



# **Minutes**

**Ordinary Council Meeting**

**Thursday 25 November 2021**



**Ordinary Council – 25 November 2021  
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Minutes of the Ordinary Meeting of Council held at the Murray Shire Council, 1915 Pinjarra Road, Pinjarra on Thursday 25 November 2021.

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

The Presiding Member Cr D Bolt declared the meeting open the time being 5.35pm.

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

Cr D Bolt	President
Cr D McLarty - via teleconference – Rest Point Caravan Park in Walpole (as previously approved at Council meeting 28.10.2021)	Deputy President
Cr S Kirkham	Councillor
Cr C Rose	Councillor
Cr D Pike	Councillor
Cr S Lee	Councillor
Cr G Black	Councillor
Cr A Rogers	Councillor
Mr D Unsworth	Chief Executive Officer
Mr A Smith	Director Infrastructure Services
Mr R Peake	Director Planning and Sustainability
Ms L McGuirk	Director Community and Economic Development
Mrs T Unsworth	Director Corporate Services
Mrs M Toner	CEO Executive Support Officer

There were three (3) members of the public and four (4) members of staff in attendance at this time.

**APOLOGY**

Cr S Carter

**3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil.

**4. PUBLIC QUESTION TIME**

**Mr Gary Stone, 89A Gardiner Road, Karragullen WA 6111**

Question:

**Do any of the Council members know about the Chemicals that are leaking at the old Geo Galuim Site at Napier Road beside Pinjarra Alcoa?**

Response:

Mr Rod Peake, Director of Planning and Sustainability responded as follows:

Rhone Poulenc constructed a gallium plant at Lot 1 Napier Road in the late 1980's. The plant closed in 1990 due to a downturn in the gallium market. The Minister for Environment at the time approved the development with conditions which amongst other things related to lining of the evaporation ponds and ground water monitoring. The monitoring of these conditions were the responsibility of the Environmental Protection Authority. The Shire is not aware of any contamination issues and the site is not included on the State government's Contaminated Sites Register. If you have any specific information that demonstrates contamination may be occurring then this should be presented to the Department of Water and Environment Regulation. If you do have relevant information the Shire would also be happy to follow this up with the Department.

## **5. PETITIONS AND APPROVED DEPUTATIONS**

Nil.

## **6. CONFIRMATION OF MINUTES**

### **6.1 Ordinary Council Meeting – 28 October 2021.**

#### **Recommendation/Council Decision**

**OCM21/177**

**Moved: Cr A Rogers**

**Seconded: Cr D Pike**

**That the Minutes of the Ordinary Council Meeting held on 28 October 2021 be confirmed as a true and correct record.**

**CARRIED UNANIMOUSLY 8/0**

## **7. ANNOUNCEMENTS BY THE PRESIDING MEMBER**

On Friday 29 October, I attended a meeting regarding Dwellingup with Robyn Clarke MLA held at the Shire of Murray. The meeting was also attended by the CEO and Shire of Murray Officers.

On Saturday 30 October, I attended the 2021 Bushfire Community Day at the Bushfire Centre of Excellence.

On Tuesday 2 November, I presented donations to the Annual Anti-Poverty Week Food Drive which was held at the Pinjarra Community Kitchen.

On Wednesday 3 November, I attended a meeting regarding Dwellingup Futures with the Peel Harvey Catchment Council at their offices in Mandurah. The meeting was also attended by the CEO and an Officer from the Shire of Murray.

On Saturday 6 November, I attended the Liveringa Gallery Opening, which was held at the Pinjarra Art Hub, Edenvale Homestead, Pinjarra.

On Monday 8 November, I attended a tour of the Western Australian Food Innovation Precinct (WAFIP) site in Nambelup. Councillors Rogers, Rose, McLarty, Black, Lee and Kirkham also attended along with CEO and Shire of Murray officers. I then prepared a column for an upcoming edition of the Mandurah Mail.

On Tuesday 9 November, I travelled to Perth with the CEO to attend a meeting with Alcoa Executives and the Shire of Waroona President and CEO. Later that afternoon the CEO and I participated in an online meeting with the Environmental Protection Authority.

On Wednesday 10 November, I met with Murray Coastal Times Editor, at Edenvale Homestead. I then attended a catch-up review meeting with CEO at the Shire of Murray before meeting with the Executive Director of the Peel Regional Leaders Forum.

On Thursday 11 November, I attended the Shire of Murray Strategy Planning Day with Shire of Murray Councillors and Executive Officers at the Shire of Murray. Later in the morning I attended the Remembrance Day service and laid a floral wreath on behalf of the Shire at the Pinjarra War Memorial. That afternoon I attended a meeting at the Peel Development Commission regarding Keralup development projects.

On Tuesday 16 November I attended a Lunch in honour of retiring Councillor Noel Dew which was hosted by Robyn Clarke MLA at Parliament House along with the Shire of Murray CEO and the Waroona Shire President and CEO. I then attended question time on the floor of State Parliament.

On Wednesday 17 November, I attended the 2021 Councillor and Staff Recognition Awards which were held at the Shire of Murray where I presented service awards to staff members. On Thursday 18 November, I attended the WALGA Peel Zone Meeting which was held at the Shire of Murray along with Cr Lee.

On Monday 22 November, the CEO and met with the CEO and Chair of the Peel Development Commission at the WA Bushfire Centre of Excellence, Nambelup to discuss regional projects.

On Wednesday 24 November, I attended a Western Australia Food Innovation Precinct Governance Committee meeting which was held at Murdoch. The CEO and I then attended a meeting with Alcoa at their Booragoon head office.

On Thursday 25 November, I attended a meeting with the CEO and General Manager of the WA Food Innovation Precinct. I then attended a meeting with DPIRD and the Peel Development Commission. After which I attended the Peel Regional Leaders Forum AGM and General Meeting which was held at the Shire of Murray. That evening I presided over the Ordinary Council meeting held in the Shire of Murray Council Chambers.

## **8. ANNOUNCEMENTS BY ELECTED MEMBERS**

On Saturday 30 October, I attended the 2021 Alcoa Peel Business Excellence Awards which was held in Mandurah.

On Thursday 25 November, I attended the Ordinary Council meeting via tele-conference which was held in the Shire of Murray Council Chambers commencing 5.30pm.

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

**Cr S Lee** declared an Impartiality Interest in Item 11.1 Revised Site Location and Tender Selection Criteria for Proposed Ravenswood Community Centre in that he is the treasurer and former chairperson of the Ravenswood Community Group.

**Cr G Black** declared an Impartiality Interest in Item 11.1 Revised Site Location and Tender Selection Criteria for Proposed Ravenswood Community Centre in that he is the vice chairman of the Ravenswood Community Group.

**Cr D Bolt** declared an Impartiality Interest in Item 11.1 Revised Site Location and Tender Selection Criteria for Proposed Ravenswood Community Centre in that his company provides volunteer IT support to the Ravenswood Community Group.

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

### **10.1 Local Emergency Management Committee Meeting – Wednesday 3 November 2021**

File Ref: 1/2246  
 Author and Title: Robert Marlborough, Manager Governance  
 Declaration of Interest: Nil  
 Voting Requirements: Simple Majority

**Appendix 1**

#### **Recommendation/Council Decision**

**OCM21/178**

**Moved: Cr S Lee**

**Seconded: Cr A Rogers**

**That Council receives and notes the Minutes of the Local Emergency Committee meeting held on Wednesday 3 November 2021, as attached at Appendix 1.**

**CARRIED UNANIMOUSLY 8/0**

### **10.2 Local Emergency Management Committee Meeting – 3 November 2021 – Items to be dealt with separately.**

#### **10.2.1 Local Government - Emergency Management - Memorandum of Understanding between the City of Mandurah, City of Rockingham, Shire of Murray, Shire of Waroona and the Shire of Serpentine Jarrahdale.**

File Ref: 7206  
 Previous Items: OCM. Jul 15 Item 11.1.2 (OCM15/170)  
 Applicant: Nil  
 Author and Title: Rob Marlborough, Manager Governance  
 Declaration of Interest: Nil  
 Voting Requirements: Simple Majority

**Appendix 2**

#### **Recommendation/Council Decision**

**OCM21/179**

**Moved: Cr S Kirkham**

**Seconded: Cr C Rose**

**That Council:**

- 1. supports the Local Government, Emergency Management Memorandum of Understanding with the City of Mandurah, City of Rockingham, Shire of Murray, Shire of Waroona and the Shire of Serpentine Jarrahdale, as detailed and provided at Appendix 2; and**
- 2. supports the Chief Executive Officer endorsing the Local Government - Emergency Management Memorandum of Understanding with the adjoining Local Governments, as detailed.**

**CARRIED UNANIMOUSLY 8/0**



## In Brief

To consider support to renew the Emergency Management Memorandum of Understanding for Mutual Aid between the City of Mandurah, City of Rockingham, Shire of Murray, Shire of Waroona and the Shire of Serpentine Jarrahdale for a term expiring on 1 December 2025.

