



Agenda

Ordinary Council Meeting

Thursday 18 June 2026

at 5.30pm

Question Time Rules

Please note that the following rules apply to Question Time:

Questions asked verbally

1. *Members of the public are invited to ask questions at Council Meetings.*
2. *Questions asked at an Ordinary Council meeting must relate to a matter that affects the Shire of Murray. Questions asked at a Special Council meeting must relate to the purpose for which the meeting has been called.*
3. *A register will be provided for those persons wanting to ask questions to enter their name. The Presiding Member may call persons registered to come forward in an order that allows the maximum opportunity for as many people as possible to address the meeting of matters that are listed on the agenda. Persons that come forward are to state their name and locality.*
4. *Public question time will be limited to two verbal questions per person to allow for others to also have the opportunity to participate. If there is remaining time the Presiding Member will then revert to any person that requested more than two (2) questions be asked within the allotted 15 minutes of Question Time.*
5. *All questions should be succinct and to the point and not extend beyond 2 (two) minutes.*
6. *Statements are not permitted unless it is part of the Deputation section of the meeting. Deputations must relate to an item on the Council agenda for that meeting and should be requested in advance to the Chief Executive Officer in writing of the Council Meeting at least 48 hours prior to the meeting. Any decision outside of this procedure is to be decided by the Council.*
7. *Members of the public are encouraged to keep their questions brief to enable everyone who desires to ask a question to have the opportunity to do so.*
8. *Public question time will be allocated a minimum of 15 minutes and may be extended in intervals of up to 10 minutes by resolution of Council, but the total time allocated for public questions to be asked and responses given is not to exceed 35 minutes in total.*
9. *Questions are to be directed to the Presiding Member and shall be asked politely, in good faith, and are not to be framed in such a way as to reflect adversely or be defamatory on a particular Elected Member or Shire employee. The Presiding Member shall decide to:*
 - i. *Accept or reject any question and their decision is final;*
 - ii. *Nominate a Shire employee to respond to the question;*

Or

 - iii. *Take a question on notice. In this case a written response will be provided as soon as possible, and included in the agenda of the next Council meeting.*
10. *Questions and any response will be summarised and included in the minutes of the Council meeting.*
11. *It is not intended that question time should be used as a means to obtain information that would not be available if it was sought from the Shire's records under Section 5.94*

of the Local Government Act 1995 or the Freedom of Information Act 1992 (FOI Act). Where the response to a question/s would require a substantial commitment of Shire's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the Shire and refuse it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act.

Questions in Writing – (Residents and/or ratepayers of the Shire of Murray only)

1. *Only Shire of Murray residents and/or ratepayers may submit questions to the Shire in writing.*
2. *Questions asked at an Ordinary Council meeting must relate to a matter that affects the Shire of Murray. Questions asked at a Special Council meeting must relate to the purpose for which the meeting has been called.*
3. *The Shire will accept a maximum of five (5) written questions per Shire of Murray resident/ratepayer. To ensure equity and consistency, each part of a multi-part question will be treated as a question in its own right.*
4. *Questions lodged by 4.00pm on the day immediately prior to the scheduled Council meeting will be responded to, where possible, at the Council meeting. These questions, and their responses, will be distributed to Elected Members and made available to the public in written form at the meeting.*
5. *The Presiding Member shall decide to accept or reject any written question and their decision is final. Where there is any concern about a question being offensive, defamatory or the like, the Presiding Member will make a determination in relation to the question. Questions determined as offensive, defamatory or the like will not be published.*
6. *The Presiding Member may rule questions out of order where they are substantially the same as questions previously submitted and responded to.*
7. *Written questions unable to be responded to at a Council meeting will be taken on notice. In this case, a written response will be provided as soon as possible and included on the agenda of the next Council meeting.*
8. *A person who submits written questions may also ask questions at a Council meeting and questions asked verbally may be different to those submitted in writing.*
9. *Questions and any response will be summarised and included in the minutes of the Council meeting.*
10. *It is not intended that question time should be used as a means to obtain information that would not be available if it was sought from the Shire's records under Section 5.94 of the Local Government Act 1995 or the Freedom of Information Act 1992 (FOI Act). Where the response to a question/s would require a substantial commitment of Shire's resources, the Chief Executive Officer (CEO) will determine that it is an unreasonable impost upon the Shire and refuse it. The CEO will advise the member of the public that the information may be sought in accordance with the FOI Act.*

DISCLAIMER

Responses to questions asked verbally are provided in good faith and as such, should not be relied upon as being either complete or comprehensive.

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Notice of Meeting

Notice is hereby given that the Ordinary Meeting of Council will be held at the Murray Shire Council, 1915 Pinjarra Road, Pinjarra on Thursday, 18 June 2026 commencing at 5:30pm.



Dean Unsworth
Chief Executive Officer

- 1 **DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**
- 2 **ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE**
- 3 **RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
- 4 **PUBLIC QUESTION TIME**
- 5 **PETITIONS AND APPROVED DEPUTATIONS**
- 6 **CONFIRMATION OF MINUTES**
- 6.1 **Ordinary Council Meeting – 28 May 2026**

Recommendation

That the Minutes of the Ordinary Council Meeting held on Thursday 28 May 2026 be confirmed as a true and correct record.

[Ordinary Council Meeting Unconfirmed Minutes - Thursday 28 May 2026](#)

6.2 **Bush Fire Advisory Committee Meeting – 27 May 2026**

That the Minutes of the Bush Fire Advisory Committee Meeting held on Wednesday 27 May 2026 be confirmed as a true and correct record.

[Bush Fire Advisory Committee - Unconfirmed Minutes - 27 May 2026](#)

6.3 CEO Performance Review Committee Meeting – 28 May 2026

That the Minutes of the CEO Performance Review Committee Meeting held on Wednesday 28 May 2026 be confirmed as a true and correct record.

[CEO Performance Review Committee Meeting - Unconfirmed Minutes Thursday 28 May 2026](#)

Note: Recommendations from the CEO Performance Review Committee are required to be resolved as Absolute Majority. In accordance with the *Local Government Act 1995* 5.23 (2)(b)(ii), these recommendations will be considered behind closed doors at Item 20.1

7 ANNOUNCEMENTS BY THE PRESIDING MEMBER

The Shire President's announcements will be provided as part of the Minutes.

8 ANNOUNCEMENTS BY ELECTED MEMBERS

The Elected Members' announcements will be provided as part of the Minutes.

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

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

10.1 Chief Bush Fire Control Officer Model

File Ref:	D26/25495
Previous Items:	Nil.
Applicant:	Nil.
Author and Title:	Louise Pleasance, Director Corporate Services
Declaration of Interest:	Nil.
Voting Requirements:	Simple Majority
Appendices:	Item 10.1 Appendix 1 - Revised Position Descriptions - Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer (Page 5-13)

Committee Recommendation

That Council:

1. **Supports a volunteer Chief and Deputy Bush Fire Control Officer model for the Shire of Murray;**
2. **Supports the proposed revised position descriptions, as show in Appendix 1, for the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer roles for inclusion within the Bush Fire Brigade Standard Operating Procedures Appendices;**
3. **Notes that remuneration, honorarium or reimbursement arrangements for the positions will be subject to separate consideration by Council; and**
4. **Notes that an Expression of Interest process will be undertaken seeking nominations from Brigade members for the positions of Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer.**

In Brief

At the Bush Fire Advisory Committee (**BFAC**) meeting held on 27 May 2026, BFAC considered and made a recommendation to support the volunteer Chief Bush Fire Control Officer (**CBFCO**) and Deputy Chief Bush Fire Control Officers (**DCBFCO**) model, Council is requested to consider the recommendation for approval.

This report provides information regarding the review of the current leadership structure for the Shire of Murray Bush Fire Brigades, specifically relating to the role of the CBFCO and DCBFCO's.

The Shire has operated under both volunteer and employee-based leadership arrangements, including the undertaking of CBFCO functions by the Shire's Coordinator Ranger and Community Safety position.

A workshop involving brigade leadership representatives was undertaken on 15 April 2026 to collaboratively consider the strengths, weaknesses, opportunities and threats (**SWOT**) associated with two proposed models:

- A Shire funded and employed CBFCO; and
- A Volunteer CBFCO and DCBFCO model.

Following the workshop, Brigades were requested to discuss the SWOT outcomes with their members and provide feedback to the Shire regarding the preferred model.

This report summarises the consultation undertaken, outlines the feedback received from Brigades, provides analysis of both models, presents revised draft position descriptions for the Chief and Deputy roles and recommends continuation of the volunteer leadership model based on the feedback response.

Background

The Shire of Murray is responsible for the establishment, maintenance and management of Bush Fire Brigades in accordance with the *Bush Fires Act 1954* and the Shire of Murray Bush Fire Brigade Standard Operating Procedures (**SOPs**).

Historically, the CBFCO role has operated as a volunteer position appointed by the local government under the *Bush Fires Act 1954*.

Over the past two years, due to operational and organisational circumstances, the functions of the CBFCO have at times been undertaken by the Shire employee occupying the Coordinator Ranger and Community Safety position. This arrangement was implemented to support continuity of operational leadership and emergency management coordination during periods of transition.

As part of ongoing review and consideration of bush fire management arrangements, the Shire undertook consultation with Brigade leadership representatives regarding the future preferred structure for the CBFCO role.

On 15 April 2026, a workshop was conducted involving Brigade leadership representatives to discuss and consider the strengths, weaknesses, opportunities and threats (SWOT) associated with two proposed leadership models:

- A Shire funded and employed CBFCO; and
- A volunteer CBFCO model.

The workshop was intended to provide Brigade leadership representatives the opportunity to collaboratively discuss both models and identify operational advantages, concerns and opportunities associated with each arrangement.

Following the workshop, the SWOT analysis was circulated to Brigade leadership representatives with a request that the information be discussed with Brigade members and that Brigades provide feedback to the Shire regarding their preferred model to assist in informing future consideration of bush fire management arrangements.

On 27 May 2026, the Shire's BFAC met to consider the volunteer and paid model for the CBFCO and DCBFCO and the recommendation was passed to endorse the CBFCO as a volunteer, the motion was carried 6:1.

Report Detail

The consultation process undertaken by the Shire was intended to support collaborative engagement with Brigades and ensure Brigade perspectives were considered as part of future bush fire management planning.

The workshop held on 15 April 2026 provided Brigade leadership representatives the opportunity to openly discuss operational considerations associated with both proposed leadership models through a facilitated SWOT analysis process.

The consultation process specifically sought feedback regarding:

- Operational effectiveness;
- Brigade leadership and culture;
- Succession planning;
- Volunteer engagement and confidence;
- Governance and accountability considerations;
- Emergency management coordination; and

- Long-term sustainability of the leadership structure.

The workshop and subsequent feedback process identified both advantages and challenges associated with each proposed model:

Volunteer Model

The volunteer model was identified as providing strong connection with brigade culture, operational credibility within brigades and continued volunteer ownership of bush fire leadership within the district.

Brigade feedback also identified that volunteers with local operational knowledge and established brigade relationships contribute positively to operational coordination and engagement.

Additional benefits identified through the consultation process included:

- Local operational knowledge and experience;
- Strong volunteer relationships and trust;
- Established understanding of Brigade capability and community expectations;
- Continuation of Brigade leadership pathways and succession opportunities; and
- Preservation of volunteer ownership and culture within the Bush Fire Brigades.

Challenges identified with the volunteer model included:

- Succession planning and role sustainability;
- Increasing operational and administrative workload;
- Volunteer availability during major or prolonged incidents;
- Balancing operational leadership with personal and employment commitments; and
- Ensuring adequate administrative and organisational support for the role.

Paid Employee Model

The paid employee model was identified as potentially providing increased availability, administrative consistency and greater integration with Shire operational management functions.

The paid employee model was identified as potentially providing:

- Increased operational availability;
- Stronger administrative consistency;
- Greater integration with Shire operational management functions;
- Improved capacity to undertake strategic emergency management activities; and
- Greater day-to-day organisational oversight.

Concerns identified through Brigade consultation included:

- Reduced volunteer ownership of the role;
- Potential disconnect from Brigade culture and operational relationships;
- Concerns regarding long-term Brigade engagement and morale;
- Potential perception of reduced Brigade autonomy; and
- Challenges balancing operational emergency management functions with broader organisational responsibilities.

The feedback received from Brigades following the workshop indicated majority support for the continuation of a volunteer CBFCO model. The summarised submissions from each Brigade is as follows:

Respondent	Comment
North Dandalup VBFB	Brigade’s position is for a Volunteer Chief. Requested to see the PD’s for both CBFCO & DCBFCO to support the roles.
Dwellingup VBFB	Brigade supports a Volunteer Chief & Deputy structure. Requested to see job descriptions for the roles.
Coolup VBFB	Brigade’s preference is for a Paid Chief and Volunteer Deputies model. Requested to see the position descriptions.
West Murray VBFB	Brigade position is for a Volunteer Chief. Would like to the volunteer CBFCO payment of around 10-15k with a car. Request job descriptions for both Chief & Deputies.
South Yunderup / Ravenswood VBFB	Brigade states that since the PD’s were only sent out on 13 May, this did not give them sufficient time to provide a fully informed response. They further reiterated that they oppose any unilateral appointment by the Shire of a CBFCO (that is or will be otherwise in the paid employ of the Shire in any position in addition to performing the role of the CBFCO). Further state that the CBFCO should be appointed based on merit and on a volunteer basis with the addition of a wholly maintained Shire vehicle.
Pinjarra VFRS	Acknowledged that they are not actively involved in the process however general consensus from brigade is for a Volunteer Chief & Deputy.

On consideration of the feedback received, it is considered that the volunteer leadership model remains the preferred operational structure for the Shire of Murray and has been recommended in this report.

Proposed Position Descriptions

As part of the review process, revised draft position descriptions have been prepared for the CBFCO and DCBFCO roles and were provided to Brigades during the consultation process.

The proposed amendments are intended to:

- Provide greater clarity regarding the operational responsibilities and expectations of the roles;
- Improve consistency and understanding of responsibilities;
- Support succession planning and future Expressions of Interest processes; and
- Strengthen governance and operational accountability.

The revised position descriptions do not fundamentally change the responsibilities currently outlined within Appendix 4 of the Bush Fire Brigades SOP’s instead they aim to better articulate the duties and expectations already associated with the positions. This is important to ensure that, regardless of the model ultimately adopted, any person appointed to the CBFCO and DCBFCO roles has a clear understanding of the responsibilities of the position.

It is proposed that the revised position descriptions, as show in **Appendix 1**, be incorporated within the Bush Fire Brigade SOP Appendices to support role clarity and understanding of the role responsibilities.

