic gap and grab the opportunity to further transform Pinjarra and the Shire of Murray's local economy.

The land was previously the site of the Pinjarra State Emergency Services operations until 2008. Since then it has remained idle.



Shire of Murray TPS # 4 - Extract

The Lots are a total of 6,600 m2 and broken down as follows:

Lot 73 Forrest Street – 1,948m2

Lot 74 Forrest Street – 1,948m2

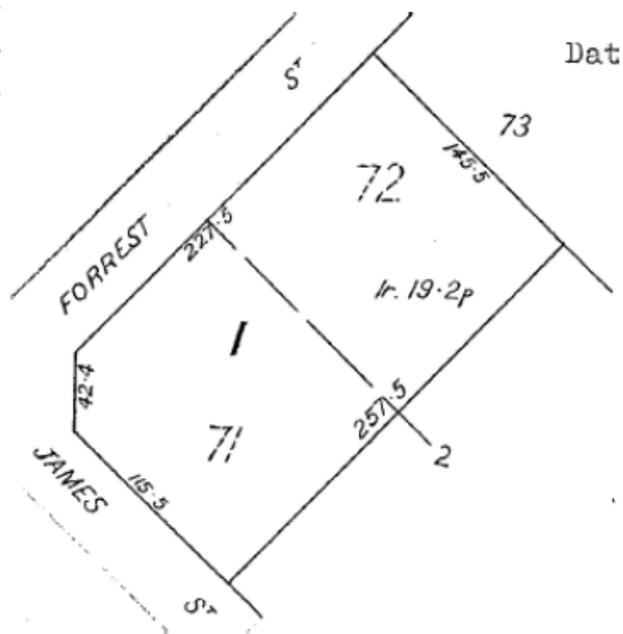
Lot 1 James Street – 1,498m2

Lot 2 James Street – 1,206m2

Total: 6,600m²

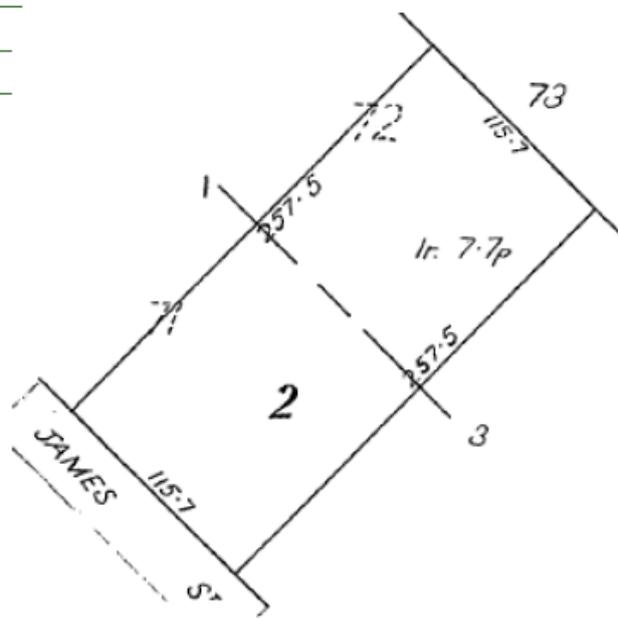
Lot 1 James Street

Frontage	23.23 metres
Depth	51.80 metres
Total site area	1,498 m ²



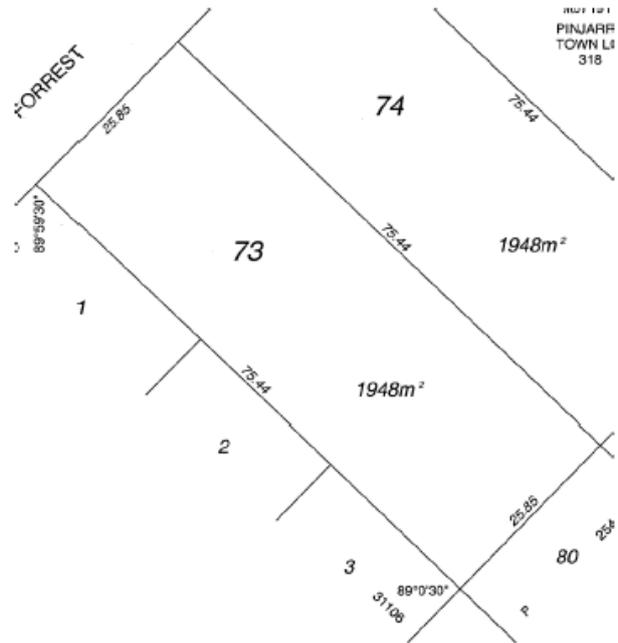
Lot 2 James Street

Frontage	23.28 metres
Depth	51.80 metres
Total site area	1,206 m ²



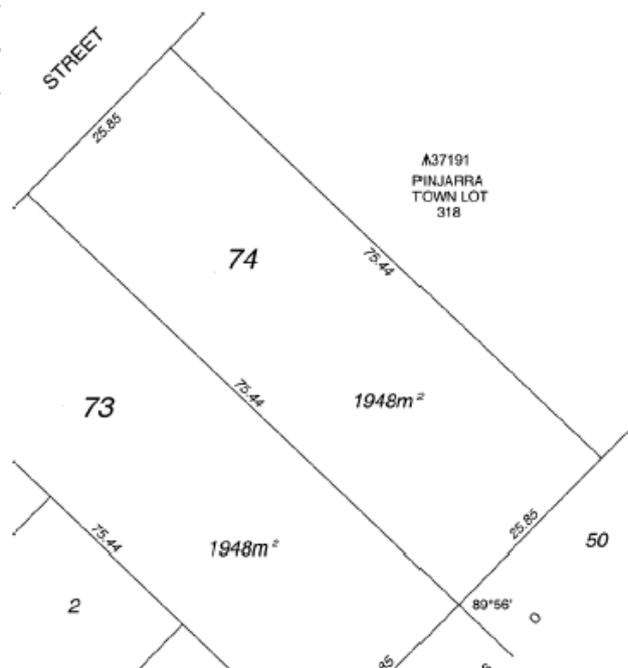
Lot 73 Forrest Street

Frontage	25.85 metres
Depth	75.44 metres
Total site area	1,948 m ²



Lot 74 Forrest Street

Frontage	25.85 metres
Depth	75.44 metres
Total site area	1,948 m ²



Total Combined site area	6,600 m²
---------------------------------	----------------------------

In June 2016, these lots were rezoned to R-AC0 via Local Planning Strategy 4 Amendment 290.

An R-AC0 coding was considered by Council at time of this zoning amendment, as is the most generous, under the R-Codes, in terms of density allowances and flexibility. For example, up to 55 town houses could be constructed over the four lots if they were consolidated (6,600m² in total). For multiple dwellings (apartments), no specific minimum site area per dwelling is specified, rather this is indirectly controlled through development guidelines relating to plot ratio, height and setbacks etc. It is intended that these development guidelines will be adopted (for advertising) in the Pinjarra Precinct Structure Plan (PPSP) prior to the end of the year. As the Shire is a landowner, and also