## Background

The Local Government Emergency Management Memorandum of Understanding (MOU) for Mutual Aid during emergencies between City of Mandurah, City of Rockingham and the Shire of Murray (Partner Local Governments) was first supported by Shire of Murray at the Ordinary Council Meeting on 9 July 2015. The operable term of the first MOU was from 2015 to 2018.

The Shire of Waroona Council agreed to be a participant in the MOU for Mutual Aid at its meeting in on 26 April 2017 and the term of the MOU was extended until 10 December 2021 for all partner local governments .

The aim of the MOU is to formalise cooperative arrangements between the partner local governments, promoting sharing of resources during emergencies and during post-incident recovery, which affects one or more of the partnering local governments.

The guiding principle of the MOU is that any support given to partner local government in a particular emergency event shall be voluntary and of a level that will not unduly compromise the operability of the local government providing the support.

The MOU further provides the purpose as:

- To facilitate the provision of mutual aid between partnering LGs during emergencies and post incident recovery.
- To enhance the capacity of our communities to cope in times of difficulty.
- To demonstrate the capacity and willingness of participating LGs to work co-operatively and share resources within the region.

Partners to the MOU, in times of community distress due to an emergency incident, agree where possible to:

1. Provide whatever resources may reasonably be available within the capacity of that LG to respond to the emergency incident, if requested.
2. Provide at its absolute discretion, whatever resources may be available within the means of that LG to assist with post incident recovery in the community.

## Report Detail

The current MOU is due to expire on 10 December 2021. A new MOU will continue to support the ongoing cooperative arrangements between the partner local governments during emergencies, and during post-incident recovery activities which could impact one or more local government districts.

The joint Local Emergency Management Committee at its meeting on 3 November 2021 supported a continuing MOU for mutual aid during emergency events with the partner local governments. Council are requested to formally support the recommendation presented.

## Murray 2031 Strategic Community Plan

<b>Focus Area</b>	Places for People
<b>Objective</b>	Socially connected, safe and cohesive community.
<b>Strategy</b>	Facilitate safe neighbourhoods and communities.

### **Murray 2021-2025 Corporate Business Plan**

<b>Focus Area</b>	Places for People
<b>Objective</b>	Socially connected, safe and cohesive community.
<b>Strategy</b>	Facilitate safe neighbourhoods and communities.
<b>Action</b>	Facilitate, implement and maintain effective emergency management.

### **Other Strategic Links**

Nil.

### **Statutory Environment**

Emergency Management Act 2005.

### **Sustainability & Risk Considerations**

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

Nil.

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

The Shire has a responsibility to provide support to the community during emergency events and during recovery from emergencies. Having documented agreements in place for aid with other local government ensures that additional resourcing opportunities are available, should the need arise.

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

Nil.

*Policy Implications*

Nil.

*Risk Management Implications*

<i>Risk Level</i>	<i>Comment</i>
Low	There is very limited likelihood of adverse reputational or organisational risk from participating in formal arrangements to support emergency management.

### **Consultation**

Local Emergency Management Committee

### **Resource Implications**

*Financial*

Nil.

*Workforce*

Working arrangements are in place in the Local Emergency Management Arrangements to support emergency events that may occur.

### **Options**

Council has the option of:

1. Supporting the recommendation presented to participate in the Local Government, Emergency Management Memorandum of Understanding for mutual aid, with the partner local governments.

2. Reject the recommendation presented.

**Conclusion**

Having documented relationships with adjoining local governments in the Emergency Management sphere provides additional means for mutual support, should the need arise. This in turn supports the broader community during emergency events and during the recovery phase from emergencies.

## 11. REPORTS OF CHIEF EXECUTIVE OFFICER AND OFFICERS

### Planning and Sustainability

#### 11.1 Revised Site Location and Tender Selection Criteria for Proposed Ravenswood Community Centre

File Ref:	7/8469		
Previous Item:	Item 11.1	Dec 20	(OCM20/212)
Author and Title:	Rod Peake, Director Planning and Sustainability		
Declaration of Interest:	Nil		
Voting Requirements:	Simple Majority		

#### Appendix 3

**Cr S Lee** declared an Impartiality Interest in Item 11.1 Revised Site Location and Tender Selection Criteria for Proposed Ravenswood Community Centre in that he is the treasurer and former chairperson of the Ravenswood Community Group.

**Cr G Black** declared an Impartiality Interest in Item 11.1 Revised Site Location and Tender Selection Criteria for Proposed Ravenswood Community Centre in that he is the vice chairman of the Ravenswood Community Group.

**Cr D Bolt** declared an Impartiality Interest in Item 11.1 Revised Site Location and Tender Selection Criteria for Proposed Ravenswood Community Centre in that his company provides volunteer IT support to the Ravenswood Community Group.

**Crs S Lee, D Bolt and G Black** advised that they would consider the matter on its merits and vote accordingly.

**Crs S Lee, D Bolt and G Black** remained in the meeting.

#### Recommendation/Council Decision

**OCM21/180**

**Moved: Cr S Lee**

**Seconded: Cr D Pike**

**That Council:**

1. supports the new site location for the interim Ravenswood Community Centre at Reserves 50305 and 52545 Jones Lane, Ravenswood with the detailed positioning to be determined through the detailed design process;
2. endorses the advertising of a Request for Tender for the construction of a modular interim Community Centre on the above site of a scale and nature generally in accordance with the concept plan shown in Appendix 3 and the following qualitative selection criteria to assess the tender;

Price, Price Structure and Financial Capacity to perform the work	40%
Demonstrated experience in similar projects	30%
Skills and expertise of personnel involved	30%

3. request the Department of Planning, Lands and Heritage to change the purpose of Reserves 50305 and 52545 and the associated management orders to include community purposes.

**CARRIED UNANIMOUSLY 8/0**

## In Brief

- A new site location for the interim Ravenswood Community Centre is proposed following further site investigations.
- Detailed design is currently underway and tenders will need to be advertised for construction in early 2022. Council will need to determine the tender selection criteria.
- The new site will require a modification to the reserve purpose and associated management orders.

## Background

In December 2020, Council considered the result of investigations into the need for and alternative site options for an interim community centre for the Ravenswood locality until the population growth results in the demand for a larger permanent facility to service the future needs of the entire neighbourhood. Council resolved to:

1. Support the construction of a modular neighbourhood community centre;
2. Support as the preferred site future public open space land immediately north of the proposed primary school on the eastern side of Wilgie Way; and
3. Note the required project budget estimate of \$878,270.

A concept plan was prepared as part of the investigations showing a new single storey community centre building featuring a main function space of 100m<sup>2</sup>, heat and serve kitchen, meeting room, storage spaces and amenities, outdoor alfresco and an outdoor play area/ground (see **Appendix 3**). It is noted that the floorplan of the centre will likely vary in the final design dependent on the modular builder as this style of construction will need to meet predetermined modular unit sizes.

In the leadup to the 2021 State election the WA Labor Party committed funding of \$750,000 toward the construction of the community centre. A further \$150,000 has since been allocated in the Shire's 2021–22 budget through both municipal funds and Alcoa Community Partnership funding, to make up the remaining funds to meet the project budget estimate.

At an Election Commitment Briefing held in late August 2020, concerns were raised by Robyn Clarke MLA over the current lack of surveillance to the preferred site given that Wilgie Way has not yet been constructed to connect with Jolly Rambler Boulevard. A re-examination of the preferred site was therefore requested.

## Report Detail

Whilst the preferred site was considered well located for the interim community centre and the road network will be extended by the estate developer as part of the progressive development of the locality, a re-examination of the available sites was undertaken to determine if an alternative site could be found that addressed the short-term surveillance issue.

Previous site options were reviewed however none were considered suitable. These sites included:

- a private rural landholding near the Ravenswood Caravan Park off Angus Place;
- a local centre on the corner of Nancarrow Way and Jolly Rambler Boulevard;
- a site near the Ravenswood neighbourhood centre off Lloyd Avenue;
- a Water Corporation site adjoining Nancarrow Way; and
- vacant residential land at the corner of Jim Jam Crescent and Nancarrow Way.

A new site being adjoining Reserves 50305 (Drainage) and 52545 (Drainage and Public Recreation) on the south side of Jones Lane, located just south of the future primary school site were also reviewed. This site was not previously reviewed as it contained existing

drainage infrastructure, however the assessment found the site to be desirable for the following reasons:

- The central location within the established community;
- Generous buffer distance to residential dwellings;
- An existing path network focusses on the location due to adjacent primary school site;
- Dedicated on-street parking and a developed passive open space area already exist;
- Management orders have already been allocated to the Shire, albeit for drainage and public recreation purposes;
- There is no need to undertake flora and vegetation surveys, seek a vegetation clearing permit or to clear any potentially significant native vegetation; and
- Potential for an attractive outlook over the vegetated drainage reserve and developed passive park.