Governance Considerations

The Bush Fire Advisory Committee (**BFAC**) provides an important advisory and consultative role regarding Brigade operational matters. However, the determination of the preferred leadership model and any associated remuneration arrangements remains a matter for Council.

Accordingly, the purpose of this report is to:

- Inform BFAC of the consultation outcomes;
- Seek a recommendation on the preferred model; and
- Seek support for the proposed position descriptions.

Any remuneration, honorarium or reimbursement arrangements associated with the CBFCO and DCBFCO roles would require separate consideration by Council through the budget process.

As the volunteer model was supported by BFAC, on the 2 June 2026 the Shire called for Expression of Interest (**EOI**) for the CBFCO and DCBFCO positions. EOI needs to be submitted to the Shire by COB 16 June 2026.

The EOI process was conducted prior to Council approval in order to prevent any delay in appointing the Bush Fire leadership roles for the 2026/2027 fire season. The nominations will be assessed by the Shire based on relevant operational experience, leadership capability, qualifications and knowledge relevant to the roles.

The EOI process was circulated to all Brigades to provide eligible members the opportunity to nominate for consideration and the nominations will be considered at the BFAC meeting scheduled for 8 July 2026.

Council Plan

Focus Area	Planet
Outcome	A resilient community equipped to respond to natural disasters and other emergencies.
Objectives	Minimise risks and impacts from fires, floods and other natural disasters.
Actions	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

The *Shire of Murray Bush Fire Brigades Local Law 2024* provides the requirements for SOP's for the management and operation of the Shire's Volunteer Bushfire Brigades including the election of brigade office bearers including FCO's, CBFCO and DCBFCO, Captains, Lieutenants, Secretaries and Treasurers.

The appointment of FCO's, CBFCO and DCBFCO is dealt with in accordance with section 38 of the *Bush Fires Act 1954*, which states:

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.

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 role of the Chief Bush Fire Officer is a requirement of the <i>Bush Fire Act 1954</i> .

Consultation

The Shire and representatives from each District Bush Fire Brigade attended a workshop on the 15 April 2026 to discuss and consider the model for the Chief Bush Fire Control Officer. Following the workshop the analysis results were provided to all brigades requesting feedback on the preferred model.

Resource Implications

Financial

Nil.

Workforce

Nil.

Options

1. Support the recommendation by the Bush Fire Advisory Committee.
2. Amend the recommendation and determine an alternative position of Council.

Conclusion

The consultation undertaken with brigade leadership representatives and brigade members has provided valuable operational feedback regarding the future bush fire leadership structure within the Shire of Murray.

Feedback received through the workshop and brigade consultation process indicates a majority preference for continuation of a volunteer Chief Bush Fire Control Officer model.

The proposed revised position descriptions are intended to strengthen role clarity, operational understanding and governance consistency regardless of the future model adopted.

This report therefore recommends continuation of the volunteer leadership model, incorporation of the revised position descriptions within the SOP appendices and progression to an Expression of Interest process for nominations for the vacant positions and put the recommendation for Council to consider endorsement of the volunteer model.

10.2 2026/2027 Bushfire Compliance Notice

File Ref:	D26/25499
Previous Items:	BFAC 21 May Item 5.4 BFAC25/006.
Applicant:	Nil.
Author and Title:	Donna Walker, Manager Ranger and Community Safety
Declaration of Interest:	Nil.
Voting Requirements:	Simple Majority
Appendices:	Item 10.2 Appendix 1 - Draft Bushfire Compliance Notice 2026/2027 - Updated with BFAC recommendation (Page 14-22) Item 10.2 Appendix 2 - Draft Bushfire Compliance Notice 2026/2027 - As recommended to BFAC (Page 23-31)

Committee Recommendation

That Council:

1. **Endorses the 2026/2027 Shire of Murray Bushfire Compliance Notice as attached at Appendix 1 which reflects the recommendation of the Bush Fire Advisory Committee; and**
2. **Approves for the publication of the 2026/2027 Shire of Murray Bushfire Compliance Notice in accordance with the provisions of the *Bush Fires Act 1954*.**

In Brief

At the Bush Fire Advisory Committee (**BFAC**) meeting held on 27 May 2026, BFAC considered and discussed the proposed amendments to the Shire of Murray Bushfire Compliance Notice, as shown in **Appendix 2**. BFAC passed an amended recommendation to remove the changes to clause 3. *Area of land greater than 45,001m²* and retain the existing Clause 3 requirements from the 2025/2026 Notice. The 2026/2027 Bushfire Compliance Notice has been updated with this change and is provided for consideration by Council, in **Appendix 1**.

Council is requested to determine the Shire of Murray 2026/2027 Bushfire Compliance Notice (**Notice**) to manage bushfire related matters within the district in accordance with Section 33 of the *Bush Fires Act 1954 (Act)*.

Background

Historically, the Shire reviews the content of the Notice annually to ensure it remains contemporary. In preparation for the review the Shire's Bush Fire Control Officers were consulted with on 20 April 2026 to provide feedback on the current Notice and its effectiveness, that feedback has been incorporated into this report.

On 27 May 2026, the Shire's BFAC met to consider the Notice and passed an amended recommendation to endorse the Notice apart from the recommended change to clause 3. Therefore, the existing Clause 3 requirements from the 2025/2026 Notice would be retained. The motion was carried 4:3.

Report Detail

The Notice is developed in accordance with section 33 of the Act and is designed to provide important information about bushfire preparedness and prevention, bushfire risk mitigation plus sufficient means to direct landowners to undertake works to prevent the outbreak, spread or extension of a bushfire. The Notice also provides a mechanism for Special Work Orders to be issued to landowners to further reduce bushfire hazards, if required.

During consultation with Bush Fire Control Officers and Shire staff, the following amendments were proposed to the Notice and are marked in blue text as shown in Appendix 2:

- **Bushfire Prevention Work Requirements**

- 2. *Area of land - greater than 4,001m² and less than 45,000m²*
 - Reduce the boundary requirement from 50 metres to 20 metres.
 - Include mineral earth to reflect the Act definition.
- 3. *Area of land greater than 45,001m²*
 - Amend Clause 3 to:

Where the area of any land in the Shire is greater than 45,001m² in size, the owner/occupier of the land shall:

 - i. Reduce and maintain to a height of 50 millimetres or less, all flammable material on the land by mowing, slashing, baling or grazing OR;

Where the owner/occupier of land within the Shire is unable to comply with the abovementioned requirements of Clause 3(i), the owner/ occupier of the land shall:

 - ii. Construct and maintain a mineral earth firebreak inside all external boundaries of the land as close as practicable, within 20 metres of the boundaries so as to form a continuous firebreak around the land and;
 - iii. Comply with the requirements as described in clause 4 and clause 5.

Reason for Change:

The proposed requirement is intended to reduce bushfire fuel loads and limit the potential spread and intensity of fire on larger rural properties, while also improving access and operational safety for firefighting activities.

It should be noted that this requirement only comes into effect if the owner/occupier is unable to comply with 3(i) – Reduce and maintain to a height of 20 millimetres or less all flammable material on the land by mowing, slashing, baling or grazing.

It was determined at the BFAC Meeting held on 27 May to remove this amendment from the Notice and the amended recommendation was passed 4:3. The Notice has been updated to reflect this change in Appendix 1.

- **7. Variations to the Notice**

- State closing date for variations as “1 November each calendar year” to ensure review and approval prior to Prohibited Burning Period commencement.

- **11. Burning garden refuse or rubbish during limited burning times (s.24G of the Act)**

- Insert a new clause and renumber remaining clauses.
 - v. No burning on a declared Public Holiday.

- **12. Use of Solid Fuel, Fire Pits and Solid Fuel Cooking Equipment**

- Removal of the specific dates and amend to “*Fire Pits are only permitted on private property during restricted and unrestricted burning periods unless the Fire Danger Rating is High or above or a Total Fire Ban or Harvest and Vehicle Movement Ban has been declared*”.

- **13. Definitions**

- Insert a definition for “Rubbish”.

Reason for Change:

Fire Control Officers requested further clarification on what constitutes the word “Rubbish”. The definition of Rubbish was extracted from the *Shire of Murray Health Local Law 2018* and included into the Notice.

The proposed Notice will be published within the *Government Gazette* and also within the local newspaper as required by the Act and distributed to all ratepayers with their Rates Notice. All information contained in the Notice will also be advertised on the Shire’s website and periodically various subjects and information from the Notice will be advertised on the Shire’s social media site to bring to the attention of owners/occupiers’ important information during the bushfire season.

Council Plan

Focus Area	Planet
Outcome 6	A resilient community equipped to respond to natural disasters and other emergencies.
Objective 6.1	Minimise risks and impacts from fires, floods and natural disasters.
Actions 6.1.1 & 6.1.2	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

Section 33 of the Act provides local government with the legislative authority to make a Notice requiring all owners or occupiers of land within the district to undertake work on their land for preventing the outbreak of a bushfire, or for preventing the spread or extension of a bushfire which may occur.

Section 24G(2) of the *Bush Fires Act 1954* requires a local government to by notice publish in the Gazette and a newspaper circulating in its district, to prohibit or impose restrictions on the burning of garden refuse within its district that is otherwise permitted under section 24F of the Act.

Section 25(1)(1a) of the Act provides a local government the ability, by notice published in the Gazette and a newspaper circulated in its district, to prohibit or prohibit the lighting of fires in the open air in its district for the purpose of camping or cooking for such period during the prohibited burning times as is specified in the 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

Nil.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Moderate	The proposed amendments to the Notice are considered appropriate for the Shire fire risk and community expectations.

Consultation

The review of the Notice has taken place with consultation between Shire staff and the Shire’s Bush Fire Control Officers.

Resource Implications

Financial

Funds are provided in the annual budget for the development and publishing of the Notice.

Workforce

Nil.

Options

1. Support the recommendation by the Bush Fire Advisory Committee and adopted the Bush Fire Compliance Notice 2026/2027 as shown in Appendix 1.
2. Proposed an amendment to the Notice.

Conclusion

The proposed Notice is required under section 33 of the Act and applies a reasonable standard of fire prevention requirements across land categories within the Shire to prevent the spread or extension of a bushfire. The Notice also prescribes additional Special Work Orders to be issued as required for the provision of additional requirements to manage any land that is considered to pose a higher bushfire risk.

REPORTS OF CHIEF EXECUTIVE OFFICER AND OFFICERS

11 PLANNING AND SUSTAINABILITY

11.1 Proposed Unhosted Short Term Rental Accommodation Local Planning Policy - Consideration of Submissions

File Ref:	D26/23122		
Previous Items:	OCM 23 Apr 25	Item 11.2	(OCM25/038)
	OCM 18 Dec 25	Item 11.2	(OCM25/155)
	OCM 23 Apr 26	Item 11.3	(OCM26/036)
Applicant:	Nil.		
Author and Title:	Gregory Delahunty, Manager Planning and Environmental Services		
Declaration of Interest:	Nil.		
Voting Requirements:	Simple Majority		
Appendices:	Item 11.1 Appendix 1 - Advertised Version of Local Planning Policy (Page 32-40)		

Recommendation

That Council pursuant to Schedule 2, Clause 4(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to proceed with the Unhosted Short Term Rental Accommodation Local Planning Policy without modification as set out in Appendix 1.

In Brief

- Council endorsed the draft Short Term Rental Accommodation (**STRA**) Planning Framework for public advertising in April 2025.
- The STRA Planning Framework included Amendment No. 329 to the Shire of Murray Local Planning Scheme No. 4 (**LPS4**) and a new Unhosted STRA Local Planning Policy (**Policy**).
- Amendment No. 329 was supported by Council following consideration of submissions in December 2025 and was gazetted and therefore came into effect on 17 April 2026.
- In December 2025, Council also resolved to defer consideration of the Unhosted STRA Local Planning Policy, pending further engagement with the Dwellingup community, to ensure the Policy adequately considered community sentiment. A targeted community survey was undertaken with the Dwellingup community, providing a clear evidence base for the Policy.
- In April 26 Council supported the advertising of a new draft Policy. The Policy seeks to provide guidance on how the Shire exercises discretion on development applications for new Unhosted STRA. It also introduces development guidelines and exemptions from the need for development approval. The exemption is proposed to apply throughout the Shire, except for larger Unhosted STRA and in Dwellingup and surrounding rural localities. This recognises that historically the Shire has not had any significant issues arising with smaller scaled Unhosted STRA and also recognises the housing supply issue impacting Dwellingup.
- The Policy was advertised for 21 days. No submissions were received.
- It is recommended that Council proceeds with the advertised version of the Policy without modification.

Background

What is Short-Term Rental Accommodation?

STRA refers to the practice of renting a dwelling, or part of a dwelling, to paying guests for stays of up to three months in duration. This type of accommodation, which is usually booked through online platforms, is popular among travellers and visitors seeking temporary lodging for holidays, business trips or other short stays. STRA is either 'hosted', where the host lives at the premises during the short-term stay, or 'unhosted', where guests have exclusive use of an entire dwelling.

Changes to the Planning Framework

With the rising emergence of online booking platforms, there has been a lack of clarity on how STRA should be approached, including whether it should be a standalone land use category for the purpose of statutory controls under local planning schemes. This has led to inconsistency between local governments as well as challenges in those areas where tourism accommodation and local housing issues require more strategic consideration.

In November 2023, the Western Australian Planning Commission (**WAPC**) released its '*Position Statement: Planning for Tourism and Short-Term Rental Accommodation*' (**Position Statement**), and associated Guidelines, which provides recommendations to better regulate STRA as a land use in the State planning system. The release of the Position Statement complemented other whole of government reforms relating to STRA, responding to recommendations made in the 2019 parliamentary enquiry '*Levelling the Playing Field: Managing the impact of the rapid increase of short-term rentals in Western Australia*.' This included development of a state wide registration scheme for STRA, administered by the Department of Local Government, Industry Regulation and Safety, as well as a State led incentive scheme to encourage the transition of properties from the short to long term rental market. In September 2024, amendments to the *Planning and Development (Local Planning Schemes) Regulations 2015* (**Planning Regulations**) were introduced to support the implementation of the Position Statement.

The amendments are listed as follows:

- New and revised definitions to ensure STRA is considered a dedicated land use class in local planning schemes;
- A statewide development approval exemption for 'Hosted STRA';
- A 90-night (cumulative) development approval exemption for 'Unhosted STRA' within the Perth metropolitan region;
- The ability for local governments outside of the Perth metropolitan region to decide on how they treat unhosted STRA in their local planning frameworks; and
- Revised tourism land uses that can be adopted into local planning schemes.

