



**Shire of Murray**

# **Minutes**

**Ordinary Council Meeting  
Thursday 23 October 2025  
at 5.30pm**

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Following the Ordinary Local Government Election held on Saturday 18 October 2025, the Chief Executive Officer facilitated the following items prior to the commencement of the October Ordinary Council Meeting:

**1. Swearing in of the President and Councillors-Elect**

Prior to taking office, all Council Members elected at the October Election must make a declaration of office in accordance with section 2.29 of the *Local Government Act 1995* before taking a seat at the Council Chamber as a Member of Council.

**2. Allocation of seating in the Council Chamber**

In accordance with clause 4.1 of the *Shire of Murray Meeting Procedures Local Law 2015* at the first Council Meeting held after each ordinary election, the CEO shall allot, by ballot, a position at the council table to each member. Each Council Member is to occupy their allotted position at each Council Meeting until the next ordinary local government election.

On completion of the above, the Ordinary Council Meeting commenced at 5.49pm with the new Shire of Murray Council. The Election of Deputy President was dealt with as Item 3.1 of the Agenda.

Minutes of Shire of Murray Ordinary Council Meeting held at the Murray Shire Council, 1915 Pinjarra Road, Pinjarra on Thursday, 23 October 2025

## **1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**

The Presiding Member, President D McLarty declared the meeting open the time being 5.49pm.

The Shire of Murray's Ordinary Council Meeting is being live streamed and recorded on the Shire's website in accordance with the Local Government Act 1995. Members of the public attending this meeting, consent to the possibility that their image and voice maybe captured on the recording and livestreaming. Statements or decisions made at this meeting should not be relied or acted on by an applicant or any other person until they have received written notification from the Shire of Murray.

## **2 ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE**

### **PRESENT**

President Douglas McLarty, Cr Geoff Black, Cr Stuart Kirkham, Cr Steve Lee, Cr Ange Rogers, Cr Stewart Carter, Cr Nicole Willis, Cr Prue George, Cr Rob Cashman

### **IN ATTENDANCE**

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

There were eighteen (18) members of the public and four (4) members of staff in attendance at this time.

### **APOLOGIES**

Rod Peake (Director Planning and Sustainability)

### **LEAVE OF ABSENCE**

Nil.

## **3 ELECTION OF DEPUTY PRESIDENT**

### **3.1 Election of Deputy President**

The Deputy President will be elected in accordance with the provisions of clause 8 of Schedule 2.3 of the *Local Government Act 1995*. The Deputy President is to be elected by members of the Council, with the Chief Executive Officer as the returning officer of the election.

#### **Election of Deputy President Procedure**

1. The Chief Executive Officer will call for final call of nominations.
2. Nominations for the Office of Deputy President are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.
3. If a Council Member is nominated by another Council Member, the CEO is not to accept the nomination unless the nominee has advised verbally or in writing that they are willing to be nominated for the office.
4. After sufficient time, the Chief Executive Officer is to formally declare nominations to be closed.
5. Where only one candidate is nominated for the Office of the Deputy President, the Chief Executive Office will declare that Councillor elected to the Office of Deputy President.
6. Nominees for the Deputy President shall have the opportunity to address the Council for ten minutes per person prior to the election vote. A further period of five minutes may be granted to each nominee if the majority of the Council agree.

### 3.2 Swearing in Deputy President

Cr Ange Rogers was elected unopposed to the Office of the Deputy President for the Shire of Murray, with the term of office expiring on 16 October 2027.

Prior to taking Office, the elected Deputy President made the declaration of office in accordance with section 2.29 of the *Local Government Act 1995*.

## 4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

## 5 PUBLIC QUESTION TIME

### Mr Shaun Spice – North Dandalup (Not present at the meeting)

#### Question 1: Read by Shire President Douglas McLarty

The proposed Scheme Amendment No. 333 seeks to introduce a 'Reception Centre (Wedding Venue)' as an additional use into the current zoning of Lot 9002. Could Council please explicitly state what the existing zoning of the lot is, and table the specific, objective planning criteria used to determine that a high-traffic, high-intensity use like a wedding venue is consistent with the primary intent and purpose of that zone? Furthermore, can Council explain how approving this 'spot rezoning' for a single lot will not create an undesirable precedent, making it difficult to refuse similar applications on adjacent lots in the future, thereby fundamentally altering the character of the area.

#### **Answer: Greg Delahunty (Acting Director Planning and Sustainability)**

The lot is zoned Special Rural (SR34) the objective of this zone is to “*create a mixture of equestrian lots and rural residential lifestyle lots*”.

The agenda report outlines in some detail that the impacts of this proposal are not consistent with this objective and that approval would set an undesirable precedent.

#### Question 2: Read by Shire President Douglas McLarty

The report for Scheme Amendment No. 333 references a traffic impact assessment. Given that wedding events typically generate a high volume of vehicles in a short, concentrated timeframe (e.g., 50-100 cars arriving and departing within an hour), often during evening hours and on weekends, can Council confirm that the traffic assessment specifically modelled these worst-case scenario conditions, not just average daily traffic? Furthermore, has an independent assessment been conducted on the safety and adequacy of Hasluck Circuit, a local road, to handle such peak flows, including the potential for queuing cars to block the roadway.

#### **Answer: Greg Delahunty (Acting Director Planning and Sustainability)**

The traffic report modelled the likely traffic from a wedding event, based upon the maximum number of guests. This sits within the capacity of the road network which is up to 3,000 vehicles per day.

The Agenda report, however, acknowledges that, despite this, the intensity of traffic late at night is unexpected in a rural residential context and will have an unacceptable impact on the amenity of the area.

#### Question 3: Read by Shire President Douglas McLarty

What specific, enforceable conditions is Council proposing to include in the approval to mitigate the inevitable noise pollution from amplified music, large crowds, and late-night events, to ensure compliance with the WA Environmental Protection (Noise) Regulations 1997? Can Council

guarantee that these conditions will be effectively monitored and enforced, given the Shire's limited resources, and detail the complaint and penalty process for residents if breaches occur?

**Answer: Greg Delahunty (Acting Director Planning and Sustainability)**

The agenda report recognises that the proposal relies on complex noise management strategies that would be extremely difficult to implement and monitor. Consequently, it is concluded that the land use is not appropriate for the location and refusal is recommended.

Should Council wish to support the proposal and if ultimately the proposal is signed off by the Minister for Planning, it is anticipated that conditions requiring strict adherence with the noise management strategies to ensure compliance with the *Environmental Protection (Noise) Regulations 1997* would be required.

## **6 PETITIONS AND APPROVED DEPUTATIONS**

**6.06pm Ms Gretchen Haxton** (North Dandalup) – Item 12.1 Proposed Amendment No. 333 to Local Planning Scheme No. 4 – Additional Use (Reception Centre) at Lot 9002 (1) Hasluck Circuit, North Dandalup. Ms Haxton spoke against the Officer Recommendation.

**President D McLarty** thanked Ms Haxton for her deputation which concluded at 6.22pm

**6.22pm Mr Benedict McCarthy** (Planning Horizons) – Item 12.1 Proposed Amendment No. 333 to Local Planning Scheme No. 4 – Additional Use (Reception Centre) at Lot 9002 (1) Hasluck Circuit, North Dandalup. Mr McCarthy spoke against the Officer Recommendation.

**President D McLarty** thanked Mr McCarthy for his deputation which concluded at 6.28pm

### **6.1 Request for Deputation - Ms Abbie Grenfell**

**Recommendation/Council Decision OCM25/122**

**Moved: Cr A Rogers**

**Seconded: Cr S Kirkham**

**That Council accepts a late deputation from Ms Abbie Grenfell in relation to Item 12.1 Proposed Amendment No. 333 to Local Planning Scheme No. 4 – Additional Use (Reception Centre) at Lot 9002 (1) Hasluck Circuit, North Dandalup.**

**In Favour:** President Douglas McLarty, Crs Geoff Black, Stuart Kirkham, Steve Lee, Ange Rogers, Stewart Carter, Nicole Willis, Prue George and Rob Cashman

**Against:** Nil.

**CARRIED UNANIMOUSLY 9:0**

**6.29pm Ms Abbie Grenfell** (North Dandalup) – Item 12.1 Proposed Amendment No. 333 to Local Planning Scheme No. 4 – Additional Use (Reception Centre) at Lot 9002 (1) Hasluck Circuit, North Dandalup. Ms Grenfell spoke for the Officer Recommendation.

**President D McLarty** thanked Ms Grenfell for her deputation which concluded at 6.32pm.

## **7 CONFIRMATION OF MINUTES**

### **7.1 Ordinary Council Meeting – 25 September 2025**

**Recommendation/Council Decision OCM25/123**

**Moved: Cr S Carter**

**Seconded: Cr S Lee**

**That the Minutes of the Ordinary Council Meeting held on Thursday 25 September 2025 be confirmed as a true and correct record.**

**In Favour: President Douglas McLarty, Crs Geoff Black, Stuart Kirkham, Steve Lee, Ange Rogers, Stewart Carter, Nicole Willis, Prue George and Rob Cashman**

**Against: Nil.**

**CARRIED UNANIMOUSLY 9:0**

### **7.2 Bush Fire Advisory Committee - 22 October 2025**

**Recommendation/Council Decision OCM25/124**

**Moved: Cr A Rogers**

**Seconded: Cr S Kirkham**

**That the Minutes of the Bush Fire Advisory Committee Meeting held on Wednesday 22 October 2025 be confirmed as a true and correct record.**

**In Favour: President Douglas McLarty, Crs Geoff Black, Stuart Kirkham, Steve Lee, Ange Rogers, Stewart Carter, Nicole Willis, Prue George and Rob Cashman**

**Against: Nil.**

**CARRIED UNANIMOUSLY 9:0**

## **8 ANNOUNCEMENTS BY THE PRESIDING MEMBER**

On 29 September I had the honour of selecting the winner of the Pinjarra Acquisitional Award at the Annual Plein Air Down Under Painting Festival, held at the Mandurah Performing Arts Centre.

On 1 October the CEO and I attended a meeting with senior staff from Alcoa at the Shire of Murray Administration Building.

On 3 October I along with a fellow Councillor attended the Alcoa Peel CCI Business Awards Finalist Announcement Event which was held at the Little Stiller Distillery in Mandurah.

On 5 October I attended the opening of Alfresco Indian Cuisine as the new lessee at the Edenvale Tea Rooms.

On 7 October I presided over the Shire of Murray Citizenship Ceremony where we welcomed 7 new Citizens to Murray.

On 9 October the CEO and I attended an online meeting with the Hon Katrina Stratton MLC to present on projects within the Shire of Murray.

On 18 October the CEO, Shire officers, fellow Councillors and Candidates attended the Shire of Murray Local Election Count at the Shire Administration Building. Breakfast.



On 19 October I attended and said a few words of welcome on behalf of the Shire at the Pinjarra Garden Day event held at the Edenvale Heritage Precinct.

On 20 October the CEO, Fellow Councillors, Shire Officers and I hosted an Q & A event with Dr Anne Webster MP and the Hon. Andrew Hastie MP, which was held at the Pinjarra Civic Centre. The event was well attended with over 80 Shire of Murray Residents in attendance.

On 21 October the Shire President, CEO, Shire Officers, fellow Councillors and I attended the Councillor Induction Day in the Council Chambers. In the evening I attended the Austin Cove Baptist College Year 12 Graduation Evening at the Eastlake Church in Mandurah.

On 23 October I presided over the October Ordinary Council Meeting in the Council Chambers, where I was sworn in as Shire President.

## **9 ANNOUNCEMENTS BY ELECTED MEMBERS**

On 26 September the CEO, fellow Councillors and Shire Officers attended a site visit in South Yunderup.

On 28 September I attended the Annual Plein Air Down Under Painting Festival at the Edenvale Heritage Precinct in Pinjarra.

On 18 October the Shire President, CEO, Shire officers, fellow Councillors and Candidates attended the Shire of Murray Local Election Count at the Shire Administration Building. Breakfast.

On 21 October the Shire President, CEO, Shire Officers, fellow Councillors and I attended the Councillor Induction Day in the Council Chambers.

On 22 October I Chair the Bush Fire Advisory Committee Meeting in Council Chambers.

On 23 October I attended the October Ordinary Council Meeting in the Council Chambers, where I was elected and sworn in as the Deputy Shire President.

## **10 ACKNOWLEDGEMENT OF RECEIPT OF DISCLOSURE OF INTERESTS (BY PRESIDING MEMBER)**

Nil.

## 11 RECEPTION OF MINUTES AND RECOMMENDATIONS OF COMMITTEES HELD SINCE PREVIOUS MEETING OF COUNCIL

### 11.1 Appointment of the Chief Bush Fire Control Officer

File Ref:	D25/38759
Previous Items:	Nil.
Applicant:	Nil.
Author and Title:	John Kowal, Manager Ranger and Community Safety
Declaration of Interest:	Nil.
Voting Requirements:	Simple Majority
Appendices:	Item 11.1 Appendix 2 - Extract - Clause 8 - Shire of Murray Bush Fire Brigades Standard Operating Procedures Item 11.1 Appendix 2 - BFAC Terms of Reference as at 19 June 2025 Item 11.1 Appendix 3 - CBFCO - EOI Submissions - October 2025

#### Recommendation/Council Decision OCM25/125

Moved: Cr N Willis

Seconded: Cr A Rogers

That Council:

1. Appoints Michael Webster, to the role of Chief Bush Fire Control Officer (*The successful candidate for the role was determined by secret ballot by the voting members of the Shire of Murray Bush Fire Advisory Committee*).
2. Directs the Chief Executive Officer to advertise the appointment of the Chief Bush Fire Control Officer in accordance with section 38(2A) of the *Bush Fires Act 1954*.

**In Favour:** President Douglas McLarty, Crs Geoff Black, Stuart Kirkham, Steve Lee, Ange Rogers, Stewart Carter, Nicole Willis, Prue George and Rob Cashman

**Against:** Nil.

**CARRIED UNANIMOUSLY 9:0**

#### In Brief

At its meeting of 22 October 2025, the Bush Fire Advisory Committee (**BFAC**) considered and made recommendations for the appointment of a person to fulfill the role of the Chief Bush Fire Control Office (**CBFCO**) in accordance with section 38(1) of the *Bush Fires Act 1954* (**Act**), Shire of Murray Bush Fire Brigades Local Law 2024 (**Local Law**) and the Shire of Murray Bush Fire Brigades Standard Operating Procedures (**SOP**).