It is noted that the site may require some modifications to the existing ground levels and site infrastructure depending on the detailed location of the building.

A plan showing the location of the site with the outline of the building superimposed in the approximate location (subject to detailed planning) is set out below.



The Jones Lane site has been presented to Robyn Clarke MLA and the Ravenswood Community Group and received general support. Two members of the Ravenswood Community Group have been nominated by the Group to provide input into the detailed planning for the community centre.

Detailed planning is currently underway with a view to the advertising tender for construction in early 2022. Under the *Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996*, tenders are to be publicly invited before a local government enters into a contract to supply goods or services if the consideration under the contract is, or is expected to be more than \$250,000, except in certain specified instances which are not relevant in this case. Prior to advertising a Request for Tender, Council is required to determine the qualitative criteria which will decide which tender should be accepted.

To determine the most advantageous tender, each tenderer will be scored against qualitative criteria. Each criterion will be weighted to indicate the relative degree of importance. The proposed qualitative criteria in this case are proposed as follows:

Description of Qualitative Criteria	Weighting
(a) Price and Price Structure/Financial Capacity to perform the services.	40%
(b) Demonstrated experience in similar projects.	30%
(c) Skills and expertise of personnel involved.	30%
<b>TOTAL</b>	<b>100%</b>

The purpose of Reserves 50305 and 52545 are currently for drainage and drainage and public recreation respectively. Whilst the community centre is only an interim facility it will still be prudent to change the purpose of the reserves and associated management orders to properly reflect the intended purpose. There is considered to be a low risk with this process and therefore it can reasonably be undertaken in parallel with the detailed design, tender and construction processes. This will ensure the project timeline which aims for the completion of the building by December 2022 and which is driven by grant funding conditions and community demand is still achieved.

### Murray 2031 Strategic Community Plan

<b>Focus Area</b>	Places for People
<b>Aspiration</b>	In 2031 Murray will have created great places for people through strong partnerships with the community; innovative urban design; and improved the well-being and quality of life for residents.
<b>Strategy</b>	Plan community facilities for future generations.

### Murray 2021-2025 Corporate Business Plan

<b>Focus Area</b>	Places for People
<b>Objective</b>	Encourage an active and healthy community.
<b>Strategy</b>	Plan community facilities for future generations.
<b>Actions</b>	Construct the Ravenswood Community Centre.

### Other Strategic Links

- Ravenswood Structure Plan
- Community Infrastructure Plan 2013

### Statutory Environment

- Local Government Act 1995
- Local Government (Functions and General) Regulations 1996

### Sustainability & Risk Considerations

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

Construction of the community centre will result in additional jobs being created during construction phase for the centre.

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

Feedback received from the community consultation shows that there are a variety of potential uses and activities that could be undertaken within a community centre building. These activities range from youth services, exercise classes, dance and fitness, meditation and yoga/pilates and community event functions.

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

The new site is already in a highly modified state. The project will not result in any significant environmental impacts.

*Policy Implications*

Nil.

*Risk Management Implications*

<i>Risk Level</i>	<i>Comment</i>
<i>Low</i>	There are no significant risks associated with progressing the planning for a Neighbourhood Community Centre in Ravenswood.

**Consultation**

A community survey was undertaken via the ‘Your Say’ portal on the Shire Website seeking feedback from Ravenswood residents on a preferred site for the community centre and asking what kind of activities the centre could be used for. The feedback received has helped design a facility that caters for the community's needs and aspirations. Given the concerns raised with the initial site, further consultation has been undertaken with Robyn Clarke MLA and the Ravenswood Community Group. There will be the opportunity for further community consultation as part of the next stage of design development.

**Resource Implications***Financial*

A project budget of \$900,000 has been established which comprises funding from the WA Labor Party, Alcoa and the Shire. The project funding has been based on 2020 project estimates. There has been significant price escalation over the last 12 months due to shortages of materials and labour. Whilst an escalation component was incorporated into the project budget this is unlikely to be sufficient. There will however be some savings arising from the existing infrastructure and characteristics at the new site location. The final budget will not be known until the outcome of the detailed design and tender process.

*Workforce*

Planning and construction of the community centre can be undertaken within existing staff resource levels.

**Options**

Council has the option of:

1. Supporting the new site and proceeding to detailed design and advertising tenders.
2. Not supporting the new site.

**Conclusion**

The new site is considered to have substantial merit and will provide a centrally located site with an attractive outlook. If Council is supportive of the new site, detailed design work and advertising for tenders will be necessary over the next few months to enable the project to be delivered by the end of 2022.



## Corporate Governance

### 11.2 Write Off of Unrecoverable Debts

File Ref:	8/9360
Previous Items:	Nil
Applicant:	Nil
Author and Title:	Rikki Gardiner, Senior Corporate Support Officer
Declaration of Interest:	Nil
Voting Requirements:	Absolute Majority

#### Recommendation/Council Decision

**OCM21/181**

**Moved: Cr G Black**

**Seconded: Cr A Rogers**

**That Council, in accordance with section 6.12 of the Local Government Act, endorse the write off of the following debts totalling \$3,810.08 being for rates and charges in relation to:**

**Assessment 264 – Lot 1 ( 3A ) Humphrey Street, Pinjarra - \$1,227.00**

**Assessment 7918 – Lot 1610 ( 10 ) Sunset Circle, Pinjarra - \$1,912.14**

**Assessment 3333 – Lot 351 ( 11 ) Phillips Way, North Yunderup - \$670.94.**

**CARRIED UNANIMOUSLY 8/0**

#### In Brief

Council is requested to write off rates on three properties where there has been an administrative error made in the 2019/20 financial year resulting in outstanding rates and charges on properties that have since been sold.

#### Background

Due to the implementation of the new property database software, pensioner rebate claims for the 2019/20 financial year were unable to be processed until late May 2020. There were a number of ownership transfers that occurred during the year with pending pensioner rebate entitlements. In some circumstances the rebate claim was rejected by Revenue WA as ineligible and therefore the rates on the property become payable in full. Due to the fact that the properties had already been through the settlement process this outstanding amount is technically the responsibility of the previous owners. Two of these assessments were listed as a deceased estate and therefore the debts are considered unrecoverable.

#### Report Detail

A brief explanation of each property affected is as follows:

##### **Assessment 264 – Lot 1 ( 3A ) Humphrey Street, Pinjarra**

A rates statement was issued to the settlement agent with an error showing an incorrect balance outstanding in the previous financial year. The property has since been sold and the seller is deceased. The Rates department have no contact information for the Executor of the Estate and therefore consider the debt unrecoverable.

##### **Assessment 7918 – Lot 1610 ( 10 ) Sunset Circle, Pinjarra**

A rates statement was issued to the settlement agent with an error showing an incorrect balance outstanding. The property has since been sold. Numerous attempts by the settlement agent to recoup the outstanding balance from the seller have been unsuccessful. It is considered that the cost of legal action and the uncertainty of being able to recoup the funds will be higher than the debt.

### **Assessment 3333 – Lot 351 ( 11 ) Phillips Way, North Yunderup**

A rates statement was issued to the settlement agent excluding the unclaimed pensioner rebate amount which was later rejected by RevenueWA. This resulted in a shortfall of \$670.94 being outstanding on the assessment. The property has since been sold and the seller is deceased.

### **Murray 2031 Strategic Community Plan**

This proposal is not referenced within the Murray 2031 Strategic Community Plan.

### **Other Strategic Links**

Nil.

### **Statutory Environment**

Local Government Act 1995, Section 6.12

#### *6.12. Power to defer, grant discounts, waive or write off debts*

- (1) *Subject to subsection (2) and any other written law, a local government may —*
- (a) *when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or*
  - (b) *wave or grant concessions in relation to any amount of money; or*
  - (c) *write off any amount of money, which is owed to the local government.*
- \* Absolute majority required.*
- (2) *Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.*
- (3) *The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.*
- (4) *Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.*

### **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 F6 – Debt Collection

#### *Risk Management Implications*

<i>Risk Level</i>	<i>Comment</i>
Low	There are no significant risks associated with the officer recommendation outside of the debt remaining on the financial statements. Internal processes have since been amended to reduce the risk of debts becoming unrecoverable in the course of property transfers.

**Consultation**

Nil.

**Resource Implications***Financial*

Council's financial statements should accurately reflect Council's known financial position. Therefore, this write off will result in a \$3,810.08 reduction to the Shire's net current assets.

*Workforce*

Nil.

**Options**

Council has the option of:

1. Writing off the debt as recommended.
2. Declining to write off the recommended debt.

**Conclusion**

To comply with requirements of accounting standards, Council's stated financial position should accurately reflect the true position of Council. This requires doubtful debts to be written off when deemed uncollectible.