Statewide Register

In July 2024, the statewide STRA Register (**Register**) came into effect, being implemented to gather information on the STRA sector in Western Australia (**WA**), in accordance with the '*Short Term Rental Accommodation Act 2024*'. The information collected from the Register will be used to enable data driven decision making, allowing for more informed policy and regulatory responses to be made. As of 1 January 2025, it has been a mandatory requirement that all STRA operating within WA must be registered with the State government.

As part of the registration process, the STRA provider must indicate if development approval has been obtained. STRA owners must comply with all existing local planning laws, which may include the requirement for development approval. Failure to obtain development approval, where it is required, may result in cancellation or suspension of a property's STRA registration.

The statewide registration scheme, in conjunction with the amended Planning Regulations, form a key part of the State Government's commitment to ensure there is fair and consistent regulation and management of STRA across the State's planning system.

Mandatory Changes to Local Planning Schemes

The WAPC's Planning Bulletin 115/2024 (**Bulletin 115**), published in September 2024, provides a summary of local planning scheme expectations moving forward to ensure consistency with the 'Deemed Provisions' of the amended Planning Regulations. In accordance with this Planning Bulletin, the following amendments to local planning schemes are required:

- Introduce new 'Hosted Short Term Rental Accommodation' deemed use class, to replace 'Bed and Breakfast' where applicable. Assign as a 'P' (Permitted) use permissibility in all zones where any type of dwelling is capable of approval, to reflect the new statewide exemption.
- Introduce new 'Unhosted Short Term Rental Accommodation' deemed use class, to replace 'Holiday Accommodation' and similar, where applicable. Assign as a 'D' (Discretionary) or 'A' (Discretionary after advertising) permissibility in all zones where any type of dwelling is capable of approval, 'P' in Tourism zones, and 'X' in remaining zones, to reflect direction in the WAPC's Position Statement.

Shire of Murray's past approach to STRA

Until the recent gazettal of Amendment 329, the Shire's LPS4 considered STRA as a dwelling, rather than a separate land use category and development approval for a change of use of an existing dwelling has not been required. Control of STRA has instead been managed under the Shire's *Health Local Law 2018*, which required registration and provision of a management plan to address a range of matters to protect public health and residential amenity.

Changes to the Planning Regulations and the introduction of the Statewide register means that the Shire can no longer accept registration of STRA under its local law. Consequently, the local law has recently been modified to ensure consistency with State legislation. The requirement to provide a management plan has, however, been retained within the local law.

Council's consideration of the STRA Planning Framework

The draft STRA Planning Framework was endorsed for public advertising at the April 2025 meeting of Council. WAPC consent to advertise the Amendment No. 329 was received in August 2025. The framework essentially consisted of the following:

Amendment No. 329

Amendment No.329 amended LPS4 to complement and align with new 'deemed' STRA land uses and 'model' STRA land use classes, consistent with the amended LPS Regulations and introduce land use permissibility i.e. the requirement to obtain a development approval prior to commencing the use.

Council approved Amendment 329 in December 2025 and this was gazetted and therefore came into effect on 17 April 2026.

Targeted Engagement with Dwellingup Community

A targeted community survey with the Dwellingup community on unhosted STRA was undertaken in February 2026 to provide an evidence base for Council's consideration of the Policy. The survey was limited to the Dwellingup area as the conversion of permanent housing to STRA had become a strategic issue impacting the town's permanent population and there was need to fully understand community sentiment on this issue. The development of STRA in other parts of the Shire had remained uncontroversial. All landowners within Dwellingup town and surrounding rural areas were notified of the survey, with 91 responses received, which given the modest community size was a substantial sample size.

The survey results provided a clear snapshot of community sentiment, lived experience and perceived impacts of unhosted STRA on housing availability, community sustainability and essential services in Dwellingup. Key findings of the survey are summarised below:

Community concern about unhosted STRA levels

- 59.6% believe the current level of unhosted STRA is too high.
- Over 77% report negative or mixed impacts.
- Only a small minority support unrestricted continuation of new unhosted STRA.

Permanent housing is the dominant issue

- 90% identify availability of permanent housing as a critical concern.
- 88% identify housing affordability for residents and workers.
- Unhosted STRA is widely perceived as reducing long term rental and purchase opportunities in a town with limited housing supply.

Threat to school viability and long-term sustainability

- 88% identify the viability of the primary school as a key planning consideration.
- Respondents consistently link housing shortages to declining enrolments.
- Loss of the school is viewed as a serious risk to Dwellingup's long-term viability.

Workforce and business impacts

- 82% identify difficulty attracting and retaining workers.
- Local businesses report staff shortages driven by lack of housing.
- Tourism demand is perceived as exceeding the town's capacity to support it.

Loss of community cohesion and neighbourhood amenity

- Around two thirds raise concerns about neighbourhood amenity, noise, traffic, and loss of community connection.
- Many describe Dwellingup as becoming a "weekend town" with houses vacant mid-week.

Preferred Policy Approach

In terms of a preferred policy direction the survey results showed a clear majority support to:

- Significantly limit new unhosted STRA, or
- Generally discourage new unhosted STRA, except in exceptional circumstances.
- 12% support broadly allowing new unhosted STRA on a case-by-case basis.

The survey demonstrated community support for tourism but clear opposition to continued unrestricted growth of unhosted STRA where it undermines permanent housing, school viability, workforce stability and community cohesion.

The responses favour a housing first, precautionary planning approach that protects Dwellingup as a sustainable, lived in community, while supporting appropriate, well managed tourism accommodation.

Draft Unhosted STRA Local Planning Policy

In April 2026, Council endorsed a draft Policy for the purposes of public advertising. Given that STRA has been operating successfully within the Shire without the requirement for a development approval, it was proposed to generally continue with a business as usual approach by exempting unhosted STRA from development approval by way of a new local planning policy, except for larger scale STRA, where amenity impacts may arise.

For Dwellingup however, where there is a critical shortage of housing for permanent residential accommodation, the exemption was not proposed to apply and the Policy sought to limit new STRA to circumstances where it can be demonstrated that unhosted STRA will not impact permanent housing supply.

Report Detail

The advertised draft Policy adopted a strengthened and more targeted approach to the assessment of unhosted STRA within Dwellingup and its surrounding rural localities. Under the draft Policy, new proposals for unhosted STRA within the Dwellingup and the surrounding area will be subject to a more rigorous, merit-based assessment framework that prioritises the retention and provision of permanent housing. In particular, proposals will be required to clearly demonstrate that they do not result in a reduction in the availability of permanent residential accommodation.

This approach recognises that the conversion of existing dwellings to unhosted STRA will generally be taken to reduce housing supply and, as a result, such proposals are unlikely to be supported unless it can be demonstrated that there is no adverse impact on housing availability or that the proposal contributes to maintaining or increasing overall housing supply.

The draft Policy does not impose a blanket prohibition on unhosted STRA in Dwellingup and surrounding rural localities. Rather, it establishes a restricted framework that enables limited consideration of proposals that are consistent with the Policy objectives, including those that:

- Utilise buildings not previously used for permanent residential accommodation; or
- Form part of development that maintains or increases overall housing supply.

Importantly, the draft Policy also recognises that hosted STRA, which includes accommodation within a primary dwelling or ancillary dwelling where the host resides on the lot, does not require development approval under the Planning Regulations. This provides an alternative, lower impact pathway for tourism accommodation that does not remove independent dwellings from the long term housing market.

Overall, the approach seeks to balance the economic benefits of tourism with the overriding need to protect permanent housing supply, community sustainability and essential services in Dwellingup. It directly responds to the outcomes of community consultation and reflects the unique housing and social dynamics of Dwellingup and surrounds.

The Policy also introduces development guidelines and suitable exemptions from the need for development approval. The exemption is proposed to apply throughout the Shire, except for larger Unhosted STRA and in Dwellingup. This recognises that historically the Shire has not had any significant issues arising with smaller scaled Unhosted STRA and also recognises the housing supply issue impacting Dwellingup.

A copy of the advertised draft Policy is included at **Appendix 1**.

Council Plan

Focus Area	Place
Outcome 7	Population growth is being managed responsibly and sustainably.
Objectives 7.1	Manage urban growth effectively.
Focus Area	Prosperity
Outcome 13	Visitor numbers are growing.
Objectives 13.1	Create a compelling tourism offer to attract tourists and visitors.

Other Strategic Links

Nil.

Statutory Environment

Clauses 4 and 5 of the Deemed Provisions in Schedule 2 of the Planning Regulations set out the procedure for making local planning policies.

Sustainability & Risk Considerations

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

Having a flexible planning framework that facilitates short stay options can complement the Shire’s existing tourism offer.

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

The Policy will have the ability to influence the availability of permanent housing, particularly in Dwellingup, which is experiencing a significant housing supply issue.

Environment – (Impact on environment’s sustainability)

Nil.

Policy Implications

Nil.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	Without appropriate controls on Unhosted STRA, there is a risk of further erosion of Dwellingup’s permanent housing supply.

Consultation

The draft Policy was advertised in accordance with the Planning Regulations for 21 days from 6 – 27 May 2026. This was undertaken as follows:

- Email notice to all those who responded to the recent Dwellingup STRA survey and submitters on the previous version of the Policy;
- Notice on the Shire website;
- Notice on Shire Office noticeboard;
- Notice in the Murray News;
- Notice on Shire social media channels;
- Notice in local newspaper;
- Notice at the Dwellingup Post Office;

No submissions were received on the draft Policy.

Resource Implications

Financial

The direct costs associated with the preparation of the Policy has been accommodated within the current adopted budget.

Workforce

The preparation of the Policy has been accommodated within the scope of the existing workforce level.

Options

1. Proceed with the Policy without modification.
2. Defer consideration of the Policy to allow further consideration of specified matters.
3. Not proceed with the Policy.

Conclusion

The draft Policy seeks to largely ensure a business as usual approach to unhosted STRA within the Shire, with the exception of Dwellingup and surrounding rural localities. The Policy approach to limiting unhosted STRA to protect permanent housing supply in Dwellingup is a proportionate, place based planning response that:

- Responds directly to clear consultation outcomes;
- Protects permanent housing supply;
- Supports long term community viability;
- Reduces amenity impacts; and
- Allows continued, controlled tourism participation.

The approach recognises Dwellingup's constrained housing market, small population base and reliance on permanent residents to sustain essential services. Consequently, it is recommended that Council approves the Policy.

11.2 Cooper's Mill Reserve Foreshore Management Plan and Conservation Management Strategy

File Ref:	D26/23124
Previous Items:	Nil.
Applicant:	Nil.
Author and Title:	Gregory Delahunty, Manager Planning and Environmental Services
Declaration of Interest:	Nil.
Voting Requirements:	Simple Majority
Appendices:	Item 11.2 Appendix 1 - Foreshore Management Plan (Page 41-144) Item 11.2 Appendix 2 - Conservation Management Strategy (Page 145-199) Item 11.2 Appendix 3 - Schedule of Submissions (Page 200-208)

Recommendation

That Council:

1. **Adopts the Cooper's Mill Foreshore Management Plan at Appendix 1 and the supporting Conservation Management Strategy at Appendix 2.**
2. **Directs the CEO to write to the Minister for Heritage advising of the adoption of the Cooper's Mill Foreshore Management Strategy.**

In Brief

- In July 2024 the Shire was successful in obtaining grant funding to prepare a Foreshore Management Plan (**FMP**) for Cooper's Mill Reserve, located at the western end of Cooleenup Island and a supporting Conservation Management Strategy (**CMS**) for the State heritage listed Coopers Mill. Water Technology, supported by Stephen Carrick Architects, were selected as the preferred consultant team for this project.
- The FMP focuses on strategies to respond to erosion and inundation risks, while the CMS focuses on protecting the heritage significance and fabric of Cooper's Mill. Together, they provide a coordinated long-term approach to protect the Mill and the surrounding foreshore.
- The FMP was prepared in accordance with the requirements of the Western Australian Planning Commission's (**WAPC**) *State Planning Policy 2.6 – Coastal Planning (SPP2.6)*. The CMS was prepared in accordance with the requirements of the Heritage Council's Information Guide to Conservation Management Strategies.
- The documents were prepared under the guidance of a Project Steering Group, comprising representatives from the Shire, relevant State agencies and the community. A range of community engagement activities were also undertaken at key stages during the preparation of the draft FMP and CMS to ensure community input into and understanding of the project.
- The draft FMP and CMS were advertised for public submissions between March and April 2026. At the closing date no objections were received.
- Council is now requested to consider adoption the FMP and CMS.

Background

Cooper's Mill is a State Heritage listed place located on the northwestern end of Cooleenup Island, part of the Murray River Delta, where the Murray River enters the Peel Inlet. The surrounding reserve contains the historic flour mill, a caretaker's residence and recreation areas. The area is valued for its history, scenic foreshore, walking access and connection to the Murray River.

In June 2024 the Shire adopted its Coastal Hazard Risk Management and Adaptation Plan (**CHRMAP**), a strategic document that identifies potential coastal hazards, the consequences and necessary responsive actions.

The CHRMAP identified that the Mill and the surrounding reserve were at risk of coastal erosion and inundation within 10 years and recommended that a FMP be prepared for the land surrounding Coopers Mill to provide a strategy for managing these risks.



1. Erosion of Cooleenup Island Since 2008

Report Detail

The Coopers Mill FMP (**Appendix 1**) and supporting CMS (**Appendix 2**) provide a coordinated framework for managing the area's environmental, heritage, recreational and community values.

Adoption of the documents will guide consistent and informed decision making, assist in managing environmental and heritage risks, and support the planning of future works and funding priorities. Adoption does not commit Council to immediate capital expenditure, with any future costs to be considered through the annual budget process and potential external funding opportunities.

Both documents were developed in consultation with Shire officers and relevant stakeholders and are intended to operate together as complementary management tools.

Further details of each document are outlined below.

Foreshore Management Plan

The FMP has been prepared to provide a strategic framework for the long term management of the Coopers Mill Reserve, including environmental protection, heritage considerations, public access, recreation and risk management.



2. Study Area

The FMP was prepared by specialist consultants (Water Technology) and informed by desktop studies, site inspections and technical assessments addressing environmental values, coastal processes, social and recreational use and risks associated with erosion, inundation and climate change. The FMP also integrates heritage considerations relevant to the Cooper's Mill site.