preparing the PPSP, Council has a unique and excellent opportunity to influence and drive the development outcome for this land.

In addition to the R-Coding the underlying “Town Centre” Zoning remains. The town centre zoning allows for a mix of residential and commercial uses including apartments, town houses, shops, restaurants, hotels, cafes etc. It is also an appropriate location for short stay accommodation, although this land use is not currently contemplated in LPS4.

Consequently, it is considered that this site is strategically located within the Pinjarra town centre, close to a range of services and amenities, which would be suited to an intensive mixed-use development incorporating street front businesses with short-stay apartments above.

A few factors that will need to be considered in any development proposal, which would come out of a Feasibility Study includes:

- Forrest Street would require upgrading. It is currently not constructed to an urban standard. Any major development that proposes to obtain access from Forrest Street will need to contribute to its upgrade. Council could fund this to make a development opportunity more attractive.
- A portion of lots 1 and 2 is located within the flood fringe – Finished floor levels will need to be raised
- The lots are mapped as Bushfire Prone – Construction will have to meet Bushfire Attack Levels (BAL) construction standards of the Building Code of Australia.
- There is a sewage pump station on the adjoining Water Corporation site. A development may have to accommodate mitigation measures on site to address any amenity impacts.



James Street Frontage



Lot 1 James Street



Lot 2 James Street



Lot 73 Forrest Street

It is proposed that senior officers work with a preferred consultant to consider one or a mix of options and that concepts and feasibilities be undertaken on all feasible options. From there, Council would be requested to select the best model to then go to a further detailed design process.