### 11.3 Budget Amendments to Opening and Closing Balances and Projects Carried Forward from 2020/21

File Ref: 8100  
 Author and Title: Tracie Unsworth, Director Corporate Services  
 Declaration of Interest: Nil  
 Voting Requirements: Absolute Majority

**Appendix 4**

#### Recommendation/Council Decision

**OCM21/182**

**Moved: Cr A Rogers**

**Seconded: Cr S Kirkham**

**That Council adopts the budget review as presented at Appendix 4 and approves the amendments to the 2021/22 budget and opening and closing positions.**

**CARRIED UNANIMOUSLY 8/0**

#### In Brief

Following the finalisation of the 2020/21 annual financial report, Council is requested to consider amendments to the 2021/22 annual budget.

#### Background

Council adopted its 2021/22 budget on 26 August 2021. At the time of adoption, transactions for the 2020/21 financial year were not finalised and therefore the annual financial statements reflect different figures than those presented as estimated actuals in the budget document. The impact on the opening and closing balances and some of the uncompleted projects that were carried forward from 2020/21 to 2021/22 are adjusted during the preparation of the annual financial statements.

It is considered best practice for Council to consider a budget variation as soon as possible after the annual financial statements have been prepared so that budget allocations are corrected prior to the half-yearly statutory budget review in 2022.

#### Report Detail

This review highlights areas where amendments to initial budget allocations are required. These have been detailed in **Appendix 4** for Council's review and determination.

The 2021/22 Annual Budget reported an estimated closing surplus as at 30 June 2022 of \$1,415,193. As a result of the financial movements outlined in this review, the revised surplus estimation has increased by \$63,741 to \$1,478,934.

The following items have influenced this position:

- Items endorsed by Council subsequent to budget adoption:
  - 2021/22 budget amendments to date have been mainly self-balancing, with only a minor adjustment to the closing surplus of \$6,000 to fund the Peel Bright Minds project.
- Movement in Net Current Assets affecting surplus:
  - Following the adoption of the 2021/22 budget, the final reconciliation of the 2020/21 accounting transactions resulted in an increase of cash and receivable of \$9,489, an increase in payables and provision of \$107,241 and an increase in excluded items of \$2,847. These transactions amounted to an overall net decrease to the 2020/21 closing surplus of \$100,599.

- Carried Forward Projects:

Of the projects included in the 2020/21 budget that were identified as incomplete and carried forward to the 2021/22 budget, further financial transactions totalling a net \$70,055 were included in the 2020/21 year subsequent to budget preparation.

- Grant Funding:

Advice of adjustments to government grants included in the 2021/22 budget have been received subsequent to budget adoption. These adjustments have increased the scope of some major projects by a total of \$1,020,450. Savings of \$59,850 realised in the adjustment to these projects is recommended to be transferred to the Road, Drainage & Pathway Reserve.

As well as the above, increases to budgeted grants have added to the overall surplus as follows:

- General Purpose Grant – an increase of \$47,187
- Untied Roads Grant – an increase of \$41,148
- Main Roads WA Direct Grant – an increase of \$11,950

The impact on the Shire's 2021/22 budgeted surplus as at 30 June 2022 is summarised as follows:

<b>Original Estimated Closing Surplus/(Deficit) 30 June 2022</b>	<b>\$1,415,193</b>
Adjustments to 2021/2022 Budget Endorsed by Council	(6,000)
<b>Revised Estimated Closing Surplus/(Deficit) 30 June 2022</b>	<b>\$1,409,193</b>
Adjustments to Government Grant Funding Following Budget Adoption	100,285
Adjustments to 2020/2021 Projects Carried Forward	70,055
Adjustments to 2020/2021 Estimated Surplus/(Deficit) Brought Forward	(100,599)
<b>Proposed Estimated Closing Surplus/(Deficit) 30 June 2022</b>	<b>\$1,478,934</b>

### Murray 2031 Strategic Community Plan

<b>Focus Area</b>	Capable and Accountable
<b>Aspiration</b>	Murray has a sustainable future.
<b>Strategy</b>	Maintain long-term financial sustainability.

### Murray 2021-2025 Corporate Business Plan

<b>Focus Area</b>	Capable and Accountable
<b>Objective</b>	Murray has a sustainable future.
<b>Strategy</b>	Maintain long-term financial sustainability.
<b>Actions</b>	Review the Long Term Financial Plan.

### Other Strategic Links

2021 Long Term Financial Plan

### Statutory Environment

Although there is no statutory requirement for Council to amend the annual budget at this time, the Western Australian Local Government Accounting Manual recommends that a variation item to correct opening balances be presented to Council as soon as possible after the annual financial statements have been finalised so that budgets are corrected prior to the statutory budget review period.

## 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	Reviewing the annual budget on a regular basis assists in the sound management of the Shire’s finances by ensuring decisions made throughout the year are based on the most recent financial position and helps to limit any negative financial impact.

## Consultation

Nil.

## Resource Implications

*Financial*

The impact on the Shire’s estimated financial position as at 30 June 2022 as a result of this budget review is an increase of \$63,741 to the closing surplus as reported in the 2021/22 budget document and is detailed in the revised rate setting statement and accompanying notes presented as part of the review document (**refer Appendix 4**).

*Workforce*

Nil.

## Options

Council has the option of:

1. Supporting the officer recommendation to approve the budget adjustments as presented in **Appendix 4**.
2. Approving part of the proposed budget adjustments as presented in **Appendix 4**.
3. Not supporting the officer recommendation.

## Conclusion

A thorough review of all projects carried forward from the 2020/21 financial year has been undertaken as part of this budget review. All amendments detailed in the review document (**Appendix 4**) are considered necessary to ensure the successful provision of Shire services and that the Shire’s financial reports reflect the true estimated financial position as at 30 June 2022.

**11.4 Ordinary Council Meeting Dates 2022**

File Ref: 1158  
 Author and Title: Dean Unsworth, Chief Executive Officer  
 Voting Requirements: Simple Majority

**Recommendation/Council Decision****OCM21/183****Moved: Cr S Kirkham****Seconded: Cr S Lee**

**That Council adopts and advertises the dates for the 2022 Ordinary Council meetings as follows:**

<b>February</b>	<b>Thursday 24 February</b>	<b>5.30pm</b>
<b>March</b>	<b>Thursday 24 March</b>	<b>5.30pm</b>
<b>April</b>	<b>Thursday 28 April</b>	<b>5.30pm</b>
<b>May</b>	<b>Thursday 26 May</b>	<b>5.30pm</b>
<b>June</b>	<b>Thursday 23 June</b>	<b>5.30pm</b>
<b>July</b>	<b>Thursday 28 July</b>	<b>5.30pm</b>
<b>August</b>	<b>Thursday 25 August</b>	<b>5.30pm</b>
<b>September</b>	<b>Thursday 22 September</b>	<b>5.30pm</b>
<b>October</b>	<b>Thursday 27 October</b>	<b>5.30pm</b>
<b>November</b>	<b>Thursday 24 November</b>	<b>5.30pm</b>
<b>December</b>	<b>Thursday 15 December</b>	<b>5.30pm</b>

**CARRIED UNANIMOUSLY 8/0****In Brief**

This report is presented to Council to consider the Ordinary Council meeting dates for 2022.

**Background**

Local Governments at least once each year are required to give local public notice of the dates on which and the time and place at which the Ordinary Council meetings are to be held in the next 12 months.

**Report Detail**

Council meeting dates are currently scheduled on the 4<sup>th</sup> Thursday of each month. Council has in the past varied the December round of meetings to meet the needs of Christmas and New Year where necessary. The meeting dates for 2022 do not coincide with any scheduled public holidays.

**Murray 2031 Strategic Community Plan**

Nil.

**Murray 2021- 2025 Corporate Business Plan**

Nil.

**Other Strategic Links**

Nil.

**Statutory Environment**

*Local Government (Administration) Regulations* Clause 12 requires local governments to give public notice of its meetings.

**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*

Nil.

**Consultation**

Nil.

**Resource Implications**

*Financial*

The cost of advertising the meeting details of Council is included in the current budget.

*Workforce*

Nil.

**Options**

Council has the option of:

1. Advertising its meeting details to the public as recommended.
2. Varying the dates being recommended for advertising.

**Conclusion**

It is recommended that Council adopts the meeting dates for 2022 as detailed.



## 11.5 Payments from Municipal and Trust Funds – October 2021

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

**Appendix 5**

### Recommendation/Council Decision

**OCM21/184**

**Moved: Cr G Black**

**Seconded: Cr A Rogers**

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

**CARRIED UNANIMOUSLY 8/0**

### In Brief

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

### Background

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

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

### Report Detail

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

The information report contains the list of payments made from the Shire of Murray's Municipal and Trust bank accounts for the month of October 2021.

This list includes details for each payment made, incorporating:

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

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

### **Murray 2031 Strategic Community Plan**

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

### **Other Strategic Links**

Nil.