The FMP outlines:

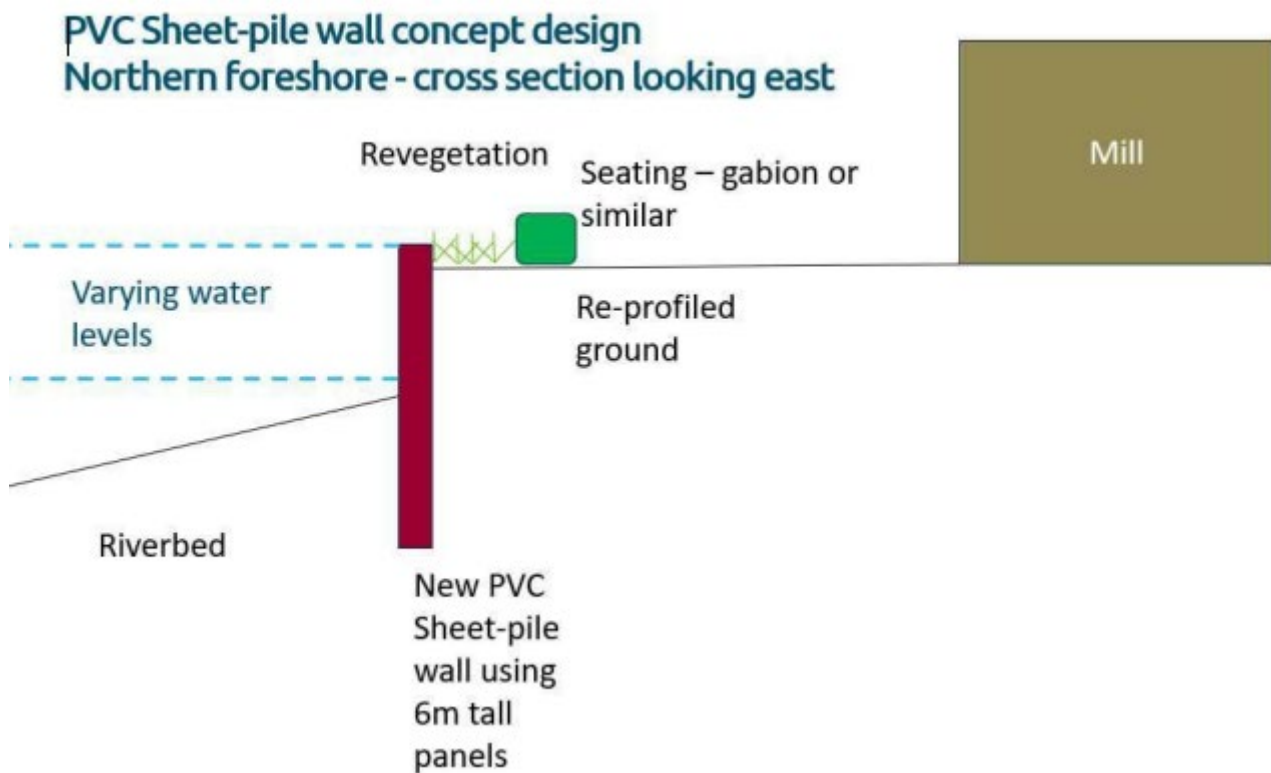
- The environmental, social and recreational context of the site;
- Key values and constraints, including ecological sensitivity and coastal hazards;
- Identified risks and threats to the foreshore and associated infrastructure;
- A suite of recommended management actions and implementation priorities.

Key actions arising from the FMP are the:

- Construction of a northern seawall to protect the land surrounding the Mill;
- Southern foreshore works including maintaining existing PVC sheet-piled walls, backfilling eroded areas and revegetation;
- Ongoing shoreline stabilisation including revegetation and weeding; and
- Ongoing monitoring.



3. Location of proposed Northern Sea Wall



4. Cross Section of Northern Seawall Concept

Conservation Management Strategy

The supporting CMS has been prepared to guide the conservation, maintenance and future management of the State heritage listed Cooper's Mill, ensuring that any works or activities are consistent with recognised heritage conservation principles.

The CMS was prepared by heritage specialists Stephen Carrick Architects in accordance with the Burra Charter and State heritage guidelines. The Strategy is based on detailed historical research, site inspections and assessment of the cultural significance and physical condition of Cooper's Mill.

The CMS includes:

- A statement of cultural significance;
- An historical and aboriginal cultural context;
- An assessment of the condition of the heritage asset;
- Conservation policies and recommended works;
- Maintenance and monitoring guidance.

The CMS identifies immediate, short-term, medium-term and long-term conservation actions for Cooper's Mill, enabling works to be programmed over time in line with funding availability. Key Actions include:

- Investigative Works;
- Site Works;
- Archaeologist Management Plan;
- Structural Inspection & Condition Report;
- Stone Repairs to the Mill & Engine Room;
- Render Repairs;
- Timber Shingle Roof Restoration Works;
- Mill, Engine Room and Verandah Timber Repairs;
- Window and Door repairs;
- Site Clearing and Drainage.



5. Cooper's Mill

Council Plan

Focus Area	Planet
Outcome 6	A resilient community equipped to respond to natural disasters and other emergencies.
Objectives 6.1	Minimise risks and impacts from fires, floods and other natural disasters.
Actions 6.1.3	Implement key recommendations in the Coastal Hazard Risk Management and Adaption Plan (CHRMAP).
Focus Area	Place
Outcome 9	Built heritage is respected and celebrated.
Objectives 9.1	Conserve and enhance places with significant heritage value.
Actions 9.1.6	Prepare a Condition Report and Costed Conservation Works Plan for Coopers Mill.
Focus Area	Place
Outcome 9	Built heritage is respected and celebrated.
Objectives 9.1	Conserve and enhance places with significant heritage value.
Actions 9.1.7	Prepare coastal protection adaptation and landscape management plans for Coopers Mill.

Other Strategic Links

The preparation of the Foreshore Management Plan is a short term recommendation of the Shire’s CHRMAP.

State Planning Policy 2.6 - Coastal Planning and the associated Guidelines outline the requirements for the preparation of foreshore management plans. The FMP has been prepared in accordance with SPP2.6.

Statutory Environment

Any future works to the Mill will require development approval under the Shire’s Local Planning Scheme No.4 and the Heritage Act of Western Australia.

Sustainability & Risk Considerations

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

The adoption and implementation of the FMP and CMS will support the long term protection and management of a significant heritage and tourism asset within the Shire of Murray. Protecting Cooper’s Mill and the surrounding foreshore from erosion and inundation risks will help preserve the area’s recreational, cultural and tourism value.

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

Cooper’s Mill Reserve provides important social, recreational, cultural and tourism value through its heritage significance, foreshore setting and recreational opportunities associated with the Murray River and Peel Inlet. The Reserve supports activities such as boating, fishing, kayaking, walking and picnicking, while also contributing to community identity and visitor amenity through its State and Aboriginal heritage values. However, erosion, inundation, bushfire risk and other environmental pressures present ongoing risks to the foreshore, infrastructure, heritage assets and public safety, requiring coordinated long term management.

Environment – (Impact on environment’s sustainability)

Cooper’s Mill Reserve is located within the environmentally significant Murray River Delta and adjoining Peel-Harvey Estuary Ramsar Wetland, supporting important wetland ecosystems,

saltmarsh vegetation communities and habitat for threatened and migratory fauna species, including shorebirds protected under Commonwealth legislation. The site is environmentally sensitive due to its low-lying estuarine setting and is subject to a range of environmental pressures including erosion, inundation, bushfire, weeds, feral animals, uncontrolled access, climate change and potential acid sulphate soils. The Foreshore Management Plan adopts a precautionary and conservation focused approach to ensure future works and activities are carefully managed to protect ecological values, vegetation, fauna habitat and the long term environmental sustainability of the area.

Policy Implications

Nil.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
High	The principal risk is that without adoption and implementation of the Foreshore Management Plan and Conservation Management Strategy, Cooper’s Mill Reserve and its associated heritage and environmental assets would remain exposed to ongoing and escalating risks from coastal erosion, inundation and climate related impacts, resulting in a high level of risk to asset integrity, public safety and heritage conservation outcomes. Adoption of the plans provides a structured and evidence based framework to reduce these risks to a more manageable level.

Consultation

A Community and Stakeholder Engagement Strategy was developed to identify community values and inform the FMP and CMS. Engagement activities included an internal project inception meeting, targeted stakeholder engagement, an internal information session for the Project Steering Group and Shire staff, and a public workshop.

The community workshop was held on 26 June 2025, attended by six community members and three councillors. Participants mapped assets and values across the reserve and discussed preferred coastal adaptation approaches.

Key values and assets identified included:

- The Mill as the highest priority for protection given its heritage listing and exposure to erosion;
- Land based and maritime infrastructure, foreshore amenities, and jetties/moorings on the south side of the island;
- Aboriginal heritage, including historically significant fish traps;
- Protection of the eastern lake from connecting to the river; and
- Native flora and fauna and ongoing caretaker presence.

Attendees reviewed potential management options (Revegetation/Managed Retreat, Bioengineering, Soft/Medium/Hard Protection, and Do Nothing). Overall, the community expressed a general preference for managed retreat, revegetation, and bioengineering across most of the study area, with specific zone based exceptions:

- Heritage Zone: Strong support for hard protection and bioengineering specifically to protect Cooper's Mill, alongside managing powerboat wake to reduce adjacent erosion.
- Infrastructure Zone: Preferences leaned toward relocating vulnerable assets (managed retreat) and hardening access paths to reduce foot traffic erosion, supported by long term maintenance.

- Natural Zone: Preference for soft protection, introducing salt tolerant vegetation, and addressing erosion.
- Recreational Zone: Support for managed retreat of assets and soft protection (including sand nourishment/dredging), alongside a need to complete the existing sheet pile wall.



6. Grouping of the Study Area for at Consultation Stage

Formal Consultation

In March 2026, the Shire formally advertised the draft FMP for a period of 42 days. Advertising included the following:

- Notice of the proposal on the Shire website, Shire office noticeboard and the Pinjarra Library;
- Notice in the local newspaper;
- Notice in Murray News;
- Notice to those who participated in the Community Workshop;
- Community Drop-in Session on 15 April;
- Letters to the North Yunderup Community Association and Murray Delta Residents and Ratepayers Group;
- Referrals to relevant State agencies.

At the end of the consultation period four submissions, including two from government agencies, were received. The submissions were supportive of the plan and did not require any changes to be made. A summary of the submissions is included the schedule at **Appendix 3**.

Resource Implications

Financial

Cost estimates for the various recommended actions under both the FMP and CMS have been prepared.

Foreshore Works

The high priority actions for both the northern and southern foreshore, are costed at approximately \$400,000 (including an allowance for detailed plans). A grant application for 75% funding has been lodged with the Department of Transport under its Coastal Adaptation and Protection Grant Program. The Shire's 25% contribution can be provided through existing funds allocated for coastal works and a discretionary budget allocation prepared for Council's consideration as part of the 2026-27 budget.

Other works such as monitoring, weed management and infrastructure replacement can be accommodated as part of the Shire's ongoing maintenance as asset replacement programs.

Conservation Works

High level costs associated with conservation works for Coopers Mill have been estimated at approximately \$500,000, plus design and contingencies.

Adoption of the plans do not commit Council to the cost of implementation. It does however provide a strategic basis for future budget submissions, and external funding opportunities should they become available.

Workforce

Implementation of the FMP and CMP actions can be undertaken within current staffing levels.

Options

1. Adopt the FMP and CMS in the form recommended in this report.
2. Adopt the FMP and CMS with specified changes.
3. Not adopt the FMP and CMS.

Conclusion

The Cooper's Mill FMP and supporting CMS provide a coordinated, evidence based framework to manage erosion and inundation risks while protecting the heritage significance of Cooper's Mill. The documents form a key action of the Shire's CHRMAP, have been developed through specialist input and community consultation, and have received supportive submissions with no required amendments. Adoption of the Plans will support informed, consistent decision making, enable staged implementation aligned with funding availability. They will place the Shire in a sound position to pursue external funding opportunities when they arise.

11.3 Proposed Unhosted Short Term Rental Accommodation - Lot 22 (7) Marginata Crescent, Dwellingup

File Ref:	D26/23126
Previous Items:	Nil.
Applicant:	Shane Crothers
Author and Title:	Gregory Delahunty, Manager Planning and Environmental Services
Declaration of Interest:	Nil.
Voting Requirements:	Simple Majority
Appendices:	Item 11.3 Appendix 1 - Plans and Management Plan (Page 209-222) Item 11.3 Appendix 2 - Schedule of Submissions (Page 223-233)

Recommendation

That Council refuses the application for an Unhosted Short Term Rental Accommodation at Lot 22 (7) Marginata Crescent, Dwellingup for the following reasons:

- 1. The proposal will result in a reduction in the available stock of permanent housing within Dwellingup. Having regard to the town's small and constrained housing market, the proposal is considered to have an unacceptable incremental impact on housing availability, which is critical to the long term settlement sustainability, population stability, and the retention of essential community services and business viability.**
- 2. The continued establishment of unhosted STRA uses in Dwellingup contributes to a broader trend of gradual reduction of permanent residential stock. This cumulative impact presents a strategic planning risk to the town of Dwellingup.**
- 3. The proposal is inconsistent with the objectives and intent of the Council's draft Unhosted Short Term Rental Accommodation Policy, which seeks to prioritise the retention and availability of permanent residential accommodation within Dwellingup. Approval of the application would be contrary to the clear direction of that policy framework.**
- 4. Approval of the development would establish an undesirable precedent for similar applications seeking to convert permanent dwellings to Unhosted Short Term Rental Accommodation within Dwellingup.**
- 5. The proposal is not considered to be consistent with the orderly and proper planning of the locality.**

In Brief

- An application has been received to use an existing house in Dwellingup for Unhosted Short Term Rental Accommodation (**STRA**).
- The population in Dwellingup is declining, resulting in lower school enrolments and the growing risk of losing key community amenities.
- Council's draft STRA Policy position seeks to preclude any further Unhosted STRA in Dwellingup, unless it can be demonstrated that permanent housing supply will not be impacted.
- This proposal will result in the reduction of one house from the permanent accommodation supply.
- Although the proposal can theoretically be managed without significant amenity impacts to the locality, given the broader strategic implications of reducing permanent housing supply, it is recommended that Council refuse the application.

Background

- In January 2026, Council undertook a targeted community survey with the Dwellingup community, to obtain a clear evidence base on community sentiment and the potential impacts of further unhosted STRA.

- In April 2026, Council supported the advertising of a new draft unhosted STRA Policy (**Policy**). The Policy recognises the housing supply issue impacting Dwellingup.
- An item is included on this agenda for Council to consider the outcome of the public advertising process and whether to proceed with the Policy.