The feasibility study should look at estimated construction and operating costs and financial models to be able to commence construction.

Council Plan

Focus Area	Place
Outcome 7	Population growth is being managed responsibly and sustainably.
Objective 7.2	Support a diverse range of housing options to meet different community needs.
Action 7.2.1	Make provision within the local planning framework to accommodate more diverse and affordable housing options.
Action 7.2.2	Advocate for worker and student accommodation.

Focus Area	Prosperity
Outcome 11	Sustainable economic growth with decent work for all.
Objective 11.1	Maximise inherent regional economic opportunities.

Actions 11.1.5	Present a discussion paper to consider either long-term ownership or divesting in the FIPWA and Exchange Hotel with funding going towards other key Civic infrastructure.
Outcome 13	Visitor numbers are growing.
Objective 13.1	Create a compelling tourism offer to attract tourists and visitors.
Actions 13.1.2	Identify opportunities to implement initiatives to incentivise investment in diverse short stay accommodation options in Dwellingup and Pinjarra.

Other Strategic Links

Nil.

Statutory Environment

As presented within this report.

Sustainability & Risk Considerations

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

While it has not been quantified, there is significant economic leakage due to the lack of a range of short-stay accommodation options in Pinjarra and the Shire.

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

Options within this concept could include affordable housing options.

Environment – (Impact on environment’s sustainability)

Part of the land is within a flood fringe that will need to be considered as part of future detailed planning.



Policy Implications

Nil.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	There is low risk to Council to proceed with this proposal.

Consultation

None at this time.

Resource Implications

Financial

An amount of \$89,908 is available within the Consultancies 2024/25 budget.

Workforce

There will be no additional workforce requirements.

Options

1. Support the officer recommendation to undertake a feasibility on the aforementioned lots.
2. Not support the feasibility proposal at this time.
3. Consider selling the 4 lots on the market.
4. Revisiting this proposal at a future time.
5. Seek Expressions of Interest for the 4 lots.

Conclusion

It is obvious that there is a short-term accommodation shortage within the town of Pinjarra. This is, and will only become more apparent as the Exchange Hotel increases patronage and events such as weddings, and the increase in fire fighters training at the Western Australian Bush Fire Centre of Excellence.

There is also a shortage of affordable housing within Pinjarra.

If supported, this project will consider options for activation of Lots 73/74 Forrest Street and Lots 1 and 2 James Street and in turn, further activate the town of Pinjarra.

It is not recommended that Council consider putting the lots on the market as it will not maximise a fiscal return and will lose much control on guiding the development outcomes consistent with the Pinjarra Revitalisation Strategy, Structure Plan and draft Town Planning Scheme No.5.

It is also recommended that an Expression of Interest (EOI) process is avoided, until such time as Council has strategically considered what would be the best and highest use of the land and can have a strategic approach to its future use, similar to the process Council undertook with the Exchange Hotel, where a Feasibility Study and Master Planning process was undertaken before EOI's were called.

14 INFRASTRUCTURE SERVICES

Nil.

15 ITEMS FOR INFORMATION

15.1 Delegated Development Application Decisions – September 2024

File Ref: D24/34896

Author and Title: Michelle Meads, Executive Assistant to Director Planning and Sustainability

Appendices: Item 15.1 Appendix 1 – Delegated Decisions Report for September 2024

In Brief

The Delegated Development Application Decisions for September 2024 are attached for information.

15.2 Outstanding Council Resolutions October 2024

File Ref: D24/35547

Author and Title: Belinda Brown, Executive Services Coordinator

Appendices: Item 15.2 Appendix 1 – Outstanding Council Resolutions October 2024

In Brief

The Outstanding Council Resolution Register for October 2024 is attached for your information.

16 BUSINESS LEFT OVER FROM PREVIOUS MEETING

Nil.

17 ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

18 NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING

Nil.

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

Nil.

20 MEETING CLOSED TO THE PUBLIC (CONFIDENTIAL BUSINESS)

Nil.

21 CLOSURE OF MEETING

There being no further business the Presiding Member declared the meeting closed the time being 5.40pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 28 November 2024.



.....
PRESIDING MEMBER