#### Background

In accordance with the Act, Local Law and the SOP, an Expression of Interest (**Eoi**) process was undertaken seeking nominations from suitably experienced and qualified Bush Fire Brigade members for the role of the Shire of Murray (**Shire**) CBFCO. The closing date for the receipt of nominations was Tuesday 14 October 2025.

#### Report Detail

Due to the recent resignation submitted by the current CBFCO from the role and in accordance with the provision of Clause 8 of the SOP, an Eoi process was undertaken and circulated on the 1 October 2025 to all Shire of Murray Fire Brigade Captains, Brigade Secretaries, Brigade members and to all current Deputy Chief Bushfire Control Officers and all current Bush Fire Control Officers. The Eoi closed on Tuesday 14 October 2024, at 5pm.

A copy of Clause 8 – Shire of Murray Bush Fire Brigades SOP is attached at **Appendix 1** The BFAC decision making process in relation to the position of the CBFCO is contained at clause 6.7 of the BFAC Terms of Reference. A copy of the BFAC Terms of Reference is attached at **Appendix 2**.

Following the closure of the EOI period, three (3) Eoi submissions were received for the CBFCO role:

- Brett Finlay
- Michael Webster
- Robert Wilson

In accordance with the SOP, a panel consisting of the Director of Corporate Services and the Manager Ranger and Community Safety undertook a review of the Eoi submissions as attached at **Appendix 3**, and it was considered that the submissions for the CBFCO role satisfied the criteria as described in the Position Description in the SOP.

The successful candidate for the role is to be determined by secret ballot by the voting members of the BFAC.

To resolve the vacancy in the role of CBFCO, a BFAC meeting is scheduled for 22 October 2025, the report recommendation and minutes will be provided to the Council as soon as possible following the BFAC Meeting in order for Councillors to consider the BFAC recommendation prior to the Ordinary Council Meeting scheduled for 23 October 2025.

### Council Plan

<b>Focus Area</b>	Planet
<b>Outcome 6</b>	A resilient community equipped to respond to natural disasters and other emergencies.
<b>Objectives 6.1</b>	Minimise risks and impacts from fires, floods and natural disasters.
<b>Actions 6.1.1 and 6.1.2</b>	Implement bushfire mitigation works. Implement the Local Emergency Risk Management Plan to raise community awareness, understanding and confidence in what the Shire is doing to address bushfire risks.

### Other Strategic Links

Nil.

### Statutory Environment

*Local Government Act (1995)*

5.21 Voting

(3) If the votes of members present are equally divided, the person presiding is to cast a second vote.

*Bush Fires Act 1954*

Section 38 - Local government may appoint bush fire control officer

- (1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject

thereto may determine the respective seniority of the other bush fire control officers appointed by it.

- (2A) The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district.
- (2C) The local government shall fill any vacancy occurring in the office of Chief Bush Fire Control Officer or Deputy Chief Bush Fire Control Officer within one month after the vacancy occurs and if the local government fails or neglects to do so within that time, the FES Commissioner may by notice in writing require the local government to appoint a person to the vacant office within one month after service on it of such notice.

### **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**

There are no policy implications, and the level of risk is considered to be low if the recommendation is endorsed.

#### *Risk Management Implications*

<i>Risk Level</i>	<i>Comment</i>
Low	Nil.

### **Consultation**

In accordance with previously established procedures, all brigades are cognizant of the Expression of Interest process for determining the CBFCO and the DCBFCO positions.

All Shire Brigade Captains and Bush Fire Control Officers were provided a briefing about the resignation of the present CBFCO and the Expression of Interest process that would be undertaken at a specially convened meeting held on Tuesday 30 September 2025.

On the 1 October 2025, the Eol application form was circulated to all Brigade Captains, Brigade Secretaries, Brigade members and to all current Deputy Chief Bushfire Control Officers and all current Bush Fire Control Officers.

### **Resource Implications**

*Financial*

The cost of advertising the appointments in accordance with 38(2A) of the Act is accommodated within the annual operating budget.

*Workforce*

Nil.

**Options**

1. Support the recommendation by the Bush Fire Advisory Committee.
2. Amend the recommendation for the CBFCO.

**Conclusion**

The BFAC recommendation is for the consideration of Council. Should Council endorse the BFAC recommendation the CEO under delegated authority can then formally appoint a person in accordance with the provisions of the Act to the role as the CBFCO.

**REPORTS OF CHIEF EXECUTIVE OFFICER AND OFFICERS****12 PLANNING AND SUSTAINABILITY****12.1 Proposed Amendment No.333 to Local Planning Scheme No.4 - Additional Use (Reception Centre) at Lot 9002 (1) Hasluck Circuit, North Dandalup**

File Ref:	D25/23533
Previous Items:	Nil.
Applicant:	Planning Horizons
Author and Title:	Eric Anderson, Senior Planning Officer
Declaration of Interest:	Nil.
Voting Requirements:	Simple Majority
Appendices:	Item 12.1 Appendix 1 - Subdivision Plan 161688
	Item 12.1 Appendix 2 - Amended Scheme Amendment Report, Amended Acoustic Report and Original Traffic Report
	Item 12.1 Appendix 3 - Peer Review of Acoustic Report
	Item 12.1 Appendix 4 - Government Agency Submissions
	Item 12.1 Appendix 5 - Schedule of Public Submissions
	Item 12.1 Appendix 6 - Applicants Response to Submissions
	Item 12.1 Appendix 7 - Second Peer Review

**Recommendation/Council Decision OCM25/126****Moved: Cr A Rogers****Seconded: Cr N Willis**

**That Council does not support proposed Amendment No.333 to Local Planning Scheme No.4 for an Additional Use (Reception Centre) at Lot 9002 (1) Hasluck Circuit, North Dandalup as the proposal is inconsistent with orderly and proper planning, sets an undesirable precedent, and poses an unacceptable risk to the established and future amenity of a Rural Residential locality particularly by way of noise, traffic and activity.**

**In Favour: President Douglas McLarty, Crs Geoff Black, Stuart Kirkham, Steve Lee, Ange Rogers, Stewart Carter, Nicole Willis, Prue George and Rob Cashman**

**Against: Nil.**

**CARRIED UNANIMOUSLY 9:0****In Brief**

- Council is requested to consider an amendment to Local Planning Scheme No.4 (**LPS4**), to add an 'Additional Use' (Reception Centre) at Lot 9002 (1) Hasluck Circuit, North Dandalup.
- A preliminary period of consultation was undertaken which resulted in significant local community objections.
- After community feedback identified several concerns, the applicant modified their proposal by reducing the number of events and introducing a host of noise management measures.
- Notwithstanding the reduction in scale and intensity, it is considered that the modified proposal would result in a land use conflict, contrary to the existing and planned amenity of the surrounding rural residential area.
- It is recommended that Council does not support the proposal on the grounds that it is inconsistent with orderly and proper planning, sets an undesirable precedent, and poses an unacceptable risk to the established and future amenity of the area.

## Background

- Lot 9002 represents an approximate 12-hectare (**Ha**) portion of one of 10 lots surrounding Avoca Retreat that were rezoned to Special Rural in 2015. At the time these 10 lots were all around 16Ha in area. The Special Provisions in LPS4 provide that land within this Special Rural zone may be subdivided with a minimum size of one 1Ha. The approved structure plan for the land shows the original lot that contained Lot 9002 being subdivided into 12 lots ranging in area from 1Ha to 2.2Ha.
- On 23 February 2022, the Western Australian Planning Commission (**WAPC**) granted subdivision approval of the original land holding for 12 Lots (**Appendix 1**). This approval remains valid until 22 February 2026.
- On 17 January 2023, an amended deposited plan was approved by the WAPC for clearing three lots fronting Readheads Road.
- On 12 October 2023, a development application was submitted for a proposed 'Use Not Listed' (Wedding Venue) at the subject property.
- On 19 October 2023, the Shire advised the applicant that there was no discretion under the provisions of the Special Rural 34 of LSP4 to approve a Reception Centre.
- On 19 October 2023, the development application was formally withdrawn and information was requested from the applicant on how to lodge a Scheme Amendment which would allow discretion for the use on the subject land.
- On 24 October 2023, the information was provided on how to lodge a Scheme Amendment. In this email the Shire advised that:

*It would appear that a 'reception centre' (wedding venue) would be inconsistent with the objective of the SR34 Special Rural Zone which is to create a mixture of equestrian lots and rural residential lifestyle lots. In particular, traffic and noise associated with a 'reception centre' are matters that may result in land use conflicts. I would suggest relevant technical studies would need to address these matters as a minimum.*

*I also note that the subject land is proposed to be transferred into the Rural Residential Zone under the Shire's draft Local Planning Scheme No.6 at this point in time the thinking is that a 'reception centre' will be an X use within the Rural Residential Zone. One objective of the proposed Rural Residential zone is to 'provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land. It is difficult to see how a 'reception centre' could be compatible with this objective.*

- On 6 December 2023, a deposited plan was approved by the WAPC clearing the remaining lot fronting Readheads Road and one balance lot being the subject lot.
- On 10 April 2024, the Shire approved an Outbuilding on the lot. Condition 1 of that approval stated that:

*"The outbuilding is not to be used for commercial, industrial or human habitation purposes, unless otherwise approved by the Local Government".*

- A site visit undertaken in January 2025 confirmed that the outbuilding had in fact been constructed to allow its operation as a reception centre.

## Site context

The site is generally level with open grassland with much of the vegetation limited to the periphery. An open stormwater drainage swale runs through the centre of the subject site connecting to stormwater systems of adjoining western and eastern properties. A small dam is located in the north-western quarter of the subject site.

An existing Shed on site has been fitted out to support a Reception Centre use, however, it is not currently used as such.

## Report Detail

### Proposal

The Amendment seeks to add an 'Additional Use' (Reception Centre) at the subject site. The subject property is located at Lot 9002 (1) Hasluck Circuit (**Figure 1**). The subject property is zoned 'Special Rural (SR34)' under the LPS4 and 'Rural' under the Peel Region Scheme. The subject site has an area of 12.16ha.

The additional use will facilitate a Reception Centre that will operate as follows:

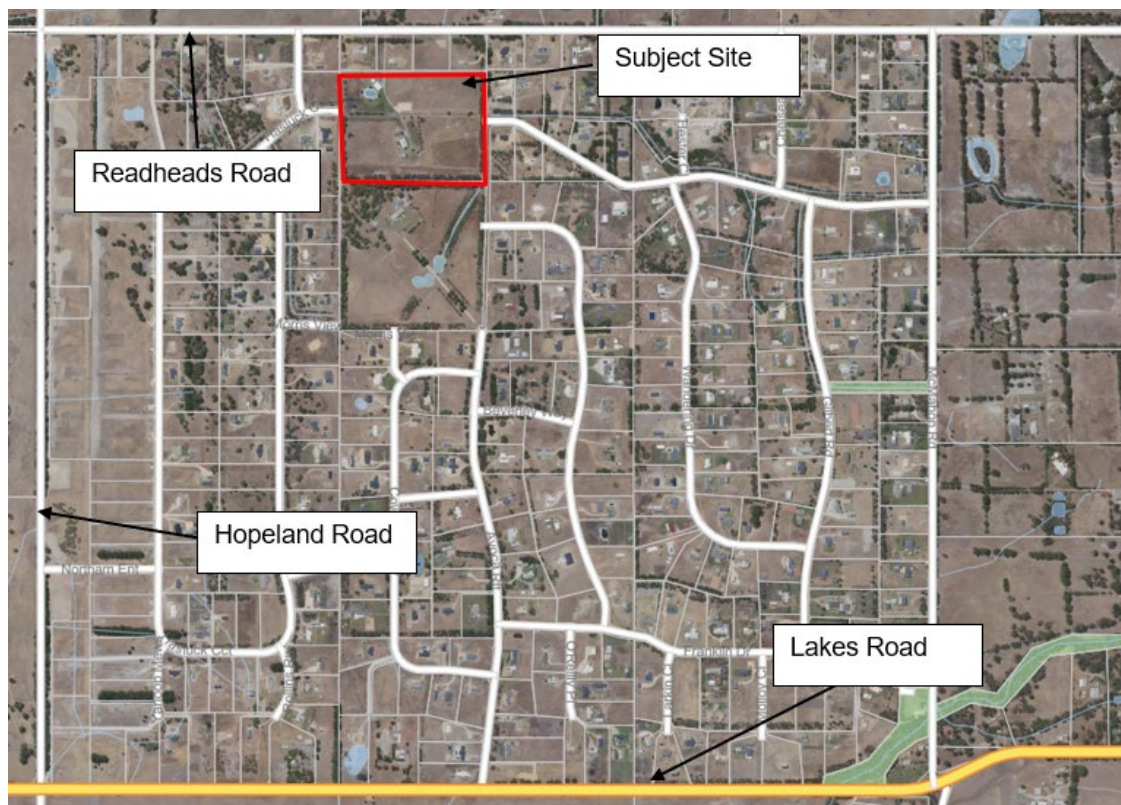
- One (1) wedding per fortnight.
- Maximum patronage of one hundred (100) people at any one time.
- Weddings will conclude at 11pm on Friday or Saturday and 9.30pm on Sundays or weekdays.

The proposal includes an acoustic report that details an extensive list of management measures required to reduce noise impacts on the area. These include:

- For events on Friday or Saturdays, external doors will close (i.e. be locked) at 10.00pm. Music (amplified and / or live) will cease at 10.30pm. Events will conclude at 11.00pm.
- For events on Sundays or weekdays, external doors will close (i.e. be locked) at 8.30pm. Music will conclude at 9.00pm. Event will conclude at 9.30pm.
- Foods are prepared off site and brought to site for serving. No mechanical ventilation system will be required for food preparation or servicing on site.
- Music (live and DJ) can be played via a PA system within the building. The PA system will be fitted with a sound moderator. This will measure sound level inputs and adjust the sound before output. This will ensure that any impulsive noise from a DJ, band or speech will be instantly moderated to be outputted within noise level maximum.
- Fixed acoustic walls are proposed around the toilet area and veranda. Mobile acoustic walls are proposed around the dam.