Report Detail

Proposal

Approval is sought to use an existing house in Dwellingup for Unhosted STRA. The application proposes a maximum of six guests, with all parking to be retained on-site.

The Applicant has indicated that they wish to operate as a Unhosted STRA for four to five years, before retiring to the property.

The location of the Site is shown on the plan below. A copy of the plans and the management plan provided in support of the proposal are included at **Appendix 1**.



Assessment

The proposal has been assessed against all the relevant requirements of planning framework. The following matters have been identified as key considerations for the determination of the application:

- Permanent Housing impacts;
- Tourism impacts/benefits;
- Amenity impacts; and
- Potential time limited approval.

Permanent Housing Impacts

Dwellingup currently operates at a critical demographic threshold with a permanent population of approximately 700 people, it sits at the lower margin of viability for maintaining essential community infrastructure, services and volunteer capacity. In settlements of this scale, relatively small changes in population can have disproportionate and compounding effects. A lack of housing is already having measurable negative impacts on the population. Since 2016, Dwellingup's population has fallen by approximately 6%, a reduction that is statistically modest but strategically significant given the town's small base.

The most visible indicator of this fragility is the local primary school where enrolments are small and have declined steadily over recent years, falling from the mid-50s between 2017 and 2019 to fewer than 50 students by 2023. In absolute terms the reduction in enrolment numbers may appear modest, however in the context of Dwellingup Primary School's already low enrolment base, they represent a material risk to long term viability.

In a geographically isolated town without public transport, the school is a cornerstone of the community. The loss or downgrading of the school would have substantial consequences, making the town significantly less attractive to families with children and accelerating permanent population decline. Once such infrastructure is lost, it is rarely reinstated in small towns, making early intervention essential.

Importantly, there is no evidence that declining enrolments reflect a lack of interest in living in Dwellingup. On the contrary, both the Dwellingup Futures Roadmap and subsequent workforce analysis identify strong latent demand. Any proposal that reduces housing supply should therefore be cautiously considered as, without the ability to accommodate new families, the town cannot replenish its demographic base.

Other services and amenities such as health outreach services, sporting clubs, volunteer emergency response capacity and local retail all depend on a minimum resident population to remain viable. As population falls below a functional threshold, services become increasingly reliant on external subsidy or volunteer effort, both of which are finite. In Dwellingup's isolated context, the erosion of local services disproportionately affects children, older residents and those without access to private vehicles, raising broader equity considerations.

Tourism impacts/benefits

Dwellingup's transition into a nationally recognised tourism destination has been one of the Shire of Murray's most significant recent economic successes. The Dwellingup Futures Roadmap identified tourism as a cornerstone of the town's long-term sustainability, capable of generating local employment while leveraging natural and lifestyle assets.

That potential is now being realised at a faster rate than anticipated. The 2024 Dwellingup Tourism Workforce Analysis confirms that visitation growth and employment demand exceeding the Roadmap's preferred scenario assumptions. Dwellingup has consolidated its position as a flagship trails town with increasing year round appeal and a growing national profile.

The analysis has, however, identified that the absence of housing sufficient to grow the permanent population, including the local workforce, to be a critical limiting factor. Tourism and hospitality businesses report ongoing difficulty attracting and retaining staff due to the lack of permanent accommodation, with workers increasingly commuting from outside the town or relying on short term arrangements, reducing job stability and constraining business expansion.

It is recognised that Unhosted STRA can form part of the tourism accommodation mix, however, on balance the retention of permanent housing is considered to be more important to ensure that Dwellingup can fulfill its tourism economic potential.

Amenity Impacts

It is considered that the scale of the development, supported by the submitted management plan, would ensure that any potential amenity impacts can be appropriately managed. The number of proposed occupants is consistent with the scale of a single residential house ensuring that all parking can be retained on site and that noise impacts can be appropriately managed.

Potential Time Limited Approval

While the Applicant has indicated an intention to retire to the property within approximately four to five years, this personal circumstance does not, of itself, provide a sound planning basis for the imposition of a time limited development approval.

The role of a time limited approval, as recognised by the State Administrative Tribunal, is not to accommodate individual future intentions, but rather to respond to identifiable planning considerations such as anticipated changes to the planning framework, uncertainty regarding long term land use compatibility, or the need to monitor impacts where outcomes cannot reasonably be assessed at the time of determination. None of these circumstances arise in this case.

The proposal is capable of being fully assessed against the existing planning framework and relevant policy objectives, and no evidence has been presented to suggest that the acceptability of the development would materially change over time. The scale, form and use of the development are not transitional in nature, nor are they contingent on short term conditions that warrant periodic reassessment. As such, there is no strategic or statutory uncertainty that would justify limiting the approval period.

Further, the imposition of a time limit would introduce an unnecessary level of uncertainty into a community already operating at a critical demographic threshold. Dwellingup’s permanent population is small and the retention of permanent housing stock is central to maintaining essential services, volunteer capacity, school viability and long term settlement sustainability. Approving the development even with a time limit would undermine this objective by creating a future risk that permanent housing may again be removed from the market, exacerbating existing housing supply constraints.

Consequently, it is concluded that a time limited approval would not serve a legitimate planning purpose, would not respond to any identified risk or uncertainty and would be inconsistent with the strategic imperative to support permanent population growth and permanent housing stability in Dwellingup.

Council Plan

Focus Area	Place
Outcome 7	Population growth is being managed responsibly and sustainably.
Objectives 7.1	Manage urban growth effectively.
Focus Area	Prosperity
Outcome 13	Visitor numbers are growing.
Objectives 13.1	Create a compelling tourism offer to attract tourists and visitors.

Other Strategic Links

Dwellingup Futures Roadmap 2021–2036

The Dwellingup Futures Roadmap 2021–2036 identifies tourism and lifestyle as central to Dwellingup’s long term future and recognises the importance of supporting a sustainable and resilient local community alongside economic growth. The Roadmap promotes a balanced approach

to development that maintains Dwellingup's character, enhances liveability and supports the town as both a tourism destination and a place to live.

Statutory Environment

Shire of Murray Local Planning Scheme No.4

Unhosted STRA is listed as an 'A' use permissibility in the Residential zone under LPS4, meaning a use that Council has discretion to approve following public advertising.

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

Advertising requirements for an 'A' use are identified in the Planning Regulations.

The relevant matters for consideration are listed at Clause 67 of the deemed provisions. Key matters have been discussed in this report.

Sustainability & Risk Considerations

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

While the proposal would contribute to Dwellingup's short stay tourism accommodation supply and provide some local economic benefit through visitor expenditure, the reduction of permanent housing stock has broader economic implications for the long term sustainability of the local workforce and resident population. Retaining permanent housing is considered important to supporting local businesses, workforce attraction and the continued viability of community services within Dwellingup.

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

The proposal is not anticipated to result in significant adverse amenity impacts to adjoining landowners, subject to compliance with the submitted management plan and occupancy limits. However, the continued conversion of permanent dwellings to unhosted STRA has the potential to adversely affect community cohesion, population stability and the long term sustainability of essential community services within Dwellingup.

Environment – (Impact on environment's sustainability)

Nil.

Policy Implications

In May 2026 Council advertised its draft Unhosted STRA Policy. The advertised Policy adopts a strengthened and more targeted approach to the assessment of unhosted STRA within Dwellingup and its surrounding localities. Under the Policy, new proposals for unhosted STRA within the Dwellingup and Surrounding Area will be subject to a more rigorous, merit based assessment framework that prioritises the retention and provision of permanent housing. In particular, proposals will be required to clearly demonstrate that they do not result in a reduction in the availability of permanent residential accommodation.

This approach recognises that the conversion of existing dwellings to unhosted STRA will generally be taken to reduce housing supply and, as a result, such proposals are unlikely to be supported unless it can be demonstrated that there is no adverse impact on housing availability or that the proposal contributes to maintaining or increasing overall housing supply.

A report on the results of the public advertising process and to seek Council's consideration to proceed with the Policy is included as a separate report on this current Council agenda. The Policy becomes effective following a Council resolution to proceed with the Policy and publication of a notice to this effect. Whilst the Policy has therefore not yet come into effect, it is nevertheless considered to be a seriously entertained planning proposal, meaning that the Council can give due regard to the Policy in its decision making.

The policy framework also explicitly responds to the potential cumulative impact of incremental conversions of permanent dwellings to unhosted STRA, recognising that individual approvals may appear minor in isolation but can collectively result in a material reduction in permanent housing stock over time. It is therefore intended to promote a consistent and predictable decision making approach that limits the establishment of undesirable precedents and ensures that applications are assessed in a manner that is aligned with the long term housing and settlement objectives for Dwellingup.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Moderate	There is a strategic risk that the continued establishment of unhosted STRA within Dwellingup will further reduce the availability of permanent housing, contributing to ongoing population decline and placing additional pressure on the long term viability of essential community infrastructure, services and local workforce capacity. The risk is considered increase to a high level when considering the cumulative impact of continued establishment of Unhosted STRA.

Consultation

The application was advertised in accordance with the Planning Regulations for 21 days from 6 – 27 May 2026. This was undertaken by the following means:

- Email notice to all those who responded to the recent Dwellingup STRA survey;
- Letters to all residents within the Marginata Crescent precinct in Dwellingup;
- Notice on the Shire website;
- Notice on Shire Office noticeboard;
- Notice in the Murray News; and
- Notice in local newspaper.

At the end of the consultation period 11 submissions, including eight objections were received. The main themes of the objections are summarised below.

- Unhosted STRA reduces critically important permanent residential housing in Dwellingup;
- Impacts on essential community services, including education;
- Impacts to residential amenity.

These matters are addressed earlier in the report.

A summary of submissions and the Applicant’s response to each are included at **Appendix 2**.

Resource Implications

Financial

The Applicant has paid the applicable application fee associated with the development application.

Workforce

Assessment of the development application has been undertaken within existing staff resources.

Options

1. Approving the development application either with or without conditions.
2. Refusing to grant approval to the development for stated reasons.

Conclusion

The application for an Unhosted STRA would result in a net loss of permanent housing in a town already operating at a critical demographic threshold. While it would deliver some tourism benefits and can be managed to avoid unacceptable immediate amenity impacts, the broader strategic implications for Dwellingup's housing supply, population stability and long term community sustainability are of greater significance.

Importantly, approval of the application would contribute to a cumulative pattern of incremental loss of permanent residential accommodation, which together presents a material risk to the town's demographic resilience and the ongoing viability of essential community services and tourism businesses. Approval may also establish an undesirable precedent for similar conversions, thereby undermining the effectiveness of the Shire's emerging policy position and weakening its ability to consistently manage the balance between tourism accommodation and permanent housing supply.

On balance, the proposal is considered inconsistent with the strategic intent of maintaining permanent housing supply in Dwellingup and is therefore not supported.

11.4 Domestic Outbuildings and Exemptions from Development Approval Local Planning Policies - Consideration of Submissions

File Ref:	D26/25019
Previous Items:	OCM Apr 26 Item 11.4 OCM26/037
Applicant:	Nil.
Author and Title:	Gregory Delahunty, Manager Planning and Environmental Services
Declaration of Interest:	Nil.
Voting Requirements:	Simple Majority
Appendices:	Item 11.4 Appendix 1 - Advertised Domestic Outbuildings Policy (Page 234-238) Item 11.4 Appendix 2 - Advertised Exemptions From Development Approval Policy (Page 239-243)

Recommendation

That Council pursuant to Schedule 2, Clause 4(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to proceed with:

- 1. The amended Domestic Outbuildings Local Planning Policy as set out at Appendix 1.**
- 2. The Exemptions from Development Approval Local Planning Policy as set out at Appendix 2.**

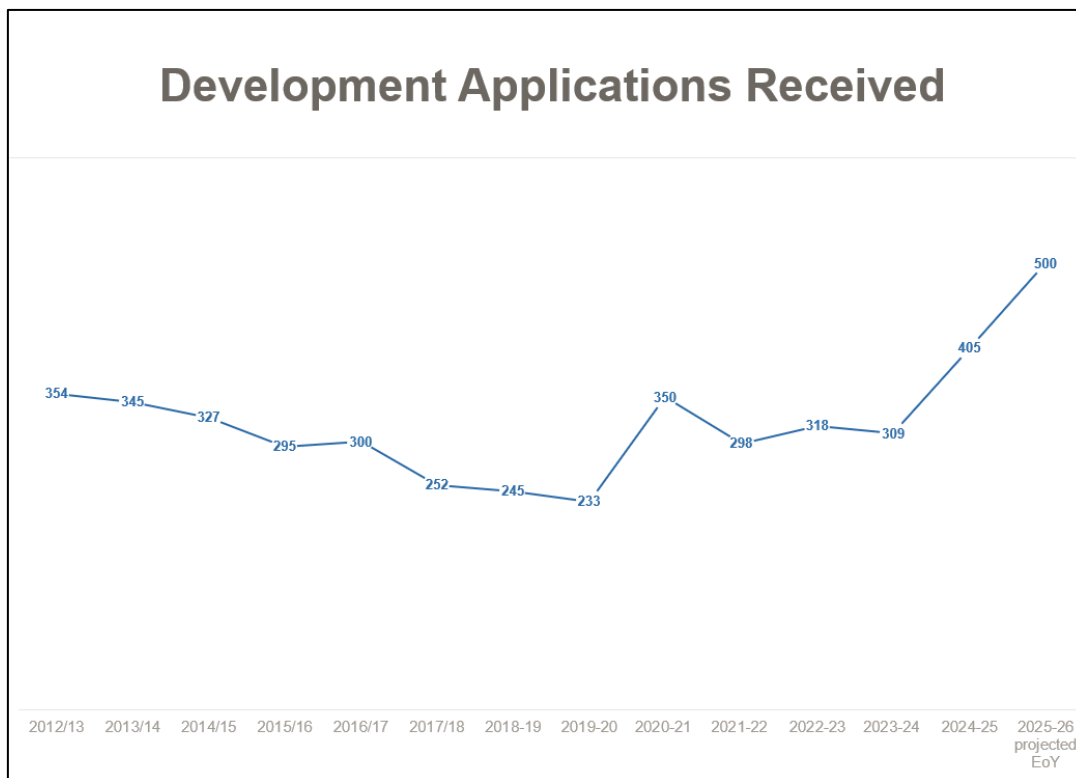
In Brief

- The Shire is receiving a significantly larger amount of development applications year on year. In an effort to reduce regulatory burden, and resource pressures, a review of the local planning policy framework has been undertaken to identify areas where non-controversial, low impact development types can be exempted from the need to obtain development approval.
- The proposed amendments to the Domestic Outbuildings Local Planning Policy will increase the maximum floor area and maximum height triggers for an application on larger rural residential lots.
- The new Exemptions from Development Approval Local Planning Policy will ensure that non-controversial, minor works are exempt from the need for approval, subject to meeting suitable conditions. This includes patios, rainwater tanks and minor additions to caravans or park homes.
- Council endorsed the Domestic Outbuildings Local Planning Policy and Exemptions From Development Approval Policy for public advertising in April 2026.
- The Policies were advertised for 21 days, and no submissions were received and are therefore recommended for approval.