### **Statutory Environment**

Section 6.4(1) of the *Local Government Act 1995* requires the Shire of Murray to prepare financial reports as prescribed. Regulation 13 of the *Local Government (Financial Management) Regulations 1996* governs the requirement to provide to Council a detailed listing of all payments made from the Municipal and Trust bank accounts and outlines the form, content and timing of this report.

### **Sustainability & Risk Considerations**

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

Nil.

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

Nil.

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

Nil.

*Policy Implications*

Nil.

*Risk Management Implications*

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

### **Consultation**

Nil.

## **Resource Implications**

### *Financial*

Nil.

### *Workforce*

Nil.

## **Options**

Council has the option of:

1. Receiving the Payments from Municipal and Trust Funds report for October 2021.
2. Not receiving the Payments from Municipal and Trust Funds report for October 2021.

## **Conclusion**

The Payments from Municipal and Trust Funds report has been prepared in accordance with the Local Government (Financial Management) Regulations 1996 and is presented to Council for information. All accounts are for goods and services that have been duly incurred and authorised for payment in accordance with the budget allocation and statutory obligations.

## 11.6 Monthly Financial Report – October 2021

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

**Appendix 6**

### Recommendation/Council Decision

**OCM21/185**

**Moved: Cr S Lee**

**Seconded: Cr C Rose**

**That Council receives the October 2021 Monthly Financial Report as presented.**

**CARRIED UNANIMOUSLY 8/0**

### In Brief

This monthly financial report is presented to Council to outline the Shire of Murray's financial position as at the reporting date, in line with the requirements of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

### Background

The *Local Government Act 1995* in conjunction with regulation 34(1) of the *Local Government (Financial Management) Regulations 1996* requires a monthly Statement of Financial Activity to be presented to Council. This Statement is to include:

- a. Annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c) of the *Local Government Act 1995*;
- b. Budget estimates to the end of the month to which the statement relates;
- c. Actual amounts of expenditure, revenue and income to the end of the month to which these statements relate;
- d. The material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- e. The net current assets at the end of the month to which the statement relates.

### Report Detail

The monthly financial report for October 2021 identifies the financial position of Council as at the reporting date and consists of:

- Statement of Financial Activity
- Notes to Statement of Financial Activity:
  - \* Monthly Summary Information
  - \* Significant Accounting Policies
  - \* Net Current Funding Position
  - \* Cash and Investments
  - \* Receivables
  - \* Capital Acquisitions
  - \* Operating Grants and Contributions
  - \* Non-Operating Grants and Contributions
  - \* Cash Backed Reserves
  - \* Budget Amendments
  - \* Variances

## Murray 2031 Strategic Community Plan

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

### Other Strategic Links

Shire of Murray 2021/2022 Annual Budget.

### Statutory Environment

Section 6.4(1) of the *Local Government Act 1995* requires the Shire of Murray to prepare financial reports as prescribed. Regulation 34 of the Local Government (Financial Management) Regulations 1996 outlines the form, content and timing of the monthly financial reports prepared for presentation to Council.

### Sustainability & Risk Considerations

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

Timely submission of detailed monthly financial reports allows Council to monitor the financial performance of the Shire and review any adverse financial trends that may impact on the Shire's financial sustainability.

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

Nil.

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

Nil.

#### *Policy Implications*

Nil.

#### *Risk Management Implications*

<i>Risk Level</i>	<i>Comment</i>
Moderate	Failure to monitor the Shire's ongoing financial performance would increase the risk of a negative impact on the Shire's financial position.
Low	Non-compliance with legislative requirements may result in a qualified audit.

### Consultation

Nil.

### Resource Implications

#### *Financial*

Nil.

#### *Workforce*

Nil.

**Options**

Council has the option of:

1. Receiving the monthly financial report for October 2021.
2. Not receiving the monthly financial report for October 2021.

**Conclusion**

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

**11.7 Review of Policy G11- Purchasing**

File Ref: 1157  
 Previous Items: OCM. 22 Oct 20 Item 11.9 (OCM20/191)  
 OCM. 25 Mar 21 Item 11.2 (OCM21/033)  
 OCM. 22 Apr 21 Items 11.1 &11.2 (OCM21/62 & 63)  
 OCM. 22 July 21 Item 11.6 (OCM21/114)  
 OCM. 28 Oct 21 Item 15.7 (OCM21/168)  
 Author and Title: Robert Marlborough, Manager Governance  
 Declaration of Interest: Nil  
 Voting Requirements: Absolute Majority

**Appendix 7 – G11- Purchasing**

**Recommendation/Council Decision**

**OCM21/186**

**Moved: Cr S Lee**

**Seconded: Cr A Rogers**

**That Council adopts the amendments to Policy G11 - Purchasing, as detailed and provided at Appendix 7.**

**CARRIED UNANIMOUSLY 8/0**

**In Brief**

To consider amendments to the purchasing thresholds within Policy G11 - Purchasing.

**Background**

A report was presented to the Ordinary Council Meeting on 28 October 2021 to consider amendments to this policy. Following the preparation of the meeting agenda, Councillors were provided a memorandum outlining further suggested changes to the policy to address the following matters:

- Removing the requirement to obtain quotations for purchases up to \$2,000;
- Deleting the original category of purchases up to \$5,000; and
- Modifying the category of Over \$5,000 and up to \$50,000, to read Over \$2,000 and up to \$50,000, whilst maintaining the requirement to obtain two written quotations.

An alternate recommendation was provided for consideration to Council as part of the memorandum.

At this prior meeting the proposal for further amendments to the Policy, as outlined were not debated or formally accepted. This resulted in only the changes outlined in the originally provided appendice, being formally adopted by absolute majority.

**Report Detail**

To address the recent procedural omission, and support the prior discussion with the Shire’s audit partner, Marcia Johnson regarding a policy framework that is robust in risk management principles, but also takes into consideration operational requirements and efficiencies, it is recommend that Council after further internal review, support the following amendments to the purchasing thresholds Policy G11 - Purchasing.

Insert the following table in clause 5.5:

Up to \$5,000	Quotations are not required for purchases in this category. Officers are required to adhere to the overarching principles of policy objectives.
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Delete the following existing table in clause 5.5:

Up to \$5,000	Seek at least one written or one verbal quote from: <ol style="list-style-type: none"> <li>1. the open market, supporting buy local, where possible and practicable;</li> <li>2. the open market, using the Shire's online procurement portal;</li> <li>3. an existing panel of pre-qualified suppliers administered and maintained by the Shire; or</li> <li>4. a pre-qualified supplier on the WALGA Preferred Supply Program or State Government Common Use Arrangement (CUA).</li> </ol>
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The proposal to not require formal quotations for purchases up to \$5,000 improves flexibility and operational effectiveness and provides necessary scope to satisfy immediate and ongoing work requirements that occur. When this outcome, as suggested is linked to the following overarching purchasing principles, sufficient support for effective purchasing can be maintained:

- demonstrate that best value for money is attained;
- demonstrate support to purchasing local at every opportunity within the guidelines of this Policy;
- are compliant with relevant legislations, including the Act and Regulations;
- are recorded in compliance with the *State Records Act 2000* and associated records management practices and procedures;
- mitigate probity risk, by establishing consistent and demonstrated processes that promotes openness, transparency, fairness and equity to all potential suppliers;
- ensure that the sustainable benefits, such as environmental, social and local economic factors are considered in the overall value for money assessment;
- are conducted in a consistent and efficient manner; and
- that ethical decision making is demonstrated.

For clarity, the proposed amendment to this Policy are provided for Council's information in full at **Appendix 5**. Insertions are in bold italic text and deletions have been struck-through.

### **Murray 2031 Strategic Community Plan**

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

### **Murray 2021 - 2025 Corporate Business Plan**

Nil.

### **Other Strategic Links**

Nil.

### **Statutory Environment**

*Local Government Act 1995* - Section 2.7 Role of Council

(1) The council —

- (a) governs the local government's affairs; and,
- (b) is responsible for the performance of the local government's functions.



- (2) Without limiting subsection (1), the council is to —
- (a) oversee the allocation of the local government’s finances and resources; and,
  - (b) determine the local government’s policies.

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

Policy M5 - Council Members Continuing Professional Development;

Policy M7 - Attendance at Events and Functions; and

Policy G10 - Appointment of Acting Chief Executive Officer.

### **Sustainability & Risk Considerations**

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

The proposed policy amendments will not financially impact the community.

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

Nil.

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

Nil.

*Policy Implications*

The proposed policy amendment does not negatively impact other existing Council policies.

*Risk Management Implications*

<i>Risk Level</i>	<i>Comment</i>
Low	Implementing the policy change as proposed ensures ongoing working effectiveness. The risk of negative community comment is limited.

### **Consultation**

Nil.

### **Resource Implications**

*Financial*

Nil.

*Workforce*

Nil.