It is noted that this is the proposal as modified by the applicant to address issues raised through the preliminary consultation. Initially the application proposed up to three weddings a week.





### 1. Location Plan

#### Key Matters

Before considering technical issues, it is important to recognise that the proposal seeks to introduce a commercial use into a zone specifically created for low impact rural residential living. This represents a fundamental land use conflict.

The site also retains a valid subdivision approval and an endorsed Structure Plan enabling further subdivision into lots between one to 2.2Ha. If the land is subdivided in accordance with the existing approval and planning framework, additional dwellings would be located closer to the proposed venue, thereby exacerbating the amenity impacts for those future residents. This future context must be taken into account in assessing the suitability of the proposal.

The following technical matters have been identified as key considerations for this Scheme Amendment:

- Noise
- Traffic
- Amenity
- Inundation

#### Noise

The Shire commissioned a peer review of the submitted acoustic report (**Appendix 3**). The review identified a number of concerns, summarised as follows:

- Impulse Noise – The proposed maximum limit of 94dB assumes no impulsive elements. No methodology has been provided to demonstrate or enforce this assumption.
- Exceedance of Assigned Levels – The free-field LA10 at dwelling R3 was assessed at 47dB. This exceeds the assigned evening/Sunday criterion of 40dB at four nearby dwellings, and the

night-time criterion of 35dB at eleven properties. The applicant's report forecast only 39dB, and no explanation has been provided for this inconsistency.

- Low-Frequency Noise – The report does not adequately account for low-frequency transmission, particularly given the proposed building construction (Colorbond and 10mm plaster), which provides limited attenuation.
- Building Operation – Section 3.4 of the applicant's report relies on doors being kept closed after 10pm when live music is played. Given the functional connection between indoor and outdoor areas, it is unlikely this can be consistently achieved in practice.
- Methodology – The report did not apply the Rindel Method to account for the Lombard Effect (increase in vocal effort in noisy environments). Use of the Rindel Method increases predicted levels by ~10dB, resulting in exceedances of 4dB above the night-time assigned level even without music.
- Patron Noise – Noise associated with up to 100 patrons congregating outdoors and departing the venue in vehicles late at night has not been addressed.

In response to concerns raised by the Shire, the independent peer review and Department of Water and Environmental Regulation (**DWER**), the applicant amended the proposal and provided an updated acoustic report including the following noise management strategies,:

- Acoustic glass doors, acoustic lining to walls and ceiling;
- Acoustic barriers (screens) around venue (2.1m) and along road (1.8m);
- Modulator limiting amplification from PA system;
- Locking doors at 8pm weekdays and 10pm on weekends;
- Noise limits to music of 107dB(A) for doors closed and 97dB(A) for doors open;
- Other operational limits to mitigate community impacts, including 100 patrons, one event per fortnight; and
- Music to cease at 10.30pm Friday and Saturday with 11pm finish (previously midnight 2-3 days a week, no time limits on music), music to cease at 9pm and finish 9.30pm Sunday to Thursday.

By including all these strategies, this revised acoustic report claims technical compliance with the assigned levels of the *Environmental Protection (Noise) Regulations 1997* (**Noise Regulations**). Consequently, a second peer review was undertaken of the revised acoustic report. This review concluded that there were still concerns with the methodologies and assumptions in the revised report, specifically relating to:

- Noise from patron activity within and around the function area
- Noise generated by loud music
- Low frequency noise generated by loud music; and
- No consideration of night-time noise generated by vehicles leaving the site.

Given the outcomes of the second peer review, the Shire has serious concerns that noise is going to be an ongoing issue. It should be noted that, even if technical compliance with the assigned levels of the Noise Regulations could be achieved, the reliance on complex and ongoing operational controls underscores that the use is intrinsically incompatible with the quiet rural residential character of the area. Established planning principles (including numerous State Administrative Tribunal decisions) confirm that where a proposal can operate only under onerous management and continuous enforcement, it is not an appropriate land use for the locality.

### Traffic

The applicant submitted a Traffic Impact Statement in support of the proposal which identifies a trip generation of 94-104 daily trips with approximately 35-46 trips during peak arrival and departure times. Whilst this is comfortably within the capacity of the road network, it represents a substantial increase to the normal vehicle traffic in a rural residential setting, especially late at night. This traffic contributes to a material change in the character and amenity of locality. Such levels of night time traffic are entirely inconsistent with the intended low traffic, low impact nature of a Rural Residential estate and would create a traffic pattern that was never contemplated for this area.

The proposed access strategy seeks to rely on the use of buses and Ubers and/or taxis. Due to the site's isolation and the hours of operation, this is questionable.

The Shire is concerned that the subject site does not have any signage or street lighting which can be problematic in the situation where many guests are unfamiliar with the area. The Shire also notes that the use is proposed to finish quite late and no streetlights and a large volume of trips may pose a safety risk.

### Amenity

The central planning question is not merely whether noise or traffic can be technically mitigated, but whether a reception centre is compatible with the fundamental purpose of the zone and the reasonable expectations of existing and future residents.

Given the planning framework which enables further subdivision of the subject land, the prospect of additional one-hectare lots in close proximity heightens the likelihood of conflict between the proposed venue and the residential amenity that the Special Rural zone seeks to protect.

There were significant concerns raised during the preliminary consultation relating to amenity impacts of the proposal by way of increased activity, noise and traffic. When considering amenity impacts it is important to consider two factors:

1. What is the existing amenity of the area; and
2. Whether the reception centre will impact that amenity, and if so to what extent.

### *Existing amenity*

The area is currently a rural residential precinct. It is defined by:

- Predominantly residential land use, with some small-scale home businesses and limited keeping of stock;
- Very little traffic, as roads are used mostly by local residents and their visitors;
- Flat landscape with scattered vegetation and open fencing;
- Single-storey dwellings and domestic sheds set on large lots; and
- A quiet environment, particularly in the evenings and at night.

Overall, the existing amenity is one of low-intensity development, wide open spaces, little vehicle movement, and low noise levels.

### *Impact of the Proposed Reception Centre*

The proposal would introduce:

- A new commercial land use into a rural residential setting;
- Around 26 weddings per year, generating approximately 100 vehicle trips per event, including late at night; and
- Additional noise and activity from celebrations, music, car doors, and vehicle movements.

While noise mitigation measures have been suggested, their effectiveness would be difficult to manage and enforce. Even if the proposal technically met the Noise Regulations, the noise from large groups of people and vehicles late at night would still be noticeable in this very quiet rural setting.

The State Administrative Tribunal has previously highlighted that noise should be assessed in context. What may be acceptable in a busier area can be unreasonable in a quiet, low-noise environment. In this case, late-night cheering, clapping, and traffic are likely to be disruptive and unwanted given the rural residential character of the area.

For these reasons, it is considered that the proposal would have an unacceptable impact on the amenity of the area.

### Inundation

The subject property is located in a low-lying area identified as vulnerable to inundation. A site inspection confirmed that the existing outbuilding was constructed at approximately 24.0m AHD, consistent with natural ground level. Shire mapping indicates that the highest groundwater level in this location is also around 24.0m AHD.

The shed was approved as a Class 10A non-habitable structure and therefore was not subject to any finished floor level (**FFL**) requirement. However, if the site were to be used as a Reception Centre, the building would be reclassified as a Class 9 building under the Building Code of Australia (**BCA**).

The BCA requires Class 9 buildings to be designed to resist moisture ingress from outside sources, including groundwater and stormwater. It further requires that surface water from a 5% annual exceedance probability (1 in 20 year) storm event be managed so as to avoid damage or nuisance to adjoining land. Unlike Class 1 dwellings, the BCA does not prescribe a specific FFL for Class 9 buildings.

Given local conditions and the Shire's experience in this area, it is considered necessary that a minimum FFL of 24.5m AHD (i.e. 500mm above existing natural ground level) be applied to provide adequate protection against inundation and groundwater impacts.

Ultimately, certification by a private building surveyor will be required to demonstrate compliance with the BCA. However, the imposition of an elevated FFL as a condition of any approval is considered essential to ensure that the proposed use can reasonably comply with the BCA. This will be highly impractical as the outbuilding has already been constructed. It is also noted there are a number of other matters that would need addressed with the existing building to ensure compliance with the BCA to meet the requirements for a Class 9 building, before it could be used.

### **Council Plan**

<b>Focus Area</b>	Place
<b>Outcome 7</b>	Population growth is being managed responsibly and sustainably.
<b>Objectives 7.1</b>	Manage urban growth effectively.

### **Other Strategic Links**

#### South Metropolitan Peel Sub-Regional Planning Framework (**Framework**)

In March 2018, the Western Australian Planning Commission (**WAPC**) adopted the Framework, forming part of the Perth and Peel @ 3.5 million suite of land use planning and infrastructure frameworks, intended to guide the future growth of Perth and Peel regions as a compact, consolidated and connected city that can accommodate a population of 3.5 million by 2050 whilst minimising environmental impacts.

The subject land is identified as 'Rural Residential' in the Framework. The broader term 'Rural Living' which includes 'Rural Residential' states that it is for low density residential uses in an estate or precinct. This would indicate that a residential intensity of use would be expected. As such the proposed Scheme Amendment is considered inconsistent with the intent of the framework.

## **Statutory Environment**

### **Planning and Development (Local Planning Schemes Regulations) 2015 (Regulations)**

The procedures for dealing with proposals to amend LPS4 are set out in the Regulations. It should be noted that should Council initiate the proposal for advertising the final decision will be made by the Minister for Planning irrespective of whether or not the Council and/or the community support the proposal.

Under the Regulations the Council is required to classify the type of amendment being considered.

It is considered that the amendment is properly classified as a complex amendment for the following reasons:

- (a) an amendment that is not addressed by any local planning strategy; and
- (b) an amendment relating to development that is of a scale, or will have an impact, that is significant relative to development in the locality.

### **Shire of Murray Local Planning Scheme No. 4**

The subject lot is zoned Special Rural No.34 (SR34) under LPS4, the objective of this zone is to create a mixture of equestrian lots and rural residential lifestyle lots. The proposal therefore represents a direct conflict with this objective, which seeks to protect rural lifestyle amenity and explicitly exclude commercial entertainment uses.

## **Sustainability & Risk Considerations**

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

The proposed wedding venue would generate only minor economic activity through occasional event spending and the engagement of local suppliers. However, this benefit is modest and does not represent a significant contribution to the broader Shire or regional economy. Any limited economic gain would be outweighed by the potential to undermine the long term planning framework for the Rural Residential areas, which supports sustained property values and the Shire's strategic vision for low impact rural living as part of its diverse housing mix.

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

The proposal has the potential to affect the quiet, low density rural residential lifestyle valued by local residents, primarily through increased activity, traffic, lighting and event related noise. While occasional weddings may provide some community benefit and local employment opportunities, these gains need to be carefully weighed against the likelihood of amenity impacts.

### ***Environment – (Impact on environment's sustainability)***

Nil.

### ***Policy Implications***

Nil.



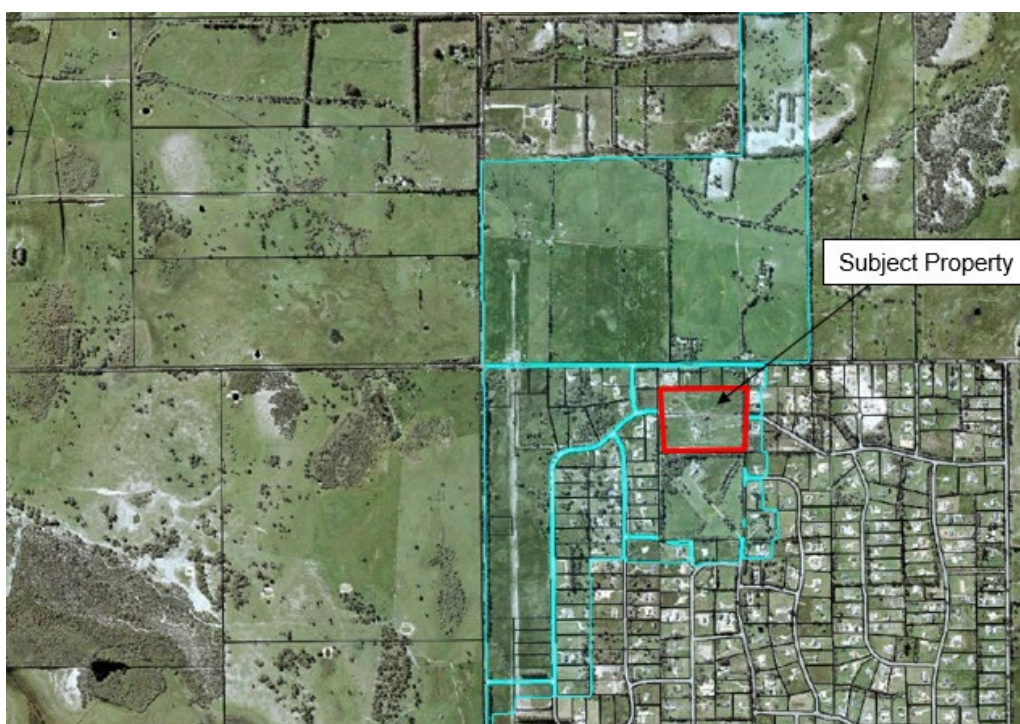
*Risk Management Implications*

<i>Risk Level</i>	<i>Comment</i>
High	High reputational risk identified due to overwhelming number of community objections and the incompatibility of the land use with its setting. Support is also likely to create a precedent encouraging similar commercial proposals in Rural Residential estates.

**Consultation**Public Consultation

The Shire conducted preliminary consultation prior to presenting the proposed amendment to Council for its consideration. This extends beyond the statutory advertising obligations that need to be followed should the amendment be initiated. It is highlighted that the proposal advertised accurately reflected that submitted by the proponent, which at that time made provision for up to three weddings a week between the hours of 2pm and midnight.

Advertising letters were sent to the properties shown in Figure 2, being those most likely to be impacted. The consultation period was 21 days from 30 July to 27 August.