Background

Since Covid there has been a marked increase in development applications received by the Shire. In this time:

- Approximately 286 shed applications, that vary the development standards of the Domestic Outbuildings Local Planning Policy, have been received for Special Rural areas over this period, only two applications have been refused for being inconsistent with the provisions of the Policy.
- 28 water tank applications have been received and approved.
- In April 2026 Council resolved to advertise the amended Domestic Outbuildings Local Planning Policy and the new Exemptions from Development Approval Local Planning Policy.



1. Development Applications received

Report Detail

In an effort to reduce red tape and resource pressures, a review of the Local Planning Policy framework has been undertaken. As a result, it is proposed to amend the Domestic Outbuildings Local Planning Policy and create a new Exemptions from Development Approval Local Planning Policy that will exempt minor developments from the need to obtain development approval. The Policies were advertised for 21 days with no submissions received.

Amended Domestic Outbuildings Local Planning Policy (**Outbuildings Policy**)

Key changes include:

- Increasing the maximum floor area for outbuildings on rural residential lots from 200m² to 240m²;
- Increase wall height from 3m to 4.2m;
- Increase ridge height from 5m to 5.2m.

These changes combined will allow a standard typology (12m x 20m) shed that is very popular and has universally been approved to be built without requiring a development application to be lodged with the Shire. It is anticipated that this will remove the need for around 20 applications per annum.

Other minor changes are proposed to add clarification to the Outbuildings Policy relating to setback calculations in residential areas and siting requirements. The manner and form of the Outbuildings Policy has also been updated to meet the model policy layout identified by the Department of Planning, Lands and Heritage.

The advertised version of the Outbuildings Policy is included at **Appendix 1**.

New Exemptions from Development Approval Local Planning Policy (**Exemptions Policy**)

The Exemptions Policy aims to introduce exemptions for minor development works that are not considered to have any substantial amenity impacts. This includes:

- Water tanks in rural residential areas;

- Patios and similar structures in rural residential areas; and
- Minor works and additions to Caravans or Park Homes.

These exemptions will not apply in areas of high landscape value, heritage areas or where vegetation is proposed to be removed. The advertised version of the Exemptions Policy is included at **Appendix 2**.

Council Plan

Focus Area	Place
Outcome 7	Population growth is being managed responsibly and sustainably.
Objectives 7.1	Manage urban growth effectively.
Focus Area	Performance
Outcome 15	The Shire actively listens and responds to community needs.
Objectives 15.1	Deliver efficient and effective services to improve customer experience.

Other Strategic Links

Nil.

Statutory Environment

Clause 61 of the Deemed Provisions set out in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015 (Planning Regulations)* provide for specified exemptions from the need to obtain development approval for a range of works and uses, and the conditions upon which those exemptions apply. This includes works and uses specified as exempt in a local planning policy or local development plan.

Clauses 4 and 5 of the Deemed Provisions set out the procedure for making and amending local planning policies.

Sustainability & Risk Considerations

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

The proposals will reduce compliance costs for landowners.

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

The proposals will result in faster delivery of minor domestic infrastructure.

Environment – (Impact on environment’s sustainability)

No impact. Clearing and sensitive areas will still be protected.

Policy Implications

The proposals will ensure the Shire’s local planning policy framework remains relevant, up to date and useful for present circumstances.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	The amendments to the Policy framework carry no significant risk. There is a reputational risk in not periodically reviewing and ensuring policies are relevant and useful for present circumstances.

Consultation

Clauses 4 and 5 of the Deemed Provisions outlines the consultation procedure for preparing and amending a local planning policy.

The policies were advertised for 21 days with a notice in the local newspaper and on the Shire’s website. No submissions were received.

Resource Implications

Financial

The cost of advertising the policy proposals has been accommodated within the current adopted operational budget.

Workforce

The review of the local planning policies has been accommodated within existing staff resource levels.

Options

1. Proceed with the Policies without modification.
2. Defer consideration of the Policies to provide time to consider specified matters.
3. Not proceed with the Policies.

Conclusion

The proposed updates help modernise the Shire’s planning framework. Removing the need for development applications for routine, high success rate developments, will reduce time and cost burdens to proponents and the Shire can reallocate limited resources to more strategic projects. The Policies are therefore recommended for approval.

11.5 Proposed Renewable Energy Facilities Local Planning Policy - Consideration of Submissions

File Ref:	D26/25144
Previous Items:	OCM 26 Mar 26 Item 11.2 (OCM26/016)
Applicant:	Nil.
Author and Title:	Rod Peake, Director Planning & Sustainability
Declaration of Interest:	Nil.
Voting Requirements:	Simple Majority
Appendices:	Item 11.5 Appendix 1 - Advertised Renewable Energy Facilities Policy (Page 244-264) Item 11.5 Appendix 2 - Schedule of Submissions (Page 265)

Recommendation

That Council pursuant to Schedule 2, Clause 4(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to proceed with the Renewable Energy Facilities Local Planning Policy as set out at Appendix 1.

In Brief

- The draft Renewable Energy Facilities Local Planning Policy (**Policy**) was been prepared as set out in **Appendix 1**, to guide the assessment of renewable energy facilities, which typically include wind, solar and battery energy storage developments.
- Development interest in large scale renewable infrastructure across regional Western Australia is increasing as is development interest for this type of development within the Shire.
- The Policy seeks to ensure renewable energy facilities are directed to suitable locations while protecting agricultural land, environmental assets, landscape character and future urban growth areas.
- Particular consideration is given to avoiding impacts on the Darling Scarp, the Northern Jarrah Forest and the internationally significant Peel-Yalgorup Ramsar Site.
- The Policy aligns with the draft Renewable Energy Planning Code being progressed by the Western Australian Planning Commission (**WAPC**).
- Council endorsed the draft Policy for public advertising in March 2026.
- The Policy was advertised for 21 days, and one submission was received. The submission has been considered and does not warrant any changes to the advertised draft Policy. A summary of the submission is provided in **Appendix 2**.
- Council adoption of the Policy is therefore recommended.

Background

Renewable energy generation is expanding rapidly across Western Australia as part of the State's transition toward lower emission energy sources and improved energy security. This transition is generating increased interest from proponents seeking to establish wind farms, solar farms and battery energy storage facilities within the Shire.

The Shire is likely to experience ongoing development interest due to its rural land availability and proximity to power infrastructure corridors. While renewable energy development can deliver economic and environmental benefits, it also presents potential land use conflicts, visual impacts, environmental risks and long term landscape changes.

At present, the Shire's Local Planning Scheme contains a definition for '*Alternative Energy Facility*' and classifies this use as discretionary with the Rural and Industrial zones. The preparation of a Local Planning Policy is therefore considered necessary to provide local guidance to proponents,

assist discretionary decision making and ensure renewable energy facility development occurs in a coordinated and strategically appropriate manner.

It is noted that renewable energy facilities do not include development to be used principally to supply energy for an existing use on a particular lot.

The Western Australian Planning Commission is currently preparing a Renewable Energy Planning Code to provide a consistent State planning framework for the assessment and siting of renewable energy infrastructure. The wind energy component of the Code was released in draft form for community consultation between December 2025 and April 2026, with the submissions and adoption of the draft Code yet to be considered by the WAPC. Once this Code is expanded to include solar and battery energy storage facilities and finalised, it will then provide comprehensive State level guidance and reduce the need for detailed local planning policies. This is not expected for some time however and in the interim, the preparation of a Local Planning Policy is considered appropriate to provide local context, clarify site suitability considerations within the Shire and guide assessment of proposals until the State framework is finalised.

Report Detail

The draft Policy establishes a framework for the location and assessment of renewable energy facilities across the Shire. The Policy recognises that renewable energy development is an important component of the State's energy transition but emphasises that such development must occur in locations capable of accommodating infrastructure without creating unacceptable environmental, agricultural, visual, settlement or land use conflicts.

Within the Shire's context, renewable energy facilities are most likely to be proposed within rural zones. The Policy therefore emphasises that development should avoid highly productive agricultural land, should not sterilise land identified for future urban expansion and must demonstrate compatibility with surrounding rural land uses.

A key element of the Policy is the protection of the Shire's key environmental assets and landscape character. The Darling Scarp forms a defining visual and ecological feature of the Shire and contributes strongly to regional identity and tourism values. The Northern Jarrah Forest ecosystem represents a regionally significant environmental resource, already subject to pressures associated with mining, climate change, water decline and dieback. Similarly, the Peel Yalgorup wetland system functions as an interconnected ecological network supporting migratory bird species, wetland hydrology and internationally recognised biodiversity values.

In recognition of these factors, the Policy establishes a precautionary approach to the siting of large scale renewable energy infrastructure. Wind energy facilities, in particular, have the potential to generate extensive visual, ecological and cumulative landscape impacts. The Policy therefore signals that such infrastructure should not be located within or adjacent to the Northern Jarrah Forest, nor within the visual or ecological catchment of Ramsar listed wetlands, unless comprehensive scientific evidence demonstrates that impacts can be avoided.

The Policy also addresses emerging planning considerations associated with battery energy storage systems, including fire risk, thermal runaway events, hazardous gas release and emergency response requirements. Proponents will be required to demonstrate that appropriate technical investigations have been undertaken and that risks can be managed to acceptable levels.

Overall, the Policy aims to provide clarity to proponents, improve assessment consistency, protect key environmental and landscape values and support orderly planning outcomes across the district.

Council considered the draft Policy at its meeting on 26 March 2026 and resolved to prepare the Policy for the purpose of public advertising. The advertising has now been carried out with only one submission being received, raising the merit of including provisions relating to construction materials and end of life recyclability of renewable energy infrastructure.

Council Plan

Focus Area	Place
Outcome 4	The ecosystem is managed sustainably for the benefit of current and future generations.
Objectives 4.1 and 4.2	Sustainably manage and conserve water resources, rivers and waterways. Sustainably manage and conserve forests, bushland, trees and reserves.

Other Strategic Links

The Policy was prepared having regard to the State planning framework, including the draft Renewable Energy Planning Code and the State Planning Strategy that promotes decarbonisation and energy transition.

The Policy recognises the international environmental significance of the Peel Yalgorup Ramsar wetlands which are protected under the Ramsar Convention and seeks to ensure that renewable energy development does not adversely affect these protected ecosystems.

The Policy is consistent with and informed by the Shire’s Draft Local Planning Strategy, which identifies the importance of protecting environmental assets, protecting landscape character, supporting renewable energy use, agricultural productivity and managing growth in a coordinated manner.

Statutory Environment

The Policy has been prepared in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015 (Planning Regulations)*. Once adopted, the Policy will guide development assessment but will not override the provisions of the Local Planning Scheme.

Sustainability & Risk Considerations

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

Appropriately located renewable energy facilities can contribute to regional economic diversification, infrastructure investment and employment during construction and operation phases. By providing clearer planning guidance, the Policy may reduce development uncertainty and improve the efficiency of investment decisions.

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

Large scale renewable energy infrastructure can impact the environment, rural amenity and landscape character. The Policy seeks to protect community expectations regarding landscape values and environmental stewardship while ensuring proposals are assessed transparently and consistently.

Environment – (Impact on environment’s sustainability)

The Policy supports environmental sustainability by directing development away from sensitive ecological systems, including Darling Scarp, the Jarrah forest and significant waterways, and by requiring appropriate environmental investigations to accompany proposals.

Policy Implications

The Policy provides a clear framework for renewable energy development within the Shire and ensures alignment with emerging State planning code while recognising local environmental and landscape priorities.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	The Policy will assist in reducing risk by providing clearer expectations to proponents, reducing risk of unsuitable site proposals and supporting defensible decision making should applications be challenged.

Consultation

Clauses 4 and 5 of the Deemed Provisions outlines the consultation procedure for preparing and amending a local planning policy.

The Policy was advertised for 21 days by way of notices on the Shire website, Shire Office noticeboard, in the Murray News, on Shire social media channels, in the local newspaper and to the neighbouring local governments of City of Mandurah, and the Shire’s of Serpentine Jarrahdale and Waroona. The closing date for submissions was 28 May 2026.

At the closing date for submissions, the Shire had received one submission which raised the merit of including provisions relating to construction materials and end of life recyclability of renewable energy infrastructure.

A summary of the submission and an associated officer comment has been included in the Submission Schedule at Appendix 2.

Resource Implications

Financial

Costs associated with advertising the Policy have been met within the existing operational budget.

Workforce

The Policy preparation has been undertaken within the existing staff resource level.

Options

1. Proceed with the Policy without modification.
2. Defer consideration of the Policy for to provide time to consider specified matters.
3. Not proceed with the Policy.

Conclusion

The draft Policy provides a comprehensive framework to guide the assessment of renewable energy development within the Shire pending finalisation of the WAPC’s Renewable Energy Planning Code. The Policy appropriately balances support for renewable energy investment with the protection of the Shire’s environmental, landscape, agricultural and community values, while providing greater clarity and certainty for proponents, the community and decision makers. Only one submission was received during the advertising period. The matters raised were considered but did not identify warrant amendment to the advertised draft. It is therefore recommended that Council proceed with the Local Planning Policy as advertised.

12 CORPORATE GOVERNANCE

12.1 Register of Delegated Authority - Annual Review

File Ref:	D26/22237
Previous Items:	OCM 19 Jun 25 Item 12.5 (OCM25/078)
Applicant:	Nil.
Author and Title:	Julie Pantaleo, Governance Officer
Declaration of Interest:	Nil.
Voting Requirements:	Absolute Majority
Appendices:	Item 12.1 Appendix 1 - Shire of Murray Delegated Authority Register - Annual Review (Page 266-332)

Recommendation

That Council adopts the Register of Delegated Authority as provided in Appendix 1.

In Brief

- In accordance with section 5.46 of the *Local Government Act 1995 (Act)* Council is required to review the Register of Delegated Authority (**Register**) at least once every financial year.
- The Register has been reviewed, and minor amendments have been identified for consideration.
- Council is recommended to adopt the Shire of Murray Register of Delegated Authority, as provided in **Appendix 1**.