### **Options**

Council has the option of:

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

### **Conclusion**

The ongoing development and periodic review of Council policies generally ensures efficient and effective use of resources and provides up to date guidance to support the decision-making. Furthermore, it ensures compliance with legislative requirements and best practice based on the principles of equity, fairness and transparency. The proposed policy

amendments suggested provides improved flexibility and maintains operational effectiveness.

**11.8 Review of Policy M5 - Council Members Continuing Professional Development**

File Ref:	1157		
Previous Items:	OCM. Feb 18	Item 11.7	(OCM18/008)
	OCM. Dec 19	Item 11.5	(OCM19/269)
Author and Title:	Robert Marlborough, Manager Governance		
Declaration of Interest:	Nil		
Voting Requirements:	Absolute Majority		

**Policy M5 - Council Members Continuing Professional Development - Appendix 8****Recommendation/Council Decision****OCM21/187****Moved: Cr G Black****Seconded: Cr S Kirkham**

**That Council supports Policy M5 - Council Members Continuing Professional Development, as provided in Appendix 8, without amendment.**

**CARRIED UNANIMOUSLY 8/0****In Brief**

Under the *Local Government Act 1995* (the Act) a review of the policy for Council Members Continuing Professional Development is required after each Ordinary Local Government Election. The policy can also be reviewed at and any other time.

**Background**

This policy was originally adopted in 1999 with periodic reviews occurring, up to and including 2018. In 2019 the statutory requirements of the Act were amended, as a consequence of prescribed Elected Member training requirements being introduced into the legislative framework.

**Report Detail**

The policy review is a requirement of the Act. The policy content in its current form still complies with the legislative framework and it remains effective. It is recommended to Council to continue to support in policy, without amendment.

For Council's information this Policy is provided at **Appendix 6**.

**Murray 2031 Strategic Community Plan**

Nil.

**Murray 2021 - 2025 Corporate Business Plan**

Nil.

**Other Strategic Links**

Nil.

**Statutory Environment**

*Local Government Act 1995* - Section 2.7 Role of Council:

(1) The council —

(a) governs the local government's affairs; and,

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

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

Policy M5 - Council Members Continuing Professional Development;

Policy M7 - Attendance at Events and Functions;

Policy G10 - Appointment of Acting Chief Executive Officer.

Policy for continuing professional development - Section 5.128.

- (1) A local government must prepare and adopt\* a policy in relation to the continuing professional development of council members.\* Absolute majority required.
- (2) A local government may amend\* the policy. \* Absolute majority required.
- (3) When preparing the policy or an amendment to the policy, the local government must comply with any prescribed requirements relating to the form or content of a policy under this section.
- (4) The CEO must publish an up-to-date version of the policy on the local government's official website.
- (5) A local government —
  - (a) must review the policy after each ordinary election; and
  - (b) may review the policy at any other time.

### **Sustainability & Risk Considerations**

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

Nil.

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

Nil.

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

Nil.

*Policy Implications*

Nil.

*Risk Management Implications*

<i>Risk Level</i>	<i>Comment</i>
Low	The review is procedural to comply with the legislative framework and no change is recommended. There is no negative risk associated with the proposal presented.

### **Consultation**

Nil.

## **Resource Implications**

### *Financial*

Nil.

### *Workforce*

Nil.

## **Options**

Council has the option of:

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

## **Conclusion**

The ongoing development and periodic review of Council policies generally ensures efficient and effective use of resources and provides up to date guidance to support decision-making. In this particular case the review is statutorily required.

**11.9 Shire of Murray Bushfire Risk Management Plan 2021-2026**

File Ref:	1/2316
Previous Items:	Nil
Applicant:	N/A
Authors and Title:	Donna Walker, Bushfire Risk Planning Coordinator Robert Marlborough, Manager Governance
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

**Shire of Murray Bush Fire Risk Management Plan - Appendix 9****Recommendation/Council Decision****OCM21/188****Moved: Cr S Kirkham****Seconded: Cr A Rogers****That Council:**

- 1. endorse the Shire of Murray Bushfire Risk Management Plan 2021-2026, as provided at Appendix 9;**
- 2. supports the development and implementation of coordinated, comprehensive, multi-agency Treatment Schedules to support the adopted Bushfire Risk Management Plan 2021-2026; and**
- 3. supports ongoing applications for funding being submitted through Department of Fire and Emergency Service Mitigation Activity Fund (MAF) to undertake appropriate bush fire hazard reduction activities from the Treatment Schedules developed.**

**CARRIED UNANIMOUSLY 8/0****In Brief**

In accordance with the requirements of the *State Hazard Plan – Fire*, local governments are required to prepare an integrated Bushfire Risk Management Plan (BRM Plan) to strategically document areas where there is potential significant bushfire risk in the district and to enable the development of treatment strategies, (using a multi agency approach) to reduce identified bushfire risk.

**Background**

The Department of Fire and Emergency Services (DFES) Bushfire Risk Management Branch was created in 2012 in response to key recommendations from the Perth Hills fire (Inquiry - Perth Hills Bushfire 2011- Keelty 1), the Margaret River fire (Report of the Special Inquiry into the November 2011 Margaret River Bushfire - Keelty 2) and the Waroona Yarloop fire (Report of the special inquiry into the January 2016 Waroona fire).

The Bushfire Risk Management Branch coordinates DFES Bushfire Risk Management Officers (BRMO's) and Bushfire Risk Planning Coordinators (BRPC) which are embedded in local governments to facilitate the creation of local government district BRM Plans.

The Shire of Murray entered into an agreement with the Shires of Harvey and Waroona to share the position of a Bushfire Risk Planning Coordinator (BRPC) in May 2018. The funding for this role to progress Bushfire Risk Planning at a local level was provided by DFES.

The BRPC role commenced at the Shire of Murray on 1 July 2018. The resource allocations during the project to develop individual Bushfire Risk Management Plans for the participating local governments, is outlined as follows:

Financial year	Local Government BRPC resource allocation		
	Harvey	Murray	Waroona
2018-19	80%	20%	
2019-20	20%	60%	20%
2020-21	10%	50%	40%
2021-22	10%	30%	60%

This shared arrangement is currently scheduled to continue until 30 June 2022, and it has been reviewed annually.

The BRM Plans for the Shires of Harvey and Waroona have been completed and endorsed by both the Office of Bush Fire Risk Management and the respective local governments, by formal Council adoption. Treatment schedules to reduce identified bush fire risk have been developed in both the Shire of Harvey and the Shire of Waroona and funding allocations have been provided through the Mitigation Activity Fund (MAF) for first stage works in both local government districts.

### Report Detail

The aim of the BRM Plan prepared for the Shire of Murray through the BRMP process is to document a coordinated and efficient approach toward the identification, assessment and treatment of assets exposed to bushfire risk within the district.

The BRM Plan objectives are to effectively manage bushfire risk within the Shire of Murray in order to protect people, assets and other things of local value. Specifically, the objectives are to:

- Guide and coordinate a tenure blind, multi-agency bushfire risk management program over a five year period;
- Document the process used to identify, analyse and evaluate risk, determine priorities and develop a plan to systematically treat risk;
- Facilitate the effective use of the financial and physical resources available for bushfire risk management activities;
- Integrate bushfire risk management into the business processes of local government, land owners and other agencies;
- Ensure there is integration between land owners and bushfire risk management programs and activities; and
- Monitor and review the implementation of treatments to ensure treatment plans are adaptable and risk is managed at an acceptable level.

The Shire of Murray BRM Plan has been prepared using the best practice template provided by the Office of Bushfire Risk Management (OBRM). Local information relating to the bushfire context is included, giving considering to environment, weather, priorities and demographics.

The DFES, specialist software (Bushfire Risk Management System) was used for the overall identification of assets and for the calculation of bushfire risk. This software allows assets to be mapped in a Geographical Information System (GIS) and then individual risk assessment are formulated, based on the data entered.

A total of 893 groups of assets have been identified and risk assessed during the process. The BRM Plan developed indicates that treatments are required for all assets assessed as

High, Very High or Extreme risk. This equates to 635 assets, or 71%. Of these assets, 127 or 14% have been assessed as having an Extreme risk, requiring urgent treatment action.

Once the Shire of Murray BRM Plan has been endorsed, Treatment Schedules which will be extensive, dynamic treatment plan for all tenure within the Shire as well as interacting with other agencies and private land owners to mitigate risk on other tenure, will need to be developed and then implemented.

The Office of Bushfire Risk Management (OBRM) formally advised on 29 October 2021 that the Shire of Murray Bush Fire Risk Management Plan that has been prepared meets the standards of the *Bushfire Risk Management Planning - Guidelines*. A copy of the Plan prepared for Councils consideration, as supported by OBRM is provided at **Appendix 9**.

### Murray 2031 Strategic Community Plan

<b>Focus Area</b>	Places for People
<b>Objective</b>	Socially connected, safe and cohesive community.
<b>Strategy</b>	Facilitate safe neighbourhoods and communities.