2. Consultation Area

At the closure of advertising 101 submissions were received, of which 71 objected to the proposal and 30 were in support. The full submissions are included in **Appendix 2**.

If formally initiated by Council, Clause 38(3) of the Regulations requires public consultation to be undertaken for a period of 60 days.

A summary of the key issues raised in the submissions is provided below:

<b>Issue</b>	<b>Response</b>
<u>Noise</u> <ul style="list-style-type: none"> <li>The hours of operation.</li> </ul>	Supported.

<ul style="list-style-type: none"> <li>• Vehicular noise.</li> <li>• Need for sound proofing measures.</li> <li>• Community liaison, having a contact person for noise complaints.</li> <li>• Frequency of events.</li> <li>• The low-lying nature of the land making noise travel easily.</li> <li>• Exceeding noise regulations during certain hours</li> </ul>	<p>The Shire commissioned an independent peer review of the submitted Acoustic Report. There were several concerns raised within the report which are discussed in more detail above.</p> <p>Irrespective of technical compliance with the Noise Regulations, the land use would have an unreasonable impact on the amenity of the area by introducing a noise generating development not reasonably expected to be located in a quiet rural residential setting.</p>
<p><u>Amenity</u></p> <ul style="list-style-type: none"> <li>• Concern that North Dandalup is not rural enough and large enough to mitigate potential offsite impacts.</li> <li>• Concern the proposed wedding venue is not in keeping with the area.</li> <li>• Concern that they had bought, built and invested in the area on the belief that it was going to remain a quiet rural area.</li> </ul>	<p>Supported.</p> <p>The primary amenity concerns were in relation to noise and traffic which are considered above in this report.</p>
<p><u>Safety</u></p> <ul style="list-style-type: none"> <li>• Drunk driving, thefts and drunk people interacting with locals.</li> <li>• Concern that the scope will increase overtime.</li> </ul>	<p>Noted.</p> <p>Antisocial behaviour is not a valid planning matter.</p>
<p><u>Traffic</u></p> <ul style="list-style-type: none"> <li>• Lack of public transport servicing the area especially in the times proposed.</li> <li>• The poor condition of Readheads Road and Hopelands Road.</li> <li>• Overflow parking in the local street network.</li> </ul>	<p>Supported.</p> <p>Traffic is discussed in more detail in this report above where it is concluded that the proposal will introduce an unreasonable amount of commercial traffic into a rural residential setting.</p>

Upon receipt of the outcomes of this consultation, the applicant took the opportunity to amend their proposal by:

- reducing the number of weddings from three per week to one per fortnight;
- weddings will conclude at 11pm on Friday or Saturday and 9.30pm on Sundays or weekdays;
- updating the acoustic report; and

- including the extensive noise management measures discussed earlier in this report.

It is this modified proposal that Council is considering.

The applicant's responses to the submissions are contained at **Appendix 6**.

#### Referrals/consultation with Government/Service Agencies

The proposed Amendment was referred to the Department of Health (**DoH**) and Department of Water and Environmental Regulation (**DWER**). Full submissions are included in **Appendix 4**. As noise was the key issue raised by the government agencies, a summary of the submission from DWER (Environmental Noise Branch) is outlined below. It is noted that the applicant made changes to the Acoustic Report in response to the matters raised.

<b>Department of Water and Environmental Regulation (DWER)</b>
<ul style="list-style-type: none"> <li>• The methodology of noise modelling and assessment seems correct.</li> <li>• The assigned levels calculated for each of the nine neighbouring residents seems correct.</li> <li>• The Department considers that the main noise sources associated with the proposal will be from live music within the shed and patron noise outside the shed.</li> <li>• The source sound power levels (SWL's) appear too low for a wedding venue. For example, 94dB was assumed for a live DJ. Should it be a live band it may be difficult to manage as electronic limiters on a PA system cannot control the level of noise from backline instruments (acoustic drums or guitar amplifiers). Limiting the PA system is only effective if under the control of the venue owner (inhouse music system) which is rarely the case. Additionally, the background noise levels would be very low at night, drawing attention to the music.</li> <li>• The SWL of 80 dB(A) is quoted for patron cheering and 74 dB(A) for patron conversation with raised voice. These values seem to be reasonable SWLs for only one patron, not for the group of patrons as in Scenarios 2 and 3.</li> <li>• The report seems to underestimate the noise emission levels as presented in Table 4-1, even based on the assumed source SWL's.</li> <li>• In the future it will be more difficult for the proposal to comply due to the recent subdivision and additional dwellings, particularly Lots 1 and 2 Readheads Road.</li> <li>• The closing of car doors has been assessed but the movement of cars has not been assessed.</li> </ul> <p>In conclusion the Environmental Noise Branch consider that compliance with the Noise Regulations of the proposed wedding venue would be very difficult.</p>
<p><u>Shire Comment</u></p> <p>The Shire shares the concerns raised by the Department. The Shire's comments regarding noise are discussed in the noise section of this report (above).</p>

### **Resource Implications**

#### *Financial*

All costs incurred by the Shire in the assessment of the application have been included in the applicant fee and borne by the applicant.

#### *Workforce*

The assessment of the proposed Amendment has been accommodated within the existing staff workforce level.



**Options**

1. Resolve to adopt the Amendment, either in the form proposed by the applicant or in some other suitable form.
2. Resolve not to adopt the proposed Amendment.

**Conclusion**

The proposal seeks to introduce a commercial entertainment venue into a locality deliberately planned for low density rural residential living. Such a use represents a land use conflict and is contrary to the objectives of the Special Rural zone. Notwithstanding the applicant's revised proposal and proposed mitigation measures, it is recommended that Council refuse to adopt the proposed Scheme Amendment on the grounds that it is inconsistent with orderly and proper planning, sets an undesirable precedent, and poses an unacceptable risk to the established and future amenity of the area.

The presence of a valid subdivision approval and the established planning framework that provides for additional lots closer to the proposed venue, further reinforces the incompatibility of the proposal with both the existing and the planned future amenity of the area.

Should Council be of a mind to support the proposal, the wording of any Scheme Amendment would need to be carefully framed to ensure that the 'Reception Centre' use applies only to the specific subject site and does not enable such uses throughout the entire SR34 Special Rural Zone or the entirety of Lot 9002. In addition, any support would need to impose detailed operational conditions addressing matters such as scale, frequency of events, hours of operation, noise and lighting management, traffic and parking, and an enforceable Event Management Plan.

**12.2 Proposed Amendment No. 336 to Local Planning Scheme No. 4 to Rezone Lot 39 Lakes Road, North Dandalup from Rural to Special Rural**

File Ref: D25/36844  
Previous Items: Nil.  
Applicant: Harley Dykstra  
Author and Title: Gregory Delahunty, Manager Planning and Environmental Services  
Declaration of Interest: Nil.  
Voting Requirements: Simple Majority  
Appendices: Item 12.2 Appendix 1 - Scheme Amendment Request

**Recommendation/Council Decision OCM25/127****Moved: Cr S Carter****Seconded: Cr A Rogers****That Council:**

1. Subject to the lodgement of a satisfactory structure plan, resolves to adopt proposed Amendment No. 336 to Local Planning Scheme No 4, in accordance with section 75 of the *Planning and Development Act 2005*, to:
  - a. Rezone Lot 39 Lakes Road, North Dandalup from Rural to Special Rural;
  - b. Include a range of suitable special provisions in Schedule 4 to guide subdivision and development of the land; and
  - c. Amend the Scheme Maps accordingly.
2. In accordance with Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, determines that the proposed amendment is a standard amendment for the following reasons:
  - a. It will have minimal impact on land in the scheme area that is not the subject of the amendment; and
  - b. It does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.
  - c. Authorises the Shire President and Chief Executive Officer to sign and seal the Scheme Amendment documents prepared to the satisfaction of the Director Planning and Sustainability.
  - d. Authorises the proposed amendment to be referred to the Environmental Protection Authority for consideration of the need for environmental assessment in accordance with section 81 of the *Planning and Development Act 2005* and then submit the proposed amendment to the Minister for Planning in accordance with section 83A of the *Planning and Development Act 2005* to consider granting approval to advertise the proposed amendment.

**In Favour:** President Douglas McLarty, Crs Geoff Black, Stuart Kirkham, Steve Lee, Ange Rogers, Stewart Carter, Nicole Willis, Prue George and Rob Cashman

**Against:** Nil.

**CARRIED UNANIMOUSLY 9:0**

## In Brief

- A proposal to amend the Shire of Murray Local Planning Scheme No. 4 (**LPS4**) to rezone Lot 39 Lakes Road, North Dandalup, from Rural to Special Rural has been received.
- The proposal is consistent with the South Metropolitan Peel Sub-Regional Planning Framework (**Framework**) and the Shire's draft Local Planning Strategy (**LPS**).
- It is recommended that the proposed amendment be adopted, subject to the lodgement of a satisfactory structure plan to ensure that there is sufficient control to guide subdivision outcomes, including the suitable integration with adjoining land.

## Background

The subject land is described as Lot 39 (1818) Lakes Road, North Dandalup. It has an area of 196.5 hectares and is located approximately four kilometres (**km**) west of the North Dandalup townsite and approximately 12 km north of the Pinjarra town centre.

The property is currently used for passive grazing of horses and cattle and consists of grazing pastures, interspersed with pockets of vegetation, particularly in the southern portion of the site.

The North Dandalup River traverses the site and includes significant riparian vegetation along its fringes.

The surrounding properties consist of Special Rural zoned land to the north, east and south and rural zoned land to the west. The land to the west is also identified as Special Rural Investigation in the Shire's draft Local Planning Strategy.



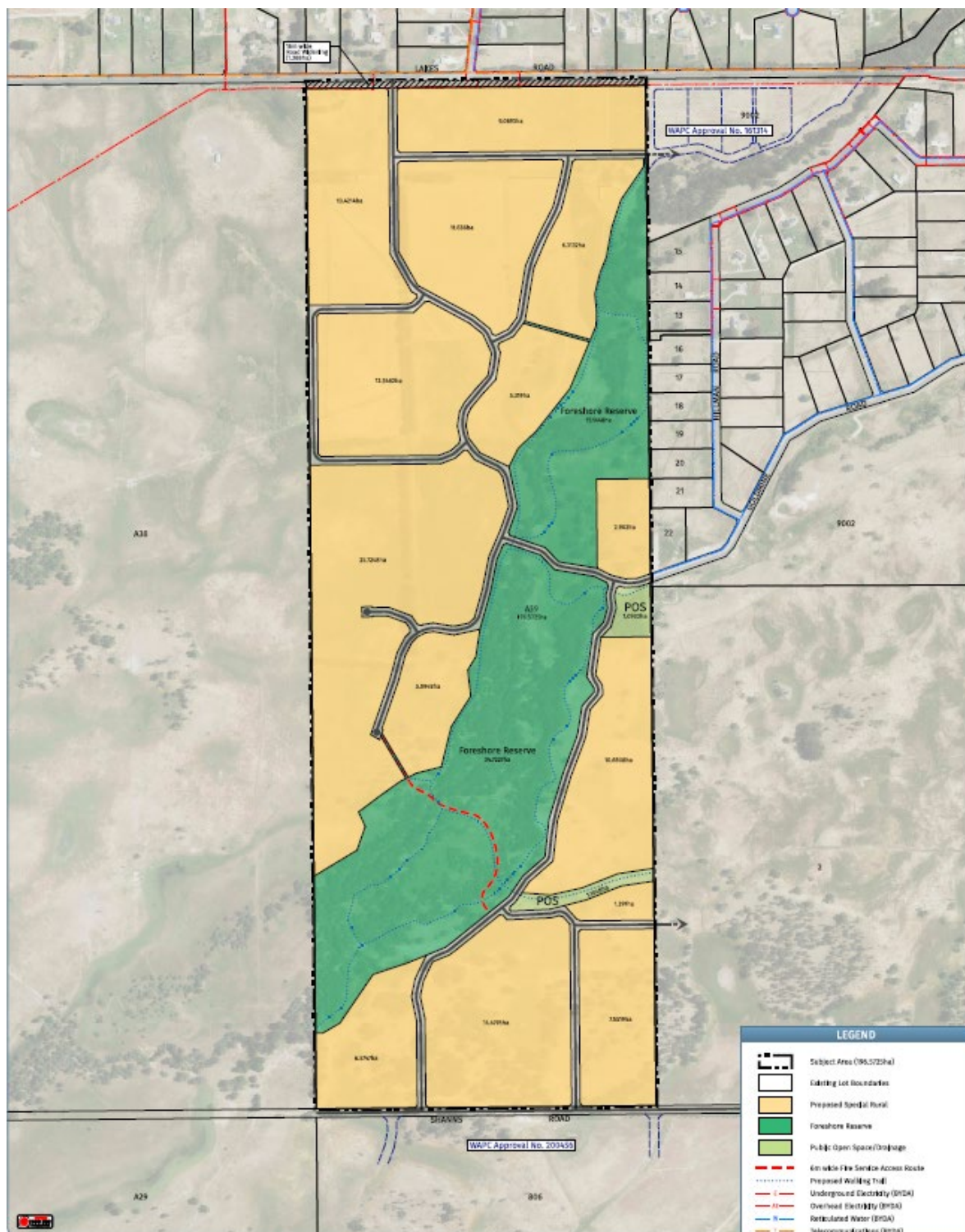
1. Context Plan

## Report Detail

The applicant is seeking Council's support to adopt a proposed amendment to LPS4 to rezone Lot 39 from Rural to Special Rural. The purpose of the rezoning is to facilitate a rural residential

subdivision. Special Rural lot sizes generally range from one to four hectares. The applicant's amendment request is included at **Appendix 1**.

The proposal is consistent with the State and local planning frameworks, however requires the support of a structure plan to ensure that future subdivision can integrate successfully into adjoining rural residential land. The applicant has agreed to this process and is currently preparing the structure plan documentation for lodgement. An initial concept plan has been provided with the rezoning documentation. It is noted that this will require comprehensive review as part of the separate structure plan preparation and assessment process and Council's support to the rezoning should not be considered as tacit support to this concept plan.