Background

In accordance with the section 5.46(2) of the *Local Government Act 1995 (Act)*, at least once every financial year, delegations made by Council are to be reviewed. The Register was last reviewed by Council at the Ordinary Council Meeting held on 19 June 2025 (OCM25/078).

Report Detail

Delegations are an essential governance mechanism under the Act and are also provided for in several other Acts that impact on local government such as the *Building Act 2011*, *Bush Fires Act 1954* etc. Delegations enable the efficient and timely administration of local government functions while allowing Council to focus on its primary role of strategic leadership, policy setting and matters of significant community interest. The proposed Register has been developed with appropriate limitations, conditions and reporting requirements to ensure decisions are made within clearly defined parameters and in accordance with legislative requirements and Council policy.

The adoption of delegations does not diminish Council's role as the governing body, nor does it represent an unrestricted transfer of decision-making authority to the administration. Rather, Council determines which powers are appropriate to delegate, the extent of those powers and the conditions under which they may be exercised. Matters involving strategic direction, policy considerations, significant financial implications, community sensitive matters or where legislation requires a Council resolution remain with Council. In practice, delegations are not a relinquishment of Council's authority, but a governance tool established by Council to ensure that operational decisions are made efficiently, within parameters set and reviewed by Council.

The Register has been reviewed against contemporary local government practice and reflects an approach consistent with WALGA guidance and the delegation frameworks adopted by other Western Australian local governments. The inclusion of clear limitations, conditions and recordkeeping requirements ensures delegated authority is exercised transparently, remains accountable to Council and supports efficient service delivery for the community.

Last year the Shire's Register was comprehensively reviewed and resulted in significant amendments that improved the clarity of what functions and duties are delegated by Council and the

conditions imposed when making a delegated decision. This year’s review focused on good governance and continuous improvement which included:

- Delegate feedback on the effectiveness and efficiency of the delegations;
- Any legislation changes that occurred during the financial year;
- Consideration of any amendments in the past 12 months to the Western Australian Local Government Association (**WALGA**) Local Government Decision Making Toolkit – Template Delegation Register and consultation with WALGA Governance Services;
- Review of the Department of Local Government Operational Guideline titled ‘Delegations, Authorisations and Acting Through’;
- Review of other local government amendments to related delegations in the past 12 months.

As a result of the review only minor amendments were identified and these are summarised in the table below. The full Register is provided in Appendix 1 and the amendments are marked as Draft.

Proposed Amended Delegations

Delegation Title	Summary of amendments
1.13 Disposal of Property	<ul style="list-style-type: none"> • Amendment to Function 8 to make clearer that this relates to plant and equipment. • Amendment to legislative reference for Condition: <i>Disposal by lease or licence to Commercial Entities</i> as commercial entities disposed of in accordance with 3.58 of the Act. • Amendment to Function 8 Conditions <i>Disposal of property other than land</i> <ul style="list-style-type: none"> ○ Removal duplicate of reference to market value of \$20,000. ○ Additional condition to clarify that where plant and equipment are valued over \$75,000 they must be disposed of by public auction or public tender.
2.1 Building Act 2011 – Appointment of Authorised Persons	<ul style="list-style-type: none"> • Administrative correction
3.2 Bush Fires Act 1954 – Appoint Bush Fire Control Officers and Fire Weather Officers	<ul style="list-style-type: none"> • Removal of Function 3 as it is not related to the delegation purpose (authorisations). Transferred to Delegation 3.5 <i>Direction by the Local Government to Control Bush Fire Risk</i> • Limit delegation to the Chief Executive Officer to ensure authorisations are carried out in accordance with legislation.
3.3 <i>Bush Fires Act 1954</i> – Control Activities –	Delegate changes only <ul style="list-style-type: none"> • New delegate Manager Emergency Services Planning and Mitigation • Amendment to position title for Coordinator Ranger and Community Safety to Coordinator Bush Fire Management
3.4 <i>Bush Fires Act 1954</i> – Enforcement	Delegate changes only <ul style="list-style-type: none"> • New delegates Senior Ranger and Manager Emergency Services Planning and Mitigation • Amendment to position title for Coordinator Ranger and Community Safety to Coordinator Bush Fire Management
3.5 <i>Bush Fires Act 1954</i> – Direction by the Local Government to Control Bush Fire Risk	<ul style="list-style-type: none"> • Updated Express power or duty delegated to include new function 14, <i>Bush Fire Act 1954, s38(5A) Local government may issue directions to a bush fire control officer</i> • New Function 14, transferred from Delegation 3.2 <i>Issue directions to a Bush Fire Control Officer to burn on or at the margins of a road reserve under the care, control and management of the Shire of Murray [s.38(5A)]</i> • New delegates, Manager Emergency Services Planning and Mitigation and Bushfire Risk Mitigation Officer • Amendment to position title for Coordinator Ranger and Community Safety to Coordinator Bush Fire Management

Delegation Title	Summary of amendments
9.2 <i>Planning and Development Act 2005</i> – Decisions Under the Local Planning Scheme	<ul style="list-style-type: none"> Administrative correction – Function 5 “Development Plans” to “Local Development Plans”.

Council may consider the conditions imposed on the delegates when carrying out the functions of a delegation. In turn, the CEO may include conditions on a sub-delegate, noting that the sub-delegate conditions are not included in this report, however, are subject to the same review process for approval by the CEO, as per the *Local Government Act*.

Council Plan

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

Other Strategic Links

Nil.

Statutory Environment

The following sections of current legislation are applicable when considering Delegations:

Local Government Act 1995

- Section 5.16 Delegation of some powers and duties to certain committees
- Section 5.42 Delegation of some powers and duties to CEO
- Section 5.43 Limits on delegations to CEO
- Section 5.46(1) and (2) CEO to keep a register and delegations to be reviewed by the delegator

Subdivision 2 – Disclosure of financial interests in returns

- Section 5.74(1)(d) – an employee nominated by the local government to be a designated employee;

Cat Act 2011

- Section 44 stipulates Delegation by the local government.

Dog Act 1976

- Section 10AA stipulates Delegation of local government powers and duties.

The *Local Government Act 1995*, *Cat Act 2011* and the *Dog Act 1976* require the review of delegations at least once every financial year.

The *Building Act 2011*, *Bushfires Act 1954*, *Planning and Development Act 2005*, *Public Health Act 2016* and the *Food Act 2008* do not prescribe a review period for powers or duties delegated under the legislation, however officers have reviewed the relevant delegations as part of this annual review for the purposes of transparency.

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 Register improves efficiency without creating undue or unacceptable risk to the Shire.

Consultation

Consultation has been undertaken with key directorates within the Shire to ensure the delegations are appropriate and fit for purpose.

Resource Implications

Financial

Nil.

Workforce

Nil.

Options

1. Adopt the Register of Delegated Authority, as provided in Appendix 1 to comply with the requirement of section 5.46 of the *Local Government Act 1995*.
2. Adopt the Register of Delegated Authority with amendments.

Conclusion

The annual review of the Register of Delegated Authority has been undertaken in compliance with the *Local Government Act 1995*, and Council is requested to support amendments to the Register of Delegated Authority.

12.2 Schedule of Fees and Charges 2026/2027

File Ref:	D26/19889
Previous Items:	Nil.
Applicant:	Nil.
Author and Title:	Nathan Gilfellon, Manager Finance
Declaration of Interest:	Nil.
Voting Requirements:	Absolute Majority
Appendices:	Item 12.2 Appendix 1 - Schedule of Fees and Charges for 2026/2027 (Page 333-390)
	Item 12.2 Appendix 2 - Proposed Fees and Charges Supplementary Information (Page 391-402)

Recommendation

That Council:

1. **Adopt the proposed Schedule of Fees and Charges for 2026/2027 as attached in Appendix 1 to be effective Wednesday 1 July 2026; and**
2. **Pursuant to section 6.19 of the *Local Government Act 1995*, authorises the Chief Executive Officer to advertise the fees and charges.**

In Brief

Council is requested to adopt the proposed Schedule of Fees and Charges for 2026/2027 as shown in Appendix 1 to allow implementation as at 1 July 2026.

Background

In accordance with Section 6.16(1) of the *Local Government Act 1995*, Council may impose and recover a fee or charge for any goods or services it provides or proposes to provide, other than a service for which a service charge is imposed.

Council is required to authorise fees and charges on an annual basis. The Long-Term Financial Plan provides an inflationary factor of CPI as an average increase, however the actual charge is based on either the cost of providing the service, importance to the community or a market price.

In accordance with the *Local Government Act 1995* and associated Regulations, there is a requirement to give notice to the public of the intent to change or introduce new fees and charges. Following the adoption of the proposed fees and charges in June, the schedule will be readopted as part of the 2026/2027 budget process in accordance with legislative requirements.

Report Detail

The adoption of the Schedule of Fees and Charges prior to 30 June 2026 has a number of benefits, including:

- It provides consistency in both reviewing and amending fees and charges on an annual basis.
- It provides sufficient time for associated documentation/ advertising/ signage to be updated in advance of the fees and charges becoming effective.
- It enables any necessary statutory advertising to be undertaken in advance of the fees and charges becoming effective.
- It enables sufficient time for customers to be advised of any changes to existing fees and charges.
- It assists in budget forecasting, as the adopted fees and charges are applicable for the full financial year.

A review of all fees and charges has been undertaken. As part of the review to determine the recommended 2026/2027 fees and charges, staff have considered a number of factors that include benchmarking in line with industry standards and consideration of cost recovery for service provision.

For transparency the fees and charges that are proposed as new, discontinued or to increase or decrease by more than 5% in 2026/2027 year have been provided in **Appendix 2**.

The full list of recommended fees and charges to apply in 2026/2027 for Council's consideration is provided in Appendix 1.

Council Plan

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

Other Strategic Links

- Long Term Financial Plan
- Annual Budget

Statutory Environment

Local Government Act 1995

s 6.16 Imposition of fees and charges

- (1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.
- (2) A fee or charge may be imposed for the following –
 - (a) Providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
 - (b) Supplying a service or carrying out work at the request of a person;
 - (c) Subject to section 5.94, providing information from local government records;
 - (d) Receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
 - (e) Supplying goods;
 - (f) Such other service as may be prescribed.
- (3) Fees and charges are to be imposed when adopting the annual budget but may be –
 - (a) Imposed* during a financial year; and
 - (b) Amended* from time to time during the financial year.

*Absolute majority required.

Local Government Act 1995

s 6.19 Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of–

- (a) Its intention to do so; and
- (b) The date from which it is proposed the fees or charges will be imposed.

Sustainability & Risk Considerations

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

Nil.

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

While most fees and charges are based on statutory rates, market rates or the cost of providing the service, some fees of importance to the community are provided at discounted rates to allow greater access to these services.

Environment – (Impact on environment’s sustainability)

Nil.

Policy Implications

Nil.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	<p>There are several risks that need to be considered when reviewing the annual Schedule of Fees and Charges. Firstly, in an effort to assist in recovering costs associated with the provision of services, it is important that, where applicable, fees and charges are increased on an annual basis in line with the cost to provide the services. Should this not occur, the provision of those services is required to be increasingly subsidised by other funding sources.</p> <p>Secondary risks relate to the appropriate authorisation of the new fee structure, which must be in accordance with legislation and include local public notice, and an adverse reaction from the community with regard to any increase.</p>

Consultation

Nil.

Resource Implications

Financial

The increases are in line with expected cost increases in the 2026/2027 year.

Workforce

Nil.

Options

1. Adopt the schedule of fees and charges as presented.
2. Amend or reject the schedule of fees and charges as presented.

Conclusion

The early consideration of fees will allow for changes to occur on 1 July 2026 with adequate advertising of the changes.

The adoption of fees and charges in conjunction with the adoption of the 2026/2027 annual budget will provide a consistent approach to the implementation of any changes, with the Schedule being readopted pursuant to Section 6.16 of the *Local Government Act 1995*.

12.3 Council Policy G19 - Privacy and Information Handling

File Ref:	D26/23609
Previous Items:	Nil.
Applicant:	Nil.
Author and Title:	Louise Pleasance, Director Corporate Services
Declaration of Interest:	Nil.
Voting Requirements:	Simple Majority
Appendices:	Item 12.3 Appendix 1 - Council Policy G19 - Privacy and Information Handling (Page 403-405)

Recommendation

That Council adopts the Council Policy G19 – Privacy and Information Handling as show in Appendix 1.

In Brief

The proposed Council Policy G19 – Privacy and Information Sharing has been prepared for Council consideration to demonstrate compliance with the *Privacy and Responsible Information Sharing Act 2024 (PRIS Act)* and the associated Information Privacy Principles (IPP), specifically IPP 5: Openness and Transparency which requires public sector entities, which includes local government, to develop a publicly available document that sets out the handling of personal information.

Background

The PRIS Act received Royal Assent on 6 December 2024 with the majority of the provisions commencing on 1 July 2026. The PRIS Act establishes, for the first time, a comprehensive and enforceable privacy and information-sharing framework applicable to Western Australian public sector agencies, including all local governments.

The PRIS Act aims to:

- Promote responsible and transparent practices in the handling of personal information.
- Balance the protection of individual privacy with the public interest in effective information sharing.
- Provide a mechanism for an individual to complain about alleged interferences with their privacy.
- Promote responsible information security practices.

Report Detail

Proposed Council Policy G19 – Privacy and Information Handling (**Policy**) has been developed to comply with IPP 5.

There are 11 IPP's, which regulate the collection, use, disclosure, security and disposal of personal information. All IPP entities including the Shire must not engage in a practice that is inconsistent with these IPPs, except where limited statutory exemptions apply (for example, law enforcement or emergency response functions).

Summary of IPP 5: Openness and transparency

An IPP entity must develop a document setting out policies on its handling of personal information and must make the document available to anyone who requests it. On request by a person, an IPP entity must take reasonable steps to let the person know, generally —

- The kinds of personal information that the IPP entity collects and holds; and
- How the IPP entity handles personal information; and
- The purposes for which the IPP entity handles personal information; and

- Whether any personal information held by the IPP entity is used for an automated decision making process.

The proposed Policy informs the community, customers and stakeholders about how the Shire collects, holds, uses and discloses personal information. It also provides direction to Council Members, staff, volunteers and contractors about their obligations when handling personal information demonstrating compliance with IPP 5.

Council Plan

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

Other Strategic Links

Nil.

Statutory Environment

Privacy and Information Sharing Act 2024, Schedule 1, Information Privacy Principle 5: Openness and Transparency.