<b>Focus Area</b>	Environment, Character and Heritage
<b>Objective</b>	Protect and enhance our existing natural assets, waterways, bushland and biodiversity.
<b>Strategy</b>	Protect and enhance natural areas and biodiversity on public and private land.

<b>Focus Area</b>	Capable and Accountable
<b>Objective</b>	Actively increase the level of engagement with the community.
<b>Strategy</b>	Establish and maintain a user focussed communication approach throughout which the community is informed, engaged and empowered.

### Murray 2021-2025 Corporate Business Plan

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

### Other Strategic Links

Nil.

### Statutory Environment

The *Emergency Management Act 2005* provides the head of power to direct local governments to comply with the requirements of State emergency management policies where they are given a role within those policies as follows:

Section 20 (4) states – *A public authority that is given a role and responsibilities under a State emergency management policy is to comply with the State emergency management policy.*

Clause 2.2.8 of *State Hazard Plan – Fire* outlines that local government's identified as having high or extreme bushfire risk are required to develop an integrated BRM Plan outlining a strategy to treat or reduce bushfire related risk across all land tenures.

### Sustainability & Risk Considerations

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

Nil.



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

The Shire has a responsibility to help protect our ratepayers and our communities from harm, as a consequence of bushfire. This cannot be achieved without a broad overarching plan and a significant commitment from all stakeholders to reduce bushfire risk.

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

Managing bushfire fuel levels on Shire owned and managed land within and around our communities can have a positive effect on the environment. Eg. Maintaining habitat for native animals, protecting rare and endangered flora and protecting valuable natural assets. Managing fuel loads reduce the intensity of wildfires that can significantly impact the flora and fauna within the district.

*Policy Implications*

Nil.

*Risk Management Implications*

While the officer recommendation serves to assist the Shire in providing treatments and controls for bushfire risks identified within the BRM Plan, the risk of bushfire will always remain. The BRM plan developed has identified those areas at higher bushfire risk and where planned mitigation works via Treatment Schedules are required. Implementation of the BRM plan will not remove the risk but will assist the Shire in highlighting areas where work with landowners and other land managers is necessary to reduce bushfire risk.

Periodically reviewing the BRM Plan will ensure bushfire risk factors are known and implementing mitigation work identified in the BRM Plan Treatment Schedules will assist to reduce the impact of bushfire. Not adequately resourcing the bushfire risk identified in the BRM Plan or reviewing bushfire risk periodically could create significant reputational risk for the Shire.

<i>Risk Level</i>	<i>Comment</i>
<i>High</i>	<p>There is a Reputational risk to the Shire if the BRM Plan is not endorsed and there is a bushfire event.</p> <p>There is a Financial risk to the Shire if the BRM Plan is not endorsed as the Shire will be unable to apply for Mitigation Activity Fund (MAF) grants.</p> <p>There is an Operational risk to the Shire if there is no adequate resourcing to implement the BRM Plan.</p>

**Consultation**

A draft copy of the BRM Plan was distributed to the Shire of Murray Bush Fire Advisory Committee membership and the Local Emergency Management Committee (LEMC) for feedback.

Additional consultation included the:

- Department of Fire and Emergency Services (DFES);
- Shire of Murray Chief Bush Fire Control Officer; and
- LEMC community representative.

A presentation was given to Council at the councillors briefing session in May 2021 that provide an overview of the Shire of Murray Bushfire Risk Management Plan’s development and current status of the broader program.

## **Resource Implications**

### *Financial*

An endorsed BRM Plan allows the Shire to access the state government Mitigation Activity funding (MAF) grants available to local governments. This funding is made available to implement treatment strategies on state government land managed or vested in the local government.

### *Workforce*

The BRM Plan requires a review every five years. Currently, the Bushfire Risk Planning Coordinator position funded by DFES concludes on 30 June 2022. Now that the Shire of Murray BRM Plan is being finalised there is likelihood the BRPC grant funded position will cease earlier. Workforce planning is required to ensure sufficient resources are available to:

- Review the Shires BRM Plan;
- Develop Treatment Strategies; and
- Implement developed Treatment Strategies.

## **Options**

Council has the option of:

1. Endorsing the Shire of Murray Bushfire Risk Management Plan 2021-2026.
2. Rejecting the Shire of Murray Bushfire Risk Management Plan 2021-2026.

## **Conclusion**

The BRM Plan is a strategic document that facilitates a coordinated approach towards the identification, assessment and treatment of assets exposed to bushfire risk.

Approval of the BRM Plan is a commitment by the Shire of Murray to work with land owners and managers to address unacceptable risk within the community. The approval of the BRM Plan by the Shire of Murray council satisfies their endorsement obligations under *State Hazard Plan – Fire*.

The Officer's recommendation is for Council to endorse the Shire of Murray Bushfire Risk Management Plan 2021-2026.

**11.10 Herron Point Reserve – Length of Stay Review and Other Matters**

File Ref:	Reserve 31922		
Previous Items	PD. Jan 1999	Item 4.1	(PD99/002)
	OCM. Jan 1999	Item 10.3.2.1	(OCM99/015)
	PD. Feb 1999	Item 4.4	(PD99/033)
	OCM. Feb 1999	Item 4.4	(OCM99/068)
	OCM. Mar 2012	Item 15.1	(OCM12/037)
	PPS. Apr 2012	Item 8.4	(PPS12/050)
	OCM. Apr 2012	Item 11.1.1.3	(OCM12/079)
	OCM. Dec 2012	Item 12.3	(OCM12/256)
	OCM. Dec 2015	Item 12.11	(OCM15/350 & 15/360)

Author and Title: Robert Marlborough, Manager Governance  
 Declaration of Interest: Nil  
 Voting Requirements: Simple Majority

**Recommendation/Council Decision****OCM21/189****Moved: Cr D Pike****Seconded: Cr S Lee****That Council**

- 1. supports site camping limitations at Herron Point Reserve of a maximum of 5 nights in any 21-day period to commence from the introduction of the online camping booking system for Herron Point Reserve; and**
- 2. approves for camp fires on the Reserve only in the fire pits provided, except during the Prohibited Burning Time in the district or on any day declared a Total Fire Ban or where the fire danger rating is very high or above.**

**CARRIED UNANIMOUSLY 8/0****Brief**

To consider increasing the length of camping stay permitted on the Reserve and to review camp fire use.

**Background**

Herron Point Reserve (R31922) is located at the western end of Herron Point Road, Birchmont on the eastern side of the Peel-Harvey Estuary.

The Reserve is Crown land vested in the Shire for the purpose of recreation. The original Vesting Order was published in the *Government Gazette* on 30 March 1973 and a subsequent order was issued for the same purpose on 16 May 1983. The Shire have care, control and management of the Reserve.

The Reserve is about 25 kilometers from Pinjarra, via the Greenlands Road, Forrest Highway and Herron Point Road. The area of the reserve is 24.04 hectares, of which approximately 8800m<sup>2</sup> or 3.7% is used for historical camping activities. The balance of the Reserve consists of natural vegetation endemic to the area.

Camping has been occurring at Herron Point for more than 40 years. The Reserve location is detailed on the following map.



The following is a summary of Council's previous considerations relating to the Reserve:

In October 1997 Council supported a recommendation to call for expressions of interest to develop a formal caravan park/campground at Herron Point.

In the interim camping was to be prohibited and advice of the intent to advertise an expression of interest was sent to the Western Australian Planning Commission, the then Department of Conservation and Land Management and the Water and Rivers Commission. Between December 1997 and February 1998, a survey of the Reserve was undertaken to determine actual camper numbers. During the survey period 955 campsites were noted.

Over the following 12 months a number of meetings occurred with the above agencies to progress the proposal to develop a formal caravan park/campground on the Reserve. The principal agencies were not supportive due to native title and use issues. Following a further report, Council resolved to not proceed with the expression of interest. Native title matters in many areas of the district still remain unsolved.

In January 1999 Council supported the appointment of the first site caretaker, Mr Les Knock to assist with manage activities occurring on the Reserve over the traditional busy periods.

In February 1999 Council approved camping on the Reserve for a maximum of 2 nights on 15 identified sites. Open fires were generally prohibited during the period October to May annually and barriers to restrict vehicle access onto the foreshore and into bush areas were supported.

Following a request, Council in May 1999 considered a change of name for the Reserve, from Herron Point to Poverty Point, as this name was used by early local settlers. In July 1999 Council resolved not to proceed with the name change.

In December 1999 Council supported a recommendation to appoint a voluntary Herron Point Caretaker to assist with managing camping activities on the Reserve for a 3-month period. Mr Knock was formally appointed, as the first site caretaker. In October 2000, Council supported the appointment of Mr Brian Sellin as the honorary Herron Point caretaker for the traditionally busy camping season (between November to April). The following month Council supported the introduction of camping fees between 1 November and 30 April and the payment of a weekly honorarium to the site caretaker. Camping fees collected were to be expended on Reserve upkeep and improvements.