## 2. Concept Plan

The structure plan will be required to demonstrate matters including:

- A comprehensive environmental assessment of the North Dandalup River and associated riparian vegetation, with justification for the desirable foreshore reserve width and mechanisms for long term protection and management of this land;
- A bushfire management plan consistent with State Planning Policy 3.7;
- Servicing and infrastructure arrangements;
- A suitable layout, including a substantial public road interface to the North Dandalup River reserve, integration with adjoining Special Rural areas and with land identified for future Rural Residential investigation to the west; and
- Land capability to support proposed lot sizes.

The risk of initiating the amendment prior to consideration of the structure plan is low given that the applicant has agreed to the process and has already prepared many of the supporting technical reports.

### Council Plan

Focus Area	Place
Outcome 7	Population growth is being managed responsibly and sustainably.

### Other Strategic Links

#### South Metropolitan Peel Sub-Regional Planning Framework

The proposal is consistent with the Framework which identifies Lot 39 as Rural Residential i.e. Special Rural.

The Framework identifies land immediately to the west of Lot 39 as Rural Residential Investigation. Consequently, it is appropriate that a structure plan prepared for Lot 39, provides suitable for integration with the land to the west, as well as the existing special Rural land to the north, east and south.

#### Shire of Murray Draft Local Planning Strategy

The Shire's draft LPS was endorsed by Council in August 2025 and subsequently referred to the Department of Planning Lands and Heritage seeking consent to advertise. The draft LPS is consistent with the Framework in identifying the subject land as Future Rural Residential, with surrounding land identified as either Existing Rural Living Footprint, Future Rural Residential or Rural Residential Investigation.

#### Shire of Murray Nambeelup North Dandalup Local Rural Strategy (LRS)

The LRS was endorsed by the Western Australian Planning Commission in 2012 and identified the subject land as part of Rural Residential Precinct 1. The proposed amendment is consistent with this designation.

#### State Planning Policy 2.5 Rural Planning Guidelines (Guidelines)

These Guidelines recognise that many rural living estates have developed in an ad-hoc manner and the preparation of structure plans to connect rural living estates may be required.

Given that the subject site will need to integrate with land, particularly to the east and west, it is appropriate that a structure plan be prepared to guide the future subdivision layout.

## Statutory Environment

### Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations)

Regulation 35(2) of the Regulations requires that a resolution to adopt an amendment must specify whether, in the opinion of the local government, the amendment is a complex, standard or basic amendment and include an explanation of the reason for the local government forming that opinion.

Regulation 34 sets out the criteria for each amendment category and in particular specifies that a Standard Amendment is:

- an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;
- an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; or
- The Scheme Amendment is considered to meet the requirements of the Standard category in this case.

### Peel Region Scheme (PRS)

The subject land is zoned 'Rural' under the PRS and adjoins other properties also zoned 'Rural'. The proposal is consistent with the PRS.

### Shire of Murray Local Planning Scheme No.4

The subject land is proposed to be rezoned from Rural to Special Rural under LPS4. Generally, subdivision, development and management controls for land zoned Special Rural are inserted into a site specific schedule of LPS4. The applicant has prepared an initial set of special provisions, however these require review to be consistent with existing special provisions for other Special Rural zones and to avoid duplication with other scheme provisions. This detail can be undertaken as part of the preparation of the formal scheme amendment documentation.

## Sustainability & Risk Considerations

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

The rezoning will facilitate additional residential land supply to accommodate the Shire's growing population, supporting housing affordability through added choice and competition. This will also stimulate construction investment and local employment.

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

The rezoning will expand rural residential lifestyle options near North Dandalup, offering additional larger lot supply to the Shire's housing mix.

### *Environment – (Impact on environment's sustainability)*

The rezoning will facilitate a structure planning and subdivision process through which environmental assets such as the North Dandalup River can be protected and transferred to public ownership.

### *Policy Implications*

Nil.

### *Risk Management Implications*

<i>Risk Level</i>	<i>Comment</i>
Low	The rezoning is consistent with the overarching planning framework.

## Consultation

Upon a local government resolving to adopt an amendment to a local planning scheme, section 81 of the *Planning and Development Act 2005* (**Act**) requires it to refer the amendment to the Environmental Protection Authority (**EPA**) for consideration as to whether an environmental assessment is necessary under the *Environmental Protection Act 1986*.

Section 83A of the Act also requires the local government to then submit the proposed amendment to the Minister for Planning to consider granting approval to advertise the proposed amendment.

Following advice from the EPA and Minister for Planning that a standard Scheme Amendment does not require formal environmental assessment and may be advertised. Regulation 47 of the Regulations requires the local government to arrange advertising for a period of at least 42 days.

## Resource Implications

### *Financial*

An administrative fee will be paid by the applicant to cover the Shire's administrative and advertising costs.

### *Workforce*

The assessment of the proposed amendment can be accommodated within the Shire's existing workforce level.

## Options

1. Adopting the proposed amendment with or without modifications.
2. Not adopting the proposed amendment.

## Conclusion

The proposal will ultimately make the zoning of the land consistent with the local and state planning framework. Detailed matters including subdivision design, integration with surrounding land, bushfire risk, environmental impacts, land capability and servicing will be interrogated through the assessment of the proposed structure plan. The outcomes of the consultation will be presented back to Council for final consideration before the proposals are referred to the state government for consideration. It is therefore recommended that Council initiates the proposed amendment, subject to the receipt of the structure plan.



### 12.3 Shire of Murray Public Health Plan 2026-2030

File Ref: D25/35195  
Previous Items: CCD 22 October 2020 Item 11.1  
Applicant: Nil.  
Author and Title: Phil Steven, Manager Environmental Health  
Declaration of Interest: Nil.  
Voting Requirements: Simple Majority  
Appendices: Item 12.3 Appendix 1 - Public Health Plan

#### Recommendation/Council Decision OCM25/128

**Moved: Cr S Lee**

**Seconded: Cr G Black**

**That Council:**

- 1. Proceeds to advertise the draft Shire of Murray Public Health Plan 2026-2030, as set out in Appendix 1, allowing a minimum of 21 days for public submissions.**
- 2. Provides a copy of the draft Shire of Murray Public Health Plan 2026-2030 to adjoining local governments, inviting comments during the consultation period.**

**In Favour: President Douglas McLarty, Crs Geoff Black, Stuart Kirkham, Steve Lee, Ange Rogers, Stewart Carter, Nicole Willis, Prue George and Rob Cashman**

**Against: Nil.**

**CARRIED UNANIMOUSLY 9:0**

#### **In Brief**

The Shire of Murray Public Health Plan 2021-2025 will expire at the end of this calendar year and a new Shire of Murray Public Health Plan has been drafted for introduction in 2026.

#### **Background**

Local governments are required by the *Public Health Act 2016* to have a public health plan now that stage 5 of its implementation has come into effect. A timeframe has been given to prepare public health plans, with these being required to be adopted by 4 June 2026. Many proactive local governments, including the Shire of Murray adopted a public health plan in preparation for this requirement becoming mandatory, with the first Shire of Murray Public Health Plan being adopted in 2016.

Public health plans should be consistent with the State Public Health Plan which was released on 4 June 2025.

Western Australia (**WA**) has a high standard of health. Life expectancy is increasing, infant mortality is low, and there have been sustained declines in the prevalence of smoking over the past decade. However, the Shire of Murray is relatively disadvantaged in its health status, having the third lowest score (of eight local governments) in the South Metropolitan Health region.

#### **Report Detail**

The Shire of Murray shares many common health problems with the rest of the State and accordingly the draft Shire of Murray Public Health Plan 2026-2030 (**Plan**) proposes:

- Part 1: A health status report for the Shire of Murray; and
- Part 2: Objectives and policy priorities in 2026-2030 to help address the issues in Part 1.

The purpose of the draft Plan is to enhance the health, wellbeing and quality of life of the community by focussing on three key areas:



## 1. Healthy people &amp; community

*“To guide and encourage our community to lead healthier lifestyles through the provision of lifestyle and educational opportunities.”*

## 2. Healthy places and spaces

*“To provide healthy places and spaces to encourage and support healthy lifestyle opportunities.”*

## 3. Healthy partnerships

*“To develop collaborative partnerships with community, business, government, non-government and key stakeholders to improve health and wellbeing.”*

In developing the Plan, staff have placed a ‘health lens’ across all departments to identify the Shire’s existing contribution and commitment towards improving the health and wellbeing of our community. The draft Plan has been developed to include strategies over the next five years.

Implementation of the Plan will be assessed and evaluated as part of the Shire’s annual reporting process and will help inform reviews of the Shire of Murray Council Plan.

**Council Plan**

<b>Focus Area</b>	People
<b>Outcome 3</b>	An active and healthy community.
<b>Objectives 3.1</b>	Improve community health and wellbeing.
<b>Actions 3.1.4</b>	Review Public Health Plan.

**Other Strategic Links**

The draft Plan is consistent with the State Public Health Plan 2025-2030.

**Statutory Environment**

Public Health Plans are required to be adopted by local governments by 4 June 2026. The Shire of Murray has met this requirement by having an existing plan and will adopt its new plan before the due date.

**Sustainability & Risk Considerations***Economic – (Financial impact to the community)*

By promoting preventative health measures, the plan also supports long-term economic benefits through reduced healthcare costs and improved workforce productivity.

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

The new Public Health Plan will enhance quality of life by guiding initiatives that improve community health, reduce preventable disease, and address local health disadvantage.

*Environment – (Impact on environment’s sustainability)*

A number of environmental targets will also improve community health.

*Policy Implications*

Nil.

*Risk Management Implications*

<i>Risk Level</i>	<i>Comment</i>
Low	Adoption of a public health plan will reduce the risk of non-compliance with State Government requirements.

**Consultation**

The draft Plan has been prepared with significant assistance from the South Metropolitan Public Health Unit, to ensure that it is consistent with the State Public Health Plan and other local governments in the region. The Plan has also been prepared in close consultation with staff across all relevant internal departments to ensure a coordinated, whole of organisation approach.

It is proposed that the draft Plan be advertised for public comment, allowing a minimum 21 day period for public submissions, before being presented back to Council for adoption.

**Resource Implications***Financial*

The cost of preparing and advertising the draft Plan will be met from existing budget allocations. Many proposed actions can be delivered within normal operational budgets, and any initiatives requiring additional resources will be considered through future budget submissions. Many actions align with Council's existing strategic direction and are included in this plan to ensure it is comprehensive.

*Workforce*

The draft Plan has been prepared within the scope of existing Shire staff resources.

**Options**

1. Endorsing the draft Plan for public advertising in the form recommended.
2. Endorsing the draft Plan for public advertising in a modified form.

**Conclusion**

It is recommended that Council approve the draft Shire of Murray Public Health Plan 2026-2030 for public advertising.

## **13 CORPORATE GOVERNANCE**

### **13.1 Appointment of Council Members to Council Committees**

File Ref: D25/26703  
Previous Items: OCM 28 Oct 21 Item 11  
Applicant: Nil.  
Author and Title: Belinda Brown, Executive Services Coordinator  
Declaration of Interest: Nil.  
Voting Requirements: Absolute Majority  
Appendices: Nil.

#### **Suspension of Meeting Procedures**

#### **Recommendation/Council Decision OCM25/129**

**Moved: Cr N Willis**

**Seconded: Cr S Carter**

**That Council suspend Meeting Procedures (as per Shire of Murray Meeting Procedures Local Law 2015 Clause 12.1) to allow open discussion on Items 13.1, 13.2, 13.3 and 13.4, the time being 6.46pm.**

**In Favour: President Douglas McLarty, Crs Geoff Black, Stuart Kirkham, Steve Lee, Ange Rogers, Stewart Carter, Nicole Willis, Prue George and Rob Cashman**

**Against: Nil.**

**CARRIED UNANIMOUSLY 9:0**

**At this point of the meeting items 13.1, 13.2, 13.3 and 13.4 will be dealt with at item 13.4 at page 36 of the minutes.**

#### **Recommendation**

**That Council:**

- 1. Appoints all Council Members to Audit and Risk Committee, for a term expiring at the next ordinary local government election.**
- 2. Appoints President D McLarty as presiding member, and Cr A Rogers as the deputy presiding member of the Audit and Risk Committee, for a term expiring at the next ordinary local government election.**
- 3. Appoints President D McLarty, Cr A Rogers, Cr N Willis and Cr R Cashman to the Chief Executive Officer Performance Review Committee, for a term expiring at the next ordinary local government election.**
- 4. Appoints President D McLarty as presiding member, and Cr A Rogers as the deputy presiding member of the Chief Executive Officer Review Committee, for a term expiring at the next ordinary local government election.**

#### **In Brief**

For Council to consider the appointment of Council Members to the Audit and Risk Committee and the Chief Executive Officer (CEO) Performance Review Committee and appoint a presiding member for each committee.

#### **Background**

##### **Audit and Risk Committee**

The Audit and Risk Committee is a committee established under section 7.1A of the *Local Government Act 1995*.

The Terms of Reference for the Audit and Risk Committee provides that all Council Members are to be members of the Audit and Risk Committee.

The presiding member of the committee must be appointed by Council in accordance with the section 5.12 of the *Local Government Act 1995*.

Meetings are held periodically during the year to discuss and review financial audits, relevant reports from the Office of the Auditor General and other functions as described in regulation 16 of the *Local Government (Audit) Regulations 1996*.

#### Chief Executive Officer Performance Review Committee

The CEO Performance Review Committee is established under section 5.8 of the *Local Government Act 1995* as a committee comprising of Council Members only.

The CEO's Performance Review Committee comprises of the current President and Deputy President and two Councillors. Prior to the election, the Shire President **Cr David Bolt**, Deputy Shire President **Cr Doug McLarty**, **Cr Ange Rogers** and **Cr Steve Lee** were members of the CEO Performance Review Committee.

The presiding member of the committee must be appointed by Council in accordance with the section 5.12 of the *Local Government Act 1995*.

Meetings are held when necessary. Typically, during office hours at Shire of Murray offices.

#### **Report Detail**

The *Local Government Act 1995*, Part 5 Division 2, subdivision 2 Committees and their meetings describes the establishment of committees, the membership and tenure. Committees of Council, comprise of Council Members only and are to be appointed by Council. The Committees provide recommendations to Council in line with the terms of reference.