Sustainability & Risk Considerations

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

Nil.

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

Nil.

Environment – (Impact on environment’s sustainability)

Nil.

Policy Implications

Nil.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
High	The Shire is required to have a document setting out how it governs the handling of personal information. This document must be available by 1 July 2026 to comply with IPP 5 of the PRIS Act.

Consultation

Shire Officers have attended relevant Responsible Information Sharing Community of Practice sessions and Local Government PRIS Meetings to obtain the available information to support the development of the Policy.

Resource Implications

Financial

Nil.

Workforce

Compliance and implementation of the PRIS Act will put new and extensive compliance requirements on all employees that collect personal information including understanding and ensuring that privacy requirements are met. These requirements will be managed within current resources however it is recognised that achieving compliance with the PRIS Act will put additional resource pressure on the organisation.

Options

1. Adopt Council Policy G19 – Privacy and Information Handling as shown in Appendix 1, to ensure compliance with IPP 5, prior to 1 July 2026.
2. Propose an alternate recommendation.

Conclusion

Council Policy G19 – Privacy and Information Handling is a new Council Policy as required by the PRIS Act. It ensures compliance with IPP 5 by providing clear direction on how the Shire collects, stores, uses and discloses personal information.

12.4 Payments from Municipal and Trust Funds - May 2026

File Ref:	D26/25128
Previous Items:	Nil.
Applicant:	Nil.
Author and Title:	Michelle Larkworthy, Executive Manager Corporate Services
Declaration of Interest:	Nil.
Voting Requirements:	Simple Majority
Appendices:	Item 12.4 Appendix 1 - List of Accounts Paid in May 2026 to be Received (Page 406-427)

Recommendation

That Council receives the Payments from Municipal and Trust Funds Report May 2026 as presented.

In Brief

This report of payments made from the Shire's Municipal and Trust bank accounts is presented to Council, in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996*.

Background

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* requires that:

- 1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared:
 - a) the payee's name; and
 - b) the amount of the payment; and
 - c) the date of the payment; and
 - d) sufficient information to identify the transaction.
- 2) A list of accounts for approval to be paid is to be prepared each month showing:
 - a) for each account which requires council authorisation in that month:
 - (i) the payee's name; and
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction; and
 - b) the date of the meeting of the council to which the list is to be presented.
- 3) A list prepared under sub regulation (1) or (2) is to be:
 - a) presented to the Council at the next ordinary meeting of the council after the list is prepared; and;
 - b) recorded in the minutes of that meeting.

Report Detail

Council has delegated to the Chief Executive Officer the exercise of its power to make payments from the Shire's Municipal and Trust Funds and, as required, a list of accounts paid by the Chief Executive 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 May 2026.

This list includes details for each payment made, incorporating:

- The payees name
- The description of the payment
- A certificate signed by the Chief Executive Officer, stating that all invoices and vouchers presented to Council have been certified as to the receipt of goods and the rendition of services and as to prices, computations and costing and that the amounts shown were due for payment.

Invoices supporting all payments are available for the inspection of Council.

Council Plan

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

Other Strategic Links

Nil.

Statutory Environment

Section 6.4(1) of the *Local Government Act 1995* requires the Shire of Murray to prepare financial reports as prescribed.

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* governs the requirement to provide to Council a detailed listing of all payments made from the Municipal and Trust bank accounts and outlines the form, content and timing of this report.

Sustainability & Risk Considerations

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

Nil.

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

Nil.

Environment – (Impact on environment’s sustainability)

Nil.

Policy Implications

Nil.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	Failure to present a detailed listing of payments made from the Shire bank accounts in the prescribed form would result in non-compliance with the <i>Local Government (Financial Management) Regulations 1996</i> .

Consultation

Nil.

Resource Implications*Financial*

Nil.

Workforce

Nil.

Options

1. Receiving the Payments from Municipal and Trust Funds report for May 2026.
2. Not receiving the Payments from Municipal and Trust Funds report for May 2026.

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.

12.5 Monthly Financial Report - May 2026

File Ref:	D26/25130
Previous Items:	Nil.
Applicant:	Nil.
Author and Title:	Michelle Larkworthy, Executive Manager Corporate Services
Declaration of Interest:	Nil.
Voting Requirements:	Simple Majority
Appendices:	Item 12.5 Appendix 1 - Monthly Financial Report May (Page 428-447)

Recommendation

That Council receives the May 2026 Monthly Financial Report as presented at Appendix 1.

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* requires a Statement of Financial Position be included in the monthly financial report.

Report Detail

The monthly financial report for May 2026 identifies the financial position of Council as at the reporting date and consists of:

- Statement of Financial Activity
- Statement of Financial Position
- Notes to Statement of Financial Activity
 - Basis of Preparation
 - Statement of Financial Activity Information
 - Significant Accounting Policies
 - Net Current Funding Position
 - Explanation of Variances
 - Key Information
 - Cash and Financial Assets
 - Reserves

- Capital Acquisitions
- Receivables
- Disposal of Assets
- Borrowings
- Lease Liabilities
- Grants and Contributions
- Capital Grants and Contributions
- Trust Fund
- Budget Amendments

Council Plan

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

Other Strategic Links

Shire of Murray 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 May 2026.
2. Not receiving the monthly financial report for May 2026.

Conclusion

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

12.6 Council Policy M2 - Members Fees, Allowances, Superannuation and Reimbursement of Expenses - Amendment

File Ref:	D26/25478
Previous Items:	OCM 23 April 26 Item 10.2 (OCM26/033)XX
Applicant:	Nil.
Author and Title:	Louise Pleasance, Director Corporate Services
Declaration of Interest:	Nil.
Voting Requirements:	Absolute Majority
Appendices:	Item 12.6 Appendix 1 - Council Policy M2 - Member Fees, Allowances, Superannuation and Reimbursement of Expenses (Page 448-450)

Recommendation

That Council adopts the amended Policy M2 – Council Member Fees, Allowances, Superannuation and Reimbursement of Expenses, as shown Appendix 1.

In Brief

To provide greater clarity regarding the intended purpose and use of the Council Member Information and Communication Technology (**ICT**) Allowance, Council approval is requested to amend Policy M2 – Council Member Fees, Allowances, Superannuation and Reimbursement of Expenses (**Policy**).

The proposed amendment does not alter the amount of the ICT Allowance rather, it clarifies the types of expenses the allowance is intended to cover, including ICT equipment, communication services and incidental printing-related expenses associated with undertaking Council business.

The amendment also provides greater consistency with the intent of the ICT Allowance established by the Salaries and Allowances Tribunal (**SAT**) and contemporary practices adopted by other Western Australian local governments.

Background

Section 5.99A of the Local Government Act 1995 (**Act**) enables Council Members to receive allowances within the range determined by the SAT.

The SAT annually determines the ICT Allowance payable to Council Members. The allowance is intended to assist Council Members in meeting costs associated with information technology, communications and related expenses incurred in carrying out their role as an elected member.

The Shire's current policy provides for the ICT Allowance but does not provide detailed guidance regarding the types of expenses intended to be covered by the allowance.

Report Detail

The ICT Allowance is intended to support Council Members in performing their role through the acquisition, operation and maintenance of information and communication technology and related services.

A review of policies adopted by other Western Australian local governments identified that many councils have expressly defined the allowance as covering expenses including:

- Computers, tablets and peripheral devices;
- Mobile phones and telecommunications services;
- Internet and data services;
- Software and subscriptions;
- Printer and scanner equipment;

- Paper, ink, toner and other printing consumables; and
- Other incidental ICT-related operating costs.

Examples include policies adopted by the City of Vincent, Town of Bassendean, Shire of East Pilbara and City of Stirling.

The proposed amendment to the Policy reflects these contemporary practices and provides greater certainty regarding the intended use of the allowance. Importantly, the amendment does not prevent the Shire from providing printed material where considered necessary for operational reasons or where exceptional circumstances arise. Rather, it clarifies that routine and incidental expenses associated with information and communication technology are generally intended to be met through the ICT Allowance.

Council Plan

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

Other Strategic Links

Shire of Murray Annual Budget

Statutory Environment

Local Government Act 1995

Section 5.99A Allowances for council members in lieu of reimbursement of expenses

- (1) A local government may decide* that instead of reimbursing council members under section 5.98(2) for all of a particular type of expense it will instead pay all eligible council members —
 - (a) the annual allowance determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B for that type of expense; or
 - (b) where the local government has set an allowance within the range determined by the Salaries and Allowances Tribunal under the Salaries and Allowances Act 1975 section 7B for annual allowances for that type of expense, an allowance of that amount, and only reimburse the member for expenses of that type in excess of the amount of the allowance.
- (2) For the purposes of subsection (1), a council member is eligible to be paid an annual allowance under subsection (1) for a type of expense only in the following cases —
 - (a) in the case of an annual allowance that is paid in advance, if it is reasonably likely that the council member will incur expenses of that type during the period to which the allowance relates;
 - (b) in the case of an annual allowance that is not paid in advance, if the council member has incurred expenses of that type during the period to which the allowance relates.

Salaries and Allowances Act 1975

Salaries and Allowances Tribunal as established pursuant to section 5 of the *Salaries and Allowances Act 1975*

Annual Local Government Chief Executive Officers and Elected Council Members Determination that sets the remuneration, fees and allowances to be provided to Local Government Chief Executive Officers and Elected Council Members.

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

Policy M2 – Council Member Fees, Allowances, Superannuation and Reimbursement of Expenses. The proposed amendment clarifies the intended scope and application of the ICT Allowance and provides examples of expenses that may be funded through the allowance.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	Clarification will ensure consistent application and make clear the purpose of the ICT Allowance

Consultation

Council Members were provided with the opportunity to provide feedback on the clarification of the ICT Allowance at the 2 June 2026 budget workshop.

Resource Implications

Financial

There are no additional financial implications arising from the proposed amendment.

Workforce

Nil.

Options

1. Adopt the amendment to Council Policy M2 - Members Fees, Allowances, Superannuation and Reimbursement of Expenses, as shown in Appendix 1.
2. Not adopt the amendment to Council Policy M2 - Members Fees, Allowances, Superannuation and Reimbursement of Expenses.

Conclusion

The proposed amendment to Council Policy M2 - Members Fees, Allowances, Superannuation and Reimbursement of Expenses does not alter the entitlement available to Council Members but provides greater clarity regarding the purpose and intended use of the ICT Allowance.

The amendment aligns with the intent of the allowance established by the Salaries and Allowances Tribunal, reflects contemporary local government practice and supports consistent administration of Council Member entitlements.

13 RECREATION, ECONOMIC & COMMUNITY DEVELOPMENT

Nil.

14 INFRASTRUCTURE SERVICES

Nil .

15 ITEMS FOR INFORMATION

15.1 Delegated Development Application Decisions - May 2026

File Ref: D26/22777

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

Appendices: Item 15.1 Appendix 1 - Delegated Decisions Report for May 2026
(Page 451-454)

In Brief

The Delegated Development Application Decisions for May 2026 are attached for information.

15.2 Outstanding Council Resolutions June 2026

File Ref: D26/25549

Author and Title: Belinda Brown, Executive Services Coordinator

Appendices: Item 15.2 Appendix 1 - Outstanding Council Resolutions June 2026
(Page 455-466)

In Brief

The Outstanding Council Resolution Register for June 2026 is attached for information.

16 BUSINESS LEFT OVER FROM PREVIOUS MEETING

Nil.

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

Nil.

18 NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING

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

20 MEETING CLOSED TO THE PUBLIC (CONFIDENTIAL BUSINESS)

Recommendation

That Council proceeds behind closed doors as per Section 5.23(2)(b) of the *Local Government Act 1995* for the purpose of considering the following confidential item/s:

20.1 CEO Performance Review

File Ref:	D26/25059
Previous Items:	Nil.
Applicant:	Nil.
Author and Title:	Bobbie Walton, Executive Manager Strategy and Engagement
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority
Appendices:	Item 20.1 Appendix 1 - 2026 Chief Executive Officer (CEO) Performance Review Summary Report 180626 - Confidential (under separate cover) Item 20.1 Appendix 2 - Chief Executive Officer (CEO) Performance Review Criteria Feedback - Confidential (under separate cover) Item 20.1 Attachment 3 - CEO KPIs for 26-27 (under separate cover)

The Council is satisfied that, pursuant to Section 5.23 of the *Local Government Act 1995*, the information to be received, discussed or considered in relation to this agenda item is:

- (2)(b) A matter relating to the recruitment or employment of the CEO or senior employee, including termination or a review of performance under section 5.38.

Committee Recommendation

That Council:

- 1. Accepts the CEO Performance Review Summary Report and all recommendation contained within the Confidential Under Separate Cover Appendix 1.**
- 2. Endorses the CEO Performance Review Criteria Review Feedback Report within the Confidential Under Separate Cover Appendix 2.**
- 3. Adopts the CEO KPI's for the 2026/27 financial year within the Confidential Under Separate Cover Appendix 3.**

In Brief

Council are required under the *Local Government Act* to perform a review of the CEO performance at least once per year.

Background

Councillors have been involved in undertaking the annual CEO Performance Review in 2 stages:

- As part of a survey provided to and completed by all Councillors; and
- Discussion at the CEO Performance Review Committee meeting held 28 May 2026 where the recommendation was carried unanimously.

Report Detail

A report has been prepared following the results of the survey and following further discussion at the recent committee meeting.

This report has been prepared considering both components of that process.

Council Plan

Nil.

Other Strategic Links

Nil.

Statutory Environment

Local Government Act - 5.38. Annual review of employees' performance

1. A local government must review the performance of the CEO if the CEO is employed for a term of more than 1 year.
2. The CEO must ensure that the performance of each other employee who is employed for more than 1 year is reviewed.
3. A review under subsection (1) or (2) must be conducted at least once in relation to each year of the person's employment.

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

Policy G17 – CEO Performance Review applies.

Risk Management Implications

<i>Risk Level</i>	<i>Comment</i>
Low	Adopting the CEO Performance Review prior to June 30, 2026, removes the risk of non-compliance with the <i>Local Government Act 1995</i> .

Consultation

- Councillor survey
- CEO Performance Review Committee meeting held 28 May 2026

Resource Implications

Financial

Nil.

Workforce

Nil.

Options

1. Accept the CEO Performance Review report and recommendations contained within Confidential Under Separate Cover Appendix 1.
2. Not accept or amend the CEO Performance Review contained within Confidential Under Separate Cover Appendix 1.

Conclusion

Council is requested to ensure this review is completed by 30 June 2026 to meet statutory requirements.

21 CLOSURE OF MEETING