The Council is to resolve by absolute majority who is to be appointed to each Committee and must appoint the presiding member for each committee.

#### **Council Plan**

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

#### **Other Strategic Links**

Nil.

#### **Statutory Environment**

##### Local Government Act 1995 – section 5.8

#### **5.8 Establishment of Committees**

A local government may establish\* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

\* *Absolute majority required.*

#### **5.10 Committee members, appointment of**

(1) A committee is to have as its members —

- (a) persons appointed\* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
  - (b) persons who are appointed to be members of the committee under subsection (4) or (5).
- (2) At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.
- (3) Section 52 of the *Interpretation Act 1984* applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the council.
- (4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.
- (5) If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —
- (a) to be a member of the committee; or
  - (b) that a representative of the CEO be a member of the committee,
- The local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

#### **5.12. Presiding members and deputies**

- (1) The local government must appoint\* a member of a committee to be the presiding member of the committee.
- \* Absolute majority required.*
- (2) The local government may appoint\* a member of a committee to be the deputy presiding member of the committee.
- \* Absolute majority required.*

#### **7.1A Audit committee**

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.
- (2) The members of the audit committee of a local government are to be appointed\* by the local government and at least 3 of the members, and the majority of the members, are to be council members.
- \* Absolute majority required.*
- (3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.
- (4) An employee is not to be a member of an audit committee

#### **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>
Moderate	Council is required to have these Committees established to fulfil its legal obligations under the <i>Local Government Act 1995</i> .

### **Consultation**

Nil.

### **Resource Implications**

*Financial*

Nil.

*Workforce*

Nil.

### **Options**

1. Appoint Council Members to the Audit and Risk Committee and the CEO Performance Review Committee and appoint the presiding member for both committees;
2. Decide on an alternative way forward or defer consideration.

### **Conclusion**

Every local government is required to establish an Audit and Risk Committee and CEO Performance Review Committee.

### **13.2 Appointment of Council Members to the Shire of Murray Bush Fire Advisory Committee and the Local Emergency Management Committee**

File Ref: D25/26705  
Previous Items: OCM 28 Oct 21 Item 12  
Applicant: Nil.  
Author and Title: Belinda Brown, Executive Services Coordinator  
Declaration of Interest: Nil.  
Voting Requirements: Absolute Majority  
Appendices: Nil.

#### **Recommendation**

##### **That Council:**

- 1. Appoint Cr A Rogers and Cr S Kirkham (as proxy) to the Bush Fire Advisory Committee, for a term expiring at the next ordinary local government election.**
- 2. Appoint Cr S Kirkham to the Shire of Murray Local Emergency Management Committee, for a term expiring at the next ordinary local government election.**

#### **In Brief**

To consider the appointment of Council Members to the Shire of Murray Bush Fire Advisory Committee and the Shire of Murray Local Emergency Management Committee.

#### **Background**

##### *Bush Fire Advisory Committee*

The Bush Fire Advisory Committee is established under section 67 of the *Bush Fires Act 1954*.

The Terms of Reference for the Bush Fire Advisory Committee provides that the voting membership is to comprise of a Shire of Murray Councillor, the Chief Bush Fire Control Officer, the nominated Bush Fire Control Officers for each of the Shire's Bush Fire Brigades (Coolup, West Murray, North Dandalup, South Yunderup Ravenswood and Dwellingup) and the Captain of the Pinjarra Volunteer Fire and Rescue Service.

Meetings are held at the Shire of Murray at least two times per year (May and November).

**Cr Ange Rogers (Cr Stuart Kirkham as proxy)** was the Shire of Murray's Council representative prior to the election.

##### *Local Emergency Management Committee*

The Local Emergency Management Committee is established under section 38 of the *Emergency Management Act 2005* to develop and maintain effective emergency management arrangements for the district.

The Local Emergency Management Committee comprises membership from key stakeholders from the Shire of Murray.

The Terms of Reference for the Local Emergency Management Committee provide that a Shire of Murray Councillor comprises part of the membership of the Committee with the Shire's Local Recovery Coordinator, Emergency Management Officer / Ranger Administration, Chief Bush Fire Control Officer and Manager Murray Aquatic and Leisure Centre.

Meetings are held on the first Wednesday of every February, May, August and November, at the Shire of Murray administration building.

**Cr Stuart Kirkham** was the Shire of Murray's Council representative prior to the election.

### Report Detail

The Council is to resolve by absolute majority who is to be appointed to each Committee.

### Council Plan

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

### Other Strategic Links

Nil.

### Statutory Environment

#### Bush Fires Act 1954:

#### **67. Advisory committees**

- (1) A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind as, or a different kind from, those specified in this subsection.
- (2) A committee appointed under this section shall include a member of the council of the local government nominated by it for that purpose as a member of the committee, and the committee shall elect one of their number to be chairman thereof.
- (3) In respect to a committee so appointed, the local government shall fix the quorum for the transaction of business at meetings of the committee and may —
  - (a) make rules for the guidance of the committee; and
  - (b) accept the resignation in writing of, or remove, any member of the committee; and
  - (c) where for any reason a vacancy occurs in the office of a member of the committee, appoint a person to fill that vacancy.
- (4) A committee appointed under this section —
  - (a) may from time to time meet and adjourn as the committee thinks fit;
  - (b) shall not transact business at a meeting unless the quorum fixed by the local government is present;
  - (c) is answerable to the local government and shall, as and when required by the local government, report fully on its activities.

#### Emergency Management Act 2005:

#### **38. Local emergency management committees**

- (1) A local government is to establish one or more local emergency management committees for the local government's district.



- (2) If more than one local emergency management committee is established, the local government is to specify the area in respect of which the committee is to exercise its functions.
- (3) A local emergency management committee consists of —
- (a) a chairman and other members appointed by the relevant local government in accordance with subsection (4); and
  - (b) if the local emergency coordinator is not appointed as chairman of the committee, the local emergency coordinator for the local government district.
- (4) Subject to this section, the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.

### **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>
Moderate	If Council does not appoint Council members to these Committees, it risks the proper functioning of those Committees, particularly the LEMC where Council members are generally the Chair of those meetings.

### **Consultation**

Nil.

### **Resource Implications**

*Financial*

Nil.

*Workforce*

Nil.

### **Options**

1. Appoint members of the BFAC and LEMC as recommended.
2. Decide on an alternative way forward or defer consideration.

**Conclusion**

It is recommended to appoint a Councillor to each of the BFAC and LEMC to ensure the Committees continue to function effectively and to ensure the Shire's response and management capability in an emergency situation is maintained.

### 13.3 Appointment of Delegates to External Organisation Committees and Groups

File Ref: D25/26706  
Previous Items: OCM 28 Oct 21 Item 13  
Applicant: Nil.  
Author and Title: Belinda Brown, Executive Services Coordinator  
Declaration of Interest: Nil.  
Voting Requirements: Absolute Majority  
Appendices: Nil.

#### Recommendation

#### That Council:

1. Appoints President D McLarty and Cr A Rogers to the Western Australian Local Government Association – Peel Zone and the Chief Executive Officer as first proxy and Cr N Willis as the second proxy, for a term expiring at the next ordinary local government election;
2. Nominates President D McLarty and Cr A Rogers as the Shire of Murray local government members on the Outer Metropolitan – Development Assessment Panel prior to the expiry of the current membership term, with Cr S Kirkham being the first alternate member and Cr N Willis being the second alternate member, with an application being forwarded to the Minister for Planning in accordance with the *Planning and Development (Development Assessment Panels) Regulations 2011*;
3. Appoints Cr R Cashman to the South West Regional Road Group with Cr S Lee as proxy, for a term expiring at the next ordinary local government election;
4. Appoints Cr S Kirkham as member, President D McLarty as deputy member and the Manager Environmental Health to the Peel Mosquito Management Group of the Department of Health Contiguous Local Authorities Group, for a term expiring at the next ordinary local government election;
5. Appoints Cr S Kirkham to the District Emergency Management Committee for a term expiring at the next ordinary local government election;
6. Appoints Cr N Willis as Council's representative on the Peron Naturaliste Partnership Inc. with Cr S Lee and the Coordinator Environmental Services being proxy members, for a term expiring at the next ordinary local government election;
7. Appoints Cr P George as Council's representative on the ALCOA Pinjarra Community Consultation Network, with Cr S Carter as proxy, for a term expiring at the next ordinary local government election;
8. Appoints Cr G Black to the Keysbrook Community Consultation Group with Cr S Lee as proxy, for a term expiring at the next ordinary local government election;
9. Endorses the nomination from Cr G Black as a local government representative for the Peel Harvey Catchment Council Board;
10. Appoints Cr R Cashman and the Coordinator Environmental Services as proxy, to the Peel Harvey Biosecurity Group, for a term expiring at the next ordinary local government election;
11. Endorses the nomination from President D McLarty as a local government representative for the Peel Development Commission Board;
12. Appoints Cr S Lee to the Rail Heritage Foundation as a local government representative, for a term expiring at the next ordinary local government election.

#### In Brief

To consider appointments of delegates to external organisations committees and groups to fulfil various roles and responsibilities.

## Background

### **WALGA Peel Zone**

#### **Purpose**

State Councillors are elected to State Council from one of 17 Zones, which are groupings of Local Governments convened together on the basis of population, commonalities of interest and geographical alignment. The relationship between State Council and Zones within the Western Australian Local Government Association is a critical one in the political representation of Local Government at the State and Federal levels.

Zones have an integral role in shaping the political and strategic direction of WALGA. Not only are Zones responsible for bringing relevant local and regional issues to the State Council decision making table, they are a key player in developing policy and legislative initiatives for Local Government.

WALGA's Constitution outlines that the functions of Zones are to:

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

Additional activities undertaken by Zones include:

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

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

#### **Meeting Frequency**

Meetings are held bi-monthly, typically the 4<sup>th</sup> Thursday of the month at 2pm (dates and times are subject to change).

#### **Previous Members**

Members of the WALGA Peel Zone prior to the election were **Cr David Bolt** and **Cr Doug McLarty**, with **Cr Steve Lee** appointed as proxy.

### **Outer Metropolitan Development Assessment Panel (DAP)**

#### **Purpose**

Development Assessment Panels were established in 2011 as independent decision-making panels that report directly to the Minister for Planning (the Minister). There are five DAPs in Western Australia, with each DAP consisting of three specialist members and two local government members relevant to the jurisdiction of the application being considered.

The Outer Metropolitan DAP includes the local government areas of the City of Armadale, City of Cockburn, City of Gosnells, City of Joondalup, City of Kalamunda, City of Kwinana, City of Mandurah, Shire of Mundaring, Shire of Murray, City of Rockingham, Shire of Serpentine-Jarrahdale, City of Swan and City of Wanneroo.

The Shire of Murray is required to nominate four elected members to sit on the Outer Metropolitan DAP, two as local panel members and two as alternate local panel members. The Minister for Planning has the final approval of members of DAPs. If no nominations are received, the *Planning and Development (Development Assessment Panels) Regulations 2011* give the Minister the ability to appoint a person who is an eligible voter of the district of the local government.

Nominees are required to provide contact and other personal details, confirm eligibility for remuneration under the Premier's State Government Boards and Committee Circular (2017/08) and state whether previous DAP training has been undertaken. DAP members must attend training before sitting on a DAP. Members who have previously completed training do not need to re-train, however refresher courses are encouraged. Any current (or past) DAP member who is currently an elected member is eligible to be renominated and reappointed to the JDAP for a further term.

### **Meeting Frequency**

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

### **Previous Members**

The members and alternate members of the Outer Metropolitan DAP was **Cr Ange Rogers** and **Cr Douglas McLarty**, with **Cr Stuart Kirkham** the first alternate and **Cr David Pike** the second alternate.

### **Peel Mosquito Management Group (PMMG)**

#### **Purpose**

The PMMG is one of the 20 Contiguous Local Authorities Groups (**CLAG**) established by the Department of Health in Western Australia. The PMMG consists of representatives from the Shire of Murray, City of Mandurah, City of Rockingham, Shire of Waroona and Department of Health. It meets quarterly to discuss how to best mitigate mosquito impacts in the Peel region. Topics of discussion generally include environmental conditions, mosquito virus activity, mosquito abundance, helicopter operations, and safety. Meetings give an opportunity to review mosquito activity from the last quarter and to plan the implementation of the mosquito monitoring and treatment program for the next quarter. By working together with input from various agencies, the PMMG is able to best use its budget for larvicide, equipment and staff to protect residents and tourists from mosquito borne viruses in the Peel region including the Shire of Murray.

### **Meeting Frequency**

Meetings are held quarterly, typically at 1pm on a Thursday at alternating member Council's (dates and times are subject to change).

### **Previous Members**

Members of the Peel Mosquito Management Group prior to the election were **Cr Doug McLarty** with **Cr Stuart Kirkham** as deputy and the **Manager Environmental Health Services**.

### **District Emergency Management Committee (DEMC)**

#### **Purpose**

Note: It is recommended that the Councillor representative of DEMC should be the same member as the Local Emergency Management Committee (LEMC) representative.

DEMCs provides support to LEMCs during disasters for various resources, information and advice for emergency response and community recovery and are the conduit between LEMC and the State Emergency Management Committee. They also support the LEMCs with advice on Emergency Management Arrangements, as well as participating in exercises and testing of Local Emergency Management Arrangements.

**Meeting Frequency**

Meetings are held in person quarterly with dates and times determined by external agencies.

**Previous Members**

The member of the DEMC prior to the election was **Cr Stuart Kirkham**.

**South West Regional Road Group****Purpose**

The South West Regional Road Group consists of Local Governments in the South West and Peel, excluding the Shire of Serpentine-Jarrahdale.

The group oversees funding, safety and transport priorities for the regions. The group is also responsible for assessing road-funding submissions from its member Local Governments, the annual distribution of funds to Local Government roads and monitoring and reporting on the effectiveness of applying funds to Local Government roads in its regions.

**Meeting Frequency**

Meetings are typically held on a Monday morning towards the end of the month in March, July and November at the Shire of Dardanup with representatives from all local councils in attendance (dates and times are subject to change).

**Previous Members**

The member of the South West Regional Road Group prior to the election was **Cr David Pike** with **Cr Douglas McLarty** as proxy.

**Peron Naturaliste Partnership Inc. (PNP)****Purpose**

The PNP is an incorporated collective group of nine local governments between Cape Peron and Cape Naturaliste comprising the City of Bunbury, City of Busselton, City of Mandurah, City of Rockingham, Shire of Capel, Shire of Dardanup, Shire of Harvey, Shire of Murray and the Shire of Waroona.

The PNP take a regional collaborative and integrated adaptation approach to the impacts of climate change. The partnership was formed in 2011 through a volunteer Memorandum of Understanding and recognising the long-term benefits of the partnership and the importance of dealing with coastal matters, the PNP became an incorporated group in 2015.

The PNP is governed by a Board of Governors comprising of a Councillor representative from each of its member local governments, with technical input provided through Committees and Working Groups comprising of member local government officers and others as needed.

**Meeting Frequency**

The PNP typically meet on a Friday morning in March/April, July/August and November/December (dates and times are subject to change).

**Previous Members**

The members of the PNP. prior to the election was **Cr Nicole Willis** with **Cr Douglas McLarty** and the **Coordinator Environment Services** as proxies.

**ALCOA Pinjarra Community Consultation Network****Purpose**

The ALCOA Pinjarra Community Consultation Network provides an opportunity to discuss the sites decommissioning and rehabilitation activities, and ongoing community engagement activities.

**Meeting Frequency**

Meetings are typically held bi-monthly (February, April, May, July, September and November) from 5.30pm - 7:00pm in Pinjarra (dates and times are subject to change).

**Previous Members**

The members of the ALCOA Pinjarra Community Consultation Network prior to the election were **Cr Stewart Carter** with **Cr Geoff Black** as proxy.

**Keysbrook Community Consultation Group****Purpose**

The Keysbrook Community Consultation Group is a forum for two-way communication between the Doral and the community in relation to the Doral mineral sands mine in Keysbrook/North Dandalup. Topics covered include project updates, environmental updates, community updates, and consideration of Doral sponsorship submissions.

**Meeting Frequency**

Meetings are held quarterly, typically at 4pm on the first Wednesday of February, May, August and November at the Keysbrook Mine site (dates and times are subject to change).

**Previous Membership**

Membership to the Keysbrook Community Consultation Group prior to the election was **Cr Geoff Black** with **Cr Stewart Carter** as proxy.

**Peel Harvey Catchment Council****Purpose**

The Peel-Harvey Catchment encompasses an area of more than 1.1 million hectares south of Perth and extends from the Peel Harvey Estuary at Mandurah up to 150 km into the Wheatbelt.

Defined by the catchments of the Serpentine, Harvey and Murray Rivers, the catchment is host to extensive agricultural areas, residential populations, state forests, mining and an array of ecosystems across three distinct bioregions. The catchment encompasses all of the Peel Region and parts of the Perth Metropolitan Region and Wheatbelt Region.

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

If Council Member nominates for a position on the PHCC, some paperwork is required to accompany the nomination. There is also no guarantee that a nomination from a Council Member will be successful.

**Meeting Frequency**

Meetings are typically held at 1pm on the third Thursday of every second month in Mandurah (dates and times are subject to change).

**Previous Members**

**Cr Geoff Black** nominated for a position on the Peel Harvey Catchment Council at the last election but was unsuccessful.

**Peel Harvey Biosecurity Group****Purpose**

The Peel Harvey Biosecurity Group is a recognised incorporated group under the *Biosecurity and Agriculture Management Act 2007* that deals with the management of declared pests in the Shire of Serpentine Jarrahdale, Shire of Murray, Shire of Waroona, Shire of Harvey and the City of Mandurah.

**Meeting Frequency**

Meetings are held on the fourth Wednesday of every second month at 4.30pm, either online or in person at the PHBG Pinjarra Office (dates and times are subject to change).

**Previous Membership**

Membership to the Peel Harvey Biosecurity Group prior the election was **Cr Nicole Willis**, with the **Coordinator Environmental Services** as proxy.

**Report Detail**

It is important for Council to be represented on these external committees and groups to ensure Council is informed participates in activities affecting the Shire and the community. The Council is to resolve by absolute majority who is to be appointed to each of the groups as presented.

**Council Plan**

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

**Other Strategic Links**

Nil.

**Statutory Environment**

Nil.

**Sustainability & Risk Considerations**

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

Nil.

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

Nil.

*Environment – (Impact on environment's sustainability)*

Nil.



*Policy Implications*

Nil.

*Risk Management Implications*

<i>Risk Level</i>	<i>Comment</i>
Moderate	The Council risks not being able to participate in these groups should it decide not to appoint members to the groups.

**Consultation**

Nil.

**Resource Implications***Financial*

Nil.

*Workforce*

Nil.

**Options**

1. Appoint members and proxies to the groups as recommended.
2. Decide on an alternative way forward or defer consideration.

**Conclusion**

It is important for Council to be represented on these external committees and groups to ensure Council is informed and participates in activities affecting the Shire and the community.

**13.4 Appointment of Council Members to Working Groups**

File Ref: D25/26707  
Previous Items: OCM 28 Oct 21 Item 14  
Applicant: Nil.  
Author and Title: Belinda Brown, Executive Services Coordinator  
Declaration of Interest: Nil.  
Voting Requirements: Simple Majority  
Appendices: Nil.

**Recommendation/Council Decision OCM25/130**

**Moved: Cr S Carter**

**Seconded: Cr S Kirkham**

**Resumption of Meeting Procedures**

**Recommendation**

**That Council resume Meeting Procedures (as per the Shire of Murray Meeting Procedures Local Law Clause 12.1) the time being 7.04pm**

**In Favour: President Douglas McLarty, Crs Geoff Black, Stuart Kirkham, Steve Lee, Ange Rogers, Stewart Carter, Nicole Willis, Prue George and Rob Cashman**

**Against: Nil.**

**CARRIED UNANIMOUSLY 9:0**

**Recommendation/Council Decision OCM25/131**

**Moved: Cr S Lee**

**Seconded: Cr G Black**

**At this point in the meeting, items 13.1, 13.2, 13.3 and 13.4 are carried by 'En Bloc' resolution of Council.**

**In Favour: President Douglas McLarty, Crs Geoff Black, Stuart Kirkham, Steve Lee, Ange Rogers, Stewart Carter, Nicole Willis, Prue George and Rob Cashman**

**Against: Nil.**

**CARRIED BY ABSOLUTE MAJORITY 9:0**

**Recommendation**

**That Council:**

- 1. Appoints Cr S Lee as a member, Cr N Willis as proxy and the Coordinator Community Development to the Murray Aged Access and Inclusion Group for a term expiring at the next ordinary local government election;**
- 2. Appoints Crs S Carter, G Black, P George and N Willis (up to four) to the Selection Panel for Australia Day WA Community Citizenship Awards, for a term expiring at the next ordinary local government election;**
- 3. Appoints Cr S Lee and Cr G Black to the Community Assistance Partnership Fund Panel, for a term expiring at the next ordinary local government election;**
- 4. Appoints Cr A Rogers and Cr S Kirkham as Councillor representatives on the Murray Regional Equestrian Centre Management Working Group, for a term expiring at the next ordinary local government election;**
- 5. Appoints the President D McLarty, Deputy President A Rogers, Cr N Willis and Cr P George as Councillor representatives on the Civic Centre Precinct Working Group, for a term expiring at the next ordinary local government election.**

**In Brief**

To consider the appointment of Council Members to the various working groups of the Shire of Murray.

**Background****Murray Aged Access and Inclusion Group****Purpose**

The Murray Aged Access and Inclusion Group meets as required to drive the implementation of the Disability Access and Inclusion Plan. The Group provides input on Shire run events and Seniors programs, and through consultation helps identify opportunities to improve accessibility across Shire-owned buildings, facilities and public spaces.

**Meeting Frequency**

Meetings are held on an ad hoc basis dependent on the activities and actions of the Shire's Access and Inclusion Plan. Meetings dates and time will be arranged according to availability of members.

**Previous Membership**

Membership of the Murray Aged Access and Inclusion Group prior to the election was **Cr Steve Lee** and **Cr Douglas McLarty** as proxy.

**Selection Panel for the Australia Day WA Community Citizenship Awards****Purpose**

The Selection Panel meets annually to assess nominations and determine the recipients of the Australia Day WA Community Citizenship Awards. The Awards recognise and celebrate the contributions of volunteers and community members across the Shire, while also fostering stronger connections with local organisations.

**Meeting Frequency**

Meetings are held annually typically in early November with dates and time to be arranged according to availability.

**Previous Membership**

Membership on the selection panel prior to the election was **Cr Steve Lee**, **Cr Stewart Carter**, **Cr Geoff Black** and **Cr Nicole Willis**.

**Community Assistance Partnership Fund (CAPF)****Purpose:**

The Community Assistance Partnership Fund, delivered in partnership with Alcoa Australia, provides financial support to community organisations to foster engaged, vibrant, inclusive and healthy communities. Applications are assessed and determined by a Decision-Making Panel comprising of two Alcoa representatives, two Council representatives and two Community Development Officers.

**Meeting Frequency**

Meetings are held twice a year. Meetings dates and time will be arranged according to availability of members.

**Previous Membership**

Membership to the Community Assistance Partnership Fund prior to the election was **Cr Douglas McLarty** and **Cr Geoff Black**.

### **Murray Regional Equestrian Centre Management Working Group**

#### **Purpose:**

The Murray Regional Equestrian Centre Management Working Group assists in guiding the future planning and management of the Murray Regional Equestrian Centre as well as providing input into funding strategies, high-level operational and financial planning, and development priorities. The Working Group comprises of a Council representatives and Shire officers as appointed by the Chief Executive Officer and representatives from the Murray Equestrian Association.

#### **Meeting Frequency**

Meetings are held on an ad hoc basis dependent on need for consultation between the Shire and the Murray Equestrian Association. Meetings dates and time will be arranged according to availability of members.

### **Civic Centre Precinct Working Group**

#### **Purpose:**

To review the existing Civic Precinct Master Plan and redevelopment plan for the Shire Administration Building, Library, and Civic Centre, with the aim of developing a staged development plan and advocacy strategy for adoption by Council. The Working Group comprises of the Chief Executive Officer, Shire President, Deputy Shire President, two Councillors, all 4 Shire Directors, Manager Community and Library Services and the project consultants.

#### **Meeting Frequency**

Meetings are held on an ad hoc basis dependent on need for consultation regarding the Precinct project. Meetings dates and time will be arranged according to availability of members.

#### **Previous Membership**

Membership to the Civic Centre Precinct Working Group prior to the election was the **Shire President Cr Douglas McLarty, Cr Ange Rogers and Cr Nicole Willis**, with Cr Geoff Black as proxy.

#### **Report Detail**

Council is to resolve by simple majority who is appointed to each working group so that the Council is represented and kept informed of activities affecting the Shire and the community.

#### **Council Plan**

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

#### **Other Strategic Links**

Nil.

#### **Statutory Environment**

There are no statutory considerations in relation to the appointment of Councillors to working groups as working groups are not established under the *Local Government Act 1995*.

**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	Not appointing members to these groups risks the effectiveness of them and leaving the Shire out of the loop on matters that the groups consider and discuss.

**Consultation**

Nil.

**Resource Implications**

*Financial*

Nil.

*Workforce*

Nil.

**Options**

1. Appoint members to the working groups as recommended.
2. Decide on an alternative way forward or defer consideration.

**Conclusion**

Appointment of Council Members to these working groups is important to ensure that the Council represented and kept informed of activities affecting the Shire and community.

**13.5 Monthly Financial Report - September 2025**

File Ref: D25/36517  
Previous Items: Nil.  
Applicant: Nil.  
Author and Title: Nathan Gilfellon, Manager Finance  
Declaration of Interest: Nil.  
Voting Requirements: Simple Majority  
Appendices: Item 13.5 Appendix 1 - Monthly Financial Report September 2025

**Recommendation/Council Decision OCM25/132**

**Moved: Cr S Carter**

**Seconded: Cr G Black**

**That Council receives the September 2025 Monthly Financial Report as presented at Appendix 1.**

**In Favour: President Douglas McLarty, Crs Geoff Black, Stuart Kirkham, Steve Lee, Ange Rogers, Stewart Carter, Nicole Willis, Prue George and Rob Cashman**

**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:

- 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 September 2025 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
<b>Outcome 14</b>	Capable and accountable leadership and governance.
<b>Objectives 14.1</b>	Establish a strong corporate governance framework to ensure high standards of integrity, ethics, and accountability.

### Other Strategic Links

Shire of Murray 2025/2026 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 2025.
2. Not receiving the monthly financial report for September 2025.

**Conclusion**

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



**13.6 Payments from Municipal and Trust Funds - September 2025**

File Ref: D25/36518  
Previous Items: Nil.  
Applicant: Nil.  
Author and Title: Nathan Gilfellon, Manager Finance  
Declaration of Interest: Nil.  
Voting Requirements: Simple Majority  
Appendices: Item 13.6 Appendix 1 - List of Accounts Paid in September 2025 to be Received

**Recommendation/Council Decision OCM25/133****Moved: Cr A Rogers****Seconded: Cr S Lee**

**That Council receives the Payments from Municipal and Trust Funds Report September 2025 as presented.**

**In Favour: President Douglas McLarty, Crs Geoff Black, Stuart Kirkham, Steve Lee, Ange Rogers, Stewart Carter, Nicole Willis, Prue George and Rob Cashman**

**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 month of September 2025.

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**

<b>Focus Area</b>	Performance
<b>Outcome 14</b>	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 2025.
2. Not receiving the Payments from Municipal and Trust Funds report for September 2025.

**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.

**14 RECREATION, ECONOMIC & COMMUNITY DEVELOPMENT****14.1 Herron Point Campground - Management Review and Options Paper**

File Ref: D25/36533  
Previous Items: Nil.  
Applicant: Shire of Murray  
Author and Title: Rebecca McCauley, Manager Economic Development  
Declaration of Interest: Nil.  
Voting Requirements: Absolute Majority  
Appendices: Nil.

**Recommendation/Council Decision OCM25/134****Moved: Cr S Lee****Seconded: Cr S Carter**

**That Council endorses an allocation of \$30,000 (exc. GST) from the Herron Point Reserve towards the appointment of a consultant to prepare a Herron Point Campground Management Review and Options Paper.**

**In Favour: President Douglas McLarty, Crs Geoff Black, Stuart Kirkham, Steve Lee, Ange Rogers, Stewart Carter, Nicole Willis, Prue George and Rob Cashman**

**Against: Nil.**

**CARRIED BY ABSOLUTE MAJORITY 9:0**

**In Brief**

The purpose of this report is for Council to consider a request for \$30,000 (exc. GST) in funding towards a Herron Point Campground Management Review and Options Paper (**Review**) outlining potential future uses for the site. Due to the complexity of the Herron Point site and the specialist skills involved in creating these documents, a suitably qualified consultant will need to be appointed.

**Background**

Herron Point Campground is a nature-based campsite situated on the shoreline of the Peel Harvey Estuary adjacent to Kooljerrenup Nature Reserve. The site enjoys a rural location some distance from the nearest urban settlements (25km from Pinjarra and 16km from Coolup) with expansive open views across the water towards Dawesville. Access to the site is via Herron Point Road off the Forrest Highway.

Herron Point Campground is popular with visitors for its serene location, bushland setting, extensive birdlife and clean, healthy estuary waters. The site has a modest accommodation offering of 22 caravan pitches and 6 tent pitches. Basic facilities include a solar-powered ablutions block with flushing toilets, water for handwashing, picnic tables and undercover areas. There is no potable (drinking) water supply, waste management is limited, and effluent is managed via an Aerobic Treatment Unit (**ATU**). All pitches at the site are unpowered.

Herron Point Campground is situated within an A Class Reserve which is owned by the State Government and managed by the Shire of Murray. The Shire's Works, Buildings, Ranger and Tourism teams share responsibility for the day-to-day management of the site. A summary of the key tasks, which include but are not limited to the following, is outlined below:

Shire Team	Areas of Responsibility
Tourism	Marketing and online bookings via the 'Visit Pinjarra' website.

	In person and remote visitor servicing for Herron Point via the Dwellingup Visitor Centre (e.g. bookings, enquiries, complaints and amendments).
Buildings	Maintenance and cleaning of buildings/structures at Herron Point site. Management of site's water and power supply.
Works	Maintenance of associated road infrastructure. Levelling works and pitch upgrades as required. Reserve management.
Waste	Waste management.
Rangers	Responding to issues on site (e.g. anti-social behaviour, flooding, illegal campfires) Checking site occupancy against the booking manifest and dealing with any infringement issues.

With day-to-day responsibility fragmented across multiple teams, there is little holistic oversight or overarching strategic vision and no masterplan or long-term direction guiding the management or future use of the site.

The Shire supports Herron Point Campground with an annual operating budget which covers Building and Maintenance costs. However, with day-to-day management responsibilities being shared more broadly across several departments, the true cost of operating Herron Point Campground is, for the most part, not captured or directly allocated. Income from campsite bookings goes towards offsetting some of these costs but does not cover them in full.

Any profits earned by Herron Point Campground are allocated to the Herron Point Reserve at the end of the financial year. These profits are derived from the level of booking income earned relative to operational expenditure, but don't take into account the uncaptured costs and supporting activities of the Tourism, Rangers and Works departments.

Although Herron Point Campground provides the local community and visitors with a valued recreation amenity, the ongoing management, maintenance and operation of the site has proved challenging for the Shire.

Issues of concern include:

- Rising levels of antisocial behaviour and illegal camping activity. Complaints at Herron Point are increasing with Visitor Servicing staff responding to 47 complaints in FY 24/25, an increase of 34 complaints on the previous year.
- The absence and consistency of an onsite caretaker to support management operations at Herron Point. Multiple efforts to recruit and retain someone for this position have been unsuccessful leading to additional pressure on the Shire's Ranger Services.
- Herron Point bookings are declining with FY24/25 seeing fewer nights booked than previous financial years, (428 fewer nights than FY 23/24, a 7% decrease) and (206 fewer nights than FY 22/23, a 3.5% decrease).
- Environmental degradation caused by illegal campfires and flood inundation in lower lying parts of the site.
- A management model, involving multiple Shire departments makes internal communication challenging for officers and adds additional layers of complexity for visitors.

- A lack of clear future direction for Herron Point Campground makes it difficult to determine where best to focus energy and resources.

Despite these challenges, the site generally achieves high levels of visitor satisfaction with positive online reviews and maintains steady occupancy levels throughout the year, peaking during summer and school holidays.

### **Report Detail**

To address these challenges, the Shire is looking to engage a consultant who will consider the full range of future options for Herron Point Campground. These may include maintaining or adjusting the current model, considering basic infrastructure upgrades or other low-impact improvements within the site's significant development constraints, exploring third-party management or lease arrangements, or identifying any other feasible approaches that provide the best overall outcome.

Any future consideration must acknowledge that development at Herron Point is not straightforward given the unique nature of the site. Sensitivities include its Aboriginal heritage significance and its proximity to Ramsar wetlands and environmental considerations. Depending on the options considered, matters that may need to be addressed include:

- A potential need to change the reserve purpose.
- Environmental and heritage approvals.
- Upgraded servicing (water, power, waste).
- Likely significant capital investment.
- Potential requirement for a masterplan and feasibility study.

It is likely that certain development proposals will require supporting studies such as environmental assessments, a Bushfire Management Plan, or ethnographic and archaeological surveys. With this level of complexity to navigate, each option will need to be considered on its individual merits, carefully weighing the potential tourism and community benefits against the level of investment, approvals and ongoing resourcing required of the Shire.

### **Proposed Scope of Works**

The Review will address current challenges, assess the campground's performance and operating model, and identify feasible pathways forward that balance financial sustainability, tourism value, recreation benefits and environmental and cultural sensitivities.

This will take the form of a report and a detailed options plan outlining possible future uses for the site, alternative management models and indicative levels of investment required across four distinct future scenarios. The report is intended to provide Council with clear, evidence-based analysis of each option – ranging from adjustments to the current model through to third-party management arrangements, light-footprint improvements within existing constraints or other feasible approaches that deliver the best overall outcome for the Shire.

### **Review Objectives**

- Assess the current operating model and performance of Herron Point Campground, including management arrangements, resourcing requirements, occupancy trends, visitor experience and financial outcomes.
- Identify key constraints and opportunities arising from the site's unique context, including environmental, cultural, heritage, planning and servicing considerations.
- Develop and evaluate four distinct future scenarios for the site, outlining possible uses, management models and levels of investment required.

- Analyse the costs, benefits, risks and feasibility of each scenario, considering both quantifiable (financial and operational) and non-quantifiable (tourism value, recreation and community benefit) factors.
- Recommend clear assessment criteria to guide Council's decision-making, balancing operational sustainability, resource implications and tourism/economic development potential.

### Council Plan

<b>Focus Area</b>	Planet
<b>Outcome 4.</b>	The ecosystem is managed sustainably for the benefit of current and future generations.
<b>Objectives 4.2</b>	Sustainably manage and conserve forests, bushland, trees and reserves.
<b>Actions 4.2.4</b>	Prepare and implement Reserve Management Plans for significant reserves on a case-by-case basis.

<b>Focus Area</b>	Prosperity
<b>Outcome 13</b>	Visitor Numbers are growing.
<b>Objectives 13.1</b>	Create a compelling tourism offer to attract tourists and visitors.
<b>Actions 13.1.2</b>	Identify opportunities and implement initiatives to incentivise investment in diverse short stay accommodation options in Dwellingup and Pinjarra.

### Other Strategic Links

Nil.

### Statutory Environment

Nil.

### Sustainability & Risk Considerations

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

The Review will provide Council with the evidence needed to determine the most sustainable and cost-effective future for Herron Point Campground. While the specific economic impacts are anticipated to be minimal, any decision is expected to either maintain or enhance the campground's contribution to the Shire's tourism and recreation offering. It is noted, however, that the campground's current value appears to be more recreational than economic, reflecting its isolated location and limited commercial activity.

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

Herron Point Campground provides the community and visitors with a valued recreational amenity and contributes to the region's lifestyle appeal. The Review will ensure that social and recreational benefits are appropriately considered alongside financial and operational factors, with outcomes expected to either maintain or enhance community enjoyment of the site.

#### *Environment – (Impact on environment's sustainability)*

The Review will ensure that future management and any potential development at Herron Point Campground take due consideration of its Aboriginal heritage significance, Ramsar wetland proximity and environmental sensitivities. This will help preserve and protect the site for the enjoyment of future generations.

*Policy Implications*

Nil.

*Risk Management Implications*

<i>Risk Level</i>	<i>Comment</i>
Moderate	<p>Risk: If Council does not support funding towards a Herron Point Campground Management Review and Options Paper outlining potential future uses for the site, current management challenges will persist leading to increased servicing costs, reduced visitor satisfaction, potential environmental degradation and diminishing financial returns over time.</p> <p>Mitigation: Appointing a consultant will enable the Shire to address current issues, optimise site management and/or maximise the income generating potential of the site provide a satisfying visitor experience.</p>

**Consultation**

Nil to date. Appropriate consultation will be undertaken as part of the project, guided by a consultation and stakeholder engagement plan to be developed by the appointed consultant in collaboration with the project working group.

**Resource Implications***Financial*

This project will require a funding allocation of \$30,000 (exc. GST) and it is requested that this be allocated from the Herron Point Reserve. There is an estimated \$100,074 of available funds in the Herron Point Reserve as of 30 June 2026.

*Workforce*

The project will be overseen by the Director Community and Economic Development and project managed by the Manager Economic Development. An internal working group will support delivery, drawing on resources from Tourism, Finance, Planning, Ranger Services and Infrastructure. The project can be managed within existing resources.

**Options**

1. Endorsing an allocation of \$30,000 (exc. GST) from the Herron Point Reserve towards the appointment of a consultant to prepare a Herron Point Campground Management Review and Options Paper.
2. Decline to allocate \$30,000 (exc. GST) from the Herron Point Reserve towards the appointment of a consultant to prepare a Herron Point Campground Management Review and Options Paper.

**Conclusion**

Herron Point Campground is an environmentally and culturally significant Shire-managed natural asset and particular care and attention is required to ensure it is being well-managed and to its optimal potential for our local community and visitors.

The proposed Management Review and Options Paper will provide Council with clear, costed and evidence-based scenarios to address rising costs and operational challenges. It will also identify alternative management models and future development options that balance economic development and tourism potential with the need to preserve the site's sensitive environmental and cultural attributes.



**15      INFRASTRUCTURE SERVICES**

Nil.

## **16 ITEMS FOR INFORMATION**

### **16.1 Delegated Development Application Decisions - September 2025**

File Ref: D25/36326

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

Appendices: Item 16.1 Appendix 1 - Delegated Decisions Report for September 2025

#### **In Brief**

The Delegated Development Application Decisions for September 2025 are attached for information.

## **16.2 Council Plan 2025/26 - Quarterly Progress Report**

File Ref: D25/37064

Author and Title: Bobbie Walton, Executive Manager Strategy and Engagement

Appendices: Item 16.2 Appendix 1 - Council Plan 2025/26 - Quarterly Progress Report  
- September 2025

### **In Brief**

Council Plan progress report as at 30 September 2025.

### **16.3 Outstanding Council Resolutions October 2025**

File Ref: D25/37099

Author and Title: Belinda Brown, Executive Services Coordinator

Appendices: Item 16.3 Appendix 1 - Outstanding Council Resolutions October 2025

#### **In Brief**

The Outstanding Council Resolution Register for October 2025 is attached for information.

**17 BUSINESS LEFT OVER FROM PREVIOUS MEETING**

Nil.

**18 ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil.

**19 NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING**

Nil.

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

Nil.

**21 MEETING CLOSED TO THE PUBLIC (CONFIDENTIAL BUSINESS)****Recommendation/Council Decision OCM25/135****Moved: Cr A Rogers****Seconded: Cr S Kirkham**

**That Council proceeds behind closed doors the time being 7.09pm as per Section 5.23(2)(c) of the *Local Government Act 1995* for the purpose of considering the following confidential item:**

**In Favour:** President Douglas McLarty, Crs Geoff Black, Stuart Kirkham, Steve Lee, Ange Rogers, Stewart Carter, Nicole Willis, Prue George and Rob Cashman

**Against:** Nil.

**CARRIED UNANIMOUSLY 9:0****21.1 T25/8 - Construction of the McLarty Sports Pavilion - New Changerooms and Alterations to the existing Enzo Menara Changerooms****Recommendation/Council Decision OCM25/136****Moved: Cr S Lee****Seconded: Cr S Carter****That Council:**

- 1. Accepts the Confidential Assessment Report;**
- 2. Endorse AE Hoskins Building Services, ABN 14 941 679 801 as the preferred tenderer for Separable Portion A - Construction of the McLarty Sports Pavilion New Changerooms at the tendered price of \$2,082,317.30 (ex GST) and delegates to the Chief Executive Officer to further negotiate any outcomes of the tender submission in accordance with the design, specification and tender rates in the "Schedule of Rates" for Tender T25/8;**
- 3. Rejects the tender submissions received for Separable Portion B – Alterations to the Enzo Menara Changerooms due to a funding shortfall.**

**In Favour:** President Douglas McLarty, Crs Geoff Black, Stuart Kirkham, Steve Lee, Ange Rogers, Stewart Carter, Nicole Willis, Prue George and Rob Cashman

**Against:** Nil.

**CARRIED UNANIMOUSLY 9:0****Recommendation/Council Decision OCM25/137****Moved: Cr A Rogers****Seconded: Cr S Carter**

**That Council proceeds with open doors the time being 7.10pm.**

**In Favour:** President Douglas McLarty, Crs Geoff Black, Stuart Kirkham, Steve Lee, Ange Rogers, Stewart Carter, Nicole Willis, Prue George and Rob Cashman

**Against:** Nil.

**CARRIED UNANIMOUSLY 9:0**

**22 CLOSURE OF MEETING**

There being no further business the Presiding Member declared the meeting closed the time being 7.12pm.

The minutes of this meeting were confirmed at the Ordinary Council Meeting held on 27 November 2025.



**Presiding Member**