Between 2002 and late 2009 Mr Brian Sellin remained as the voluntary Herron Point caretaker. In January 2010, Daryl Johnson was appointed the caretaker, since then other site caretakers/camp hosts have been Christine Lavater, Terry Neilsen, Alan Stones, Keith and Dianne Scorer, Matt and Leigh Hutfield and Les Wassell. The current site caretaker is Mr Howard Kirk.

In 2012 officers engaged with the Department of Regional Development and Lands (DRDL) about camping activities on the Reserve. DRDL's view at the time, was that small-scale camping was within the scope of the reserves purpose and after further consultation, DRDL supported 25 camping sites, within the existing area of the Reserve.

In March 2012 Council considered options to enable camping to continue all year on the Reserve. In December 2012 Council supported the following position:

1. camping fees for overnight stays continue to be charged throughout the year at Herron Point and that fees be reviewed annually as part of the normal budget process;
2. camping sites were to be maintained at a maximum of 25 sites; and
3. a volunteer caretaker was approved to be onsite to manage camping activities.

In December 2015 Council supported the following camping fee structure and other matters associated with camping on the Reserve generally, through the following two resolutions:

1. *approves for the current camping fee of \$12.00 per site, per night being applied for camping on Reserve 31992 (Herron Point Reserve) in the designated camping area until 1 February 2016; and*
2. *from 1 February 2016, camping fees of –*
  - *\$7.50 (GST Inclusive) per night, per person over the age of 16 years*
  - *\$5.50 (GST Inclusive) per night, per person (Eligible Concession Card Holders\*)*

*are to apply at Herron Point Reserve, subject to local public notice being advertised of the current and proposed fees in accordance with the Local Government Act 1995: and*

1. *supports site limitations being applied at Herron Point Reserve to limit each of the 25 approved sites to a maximum of 4 adults and 4 children, under 16 years;*
2. *approves for the length of stay to be increased from 2 nights to 4 nights for prescribed Western Australian Public Holidays only and that during other periods the maximum length of stay is limited to 2 nights; and*
3. *approves for the Chief Executive Officer to develop and implement a Management Plan for Herron Point Reserve to document day to day activities to effectively manage nature-based camping activities within the reserve, based on the approved site numbers, length of stay and pre-existing site-specific operations.*

*\*Eligible Concession Card holder are persons with a Pensioner Concession Card, State Concession Card, Commonwealth Seniors Health Card with a WA Seniors Card.*

Following the adoption of the above recommendation a Camping Management and Operational Plan was developed and endorsed to support and manage camping activities on the Reserve. A formal licence is in effect for the operation of a Nature Based campground at Herron Point to ensure compliance with legislative requirements.

As detailed above, camping has been occurring at Herron Point for many years and over a significant period controls have been established to ensure camping is well managed and sustainable.

As Council would be aware funding has been identified in the current budget for the development of improved camping facilities on the Reserve. Planning is currently occurring

to progress these new facilities to support camping activities and general reserve use.

Historically campers have not been able to pre-book sites. Site access has only been available on a first come, first served basis. On arrival, campers would pay camping fees to the site caretaker. Over a long period, campers have provided feedback, that not being able to pre-book, restricts reasonable access, as there has been a reluctance to drive from other areas and find no sites available, on arrival.

An online booking system is nearing completion to replace the current process of paying the caretaker for a site on arrival. This new booking process will allow pre-booking and ensure sites are available for campers. The new system will also ensure lengths of stays are better managed and minimise potential overcrowding situations.

### **Proposal**

In 2016 Council supported limitations on camping stays at the Reserve to 2 nights generally, or 4 nights over prescribed Western Australian Public Holidays periods. This was primarily introduced to manage any potential overcrowding and minimise stress on the existing toilet infrastructure during peak camping periods.

Since these camping limitations were introduced regular feedback both verbally and in writing have requested an increase in the length of stay on the Reserve. A common theme is that many campers find that by the time they set up and get settled, two nights is insufficient. Similarly arriving at the campground to find no site available, has been a common concern, given that pre-booking has not been possible.

With the development of the new facilities on the Reserve to support camping activities and other general use and, the pending introduction of the new online booking system for Herron Point, there is scope for Council to consider increasing the period of stay, with reasonable parameters being applied to reduce the potential for semi-permanent occupancy.

Council is requested to consider supporting an increase in the length of permitted camping stay at Herron Point (from generally 2 nights or 4 nights on Western Australian Public Holidays) to a maximum of 5 nights during any 21-day period throughout the year. If this proposal was supported it would address concerns raised that 2 nights was generally insufficient, given set up and travel. Applying the 21 days period, between periods of camping would ensure semi-permanent occupancy situations would be managed.

On the matter of greater flexibility for camp fires on the Reserve. Limitations on camp fires were first introduced at Herron Point in 1999. Camp fires were prohibited specifically on this Reserve between October and May annually. Outside of this period camp fires were allowed in the fire pits provided. There have been no incidents of camp fire escapes.

Camp fires are quintessential to the broader camping experience. However adequate controls are necessary to support safety.

Enabling camp fires at Herron Point, in fire pits provided, except during the Prohibited Burning Time in the district or on any day declared a Total Fire Ban or where the fire danger rating is very high or above, will not unduly increase risk. Council are requested to support this adjustment to allow camp fires, as outlined. If supported, this will bring camp fire restrictions on this Reserve into line with the dates permitted in the balance of the district.

### **Murray 2031 Strategic Community Plan**

<b>Focus Area</b>	Places for People
<b>Objective</b>	Maximise and connect the natural assets to the community.
<b>Strategy</b>	Connect the natural assets, waterways, parks and reserves to the community.

<b>Focus Area</b>	Places for People
<b>Objective</b>	An active and healthy community.
<b>Strategy</b>	Plan community facilities for future generations. Develop and support activities that encourage an active and healthy lifestyle.

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

### **Murray 2021-2025 Corporate Business Plan**

<b>Focus Area</b>	Places for People
<b>Objective</b>	Encourage an active and healthy community.
<b>Strategy</b>	Plan community facilities for future generations.
<b>Action</b>	Replace the Herron Point toilet facility.

### **Other Strategic Links**

Nil

### **Statutory Environment**

Herron Point Reserve is Crown land vested in the Shire of Murray for the purpose of Recreation. The Department of Planning, Lands and Heritage are aware of the current camping use of the reserve for low key camping, with 25 sites being supported.

The *Caravan Park and Camping Grounds Act 1995* and the *Caravan Park and the Camping Grounds Regulations 1997* deals with the matter relating to camping, caravan parks and camping grounds.

Regulation 11 of the *Caravan Parks and Camping Ground Act 1995* provides the following –

(1) A person may camp —

- (a) for up to 3 nights in any period of 28 consecutive days on land which he or she owns or has a legal right to occupy, and may camp for longer than 3 nights on such land if he or she has written approval under sub regulation (2) and is complying with that approval;
- (b) for up to 24 consecutive hours in a caravan or other vehicle on a road side rest area;
- (c) for up to 24 consecutive hours in a caravan or other vehicle on a road reserve in an emergency, unless to do so would cause a hazard to other road users or contravene any other written law with respect to the use of the road reserve;
- (d) on any land which is —
  - (i) held by a State instrumentality in freehold or leasehold; or
  - (ii) dedicated, reserved, or set apart under the *Land Administration Act 1997*, or any other written law, and placed under the care, control or management of a State instrumentality, in accordance with the permission of that instrumentality; or
- (e) on any unallocated Crown land or unmanaged reserve, in accordance with the permission of the Minister within the meaning of the *Land Administration Act 1997*, or a person authorised by the Minister to give permission under this paragraph.

The camping fees associated with Herron Point are set by Council during the annual budget process in accordance with the provision of the *Local Government Act 1995*.

## Sustainability & Risk Considerations

### *Economic – (Financial impact to the community)*

Nil.

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

No significant change of use on the recreation reserve is proposed. Camping is still intended to be a component of use and there is limited likelihood of any adverse social impact.

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

Camping sites are capped to a maximum of 25 with controls in place on numbers, per site. Self-contained recreational and caravans make up significant number of users and adverse environmental impacts are unlikely.

### *Policy Implications*

The current camping use at Herron Point is recognised by the Department of Planning, Lands and Heritage and it is consistent with the related legislative requirements. Council Policies are not relevant to the campground operations. A management and operational plan is in place.

### *Risk Management Implications*

<i>Risk Level</i>	<i>Comment</i>
<i>Low</i>	Herron Point is a very popular location that is frequented by many interstate, regional and local visitors both for day trips and camping. Potentially there could be some limited adverse comment from local caravan park operators about increasing the length of stay. However anecdotal evidence suggests that the users of Herron Point for camping activities would not generally use formal caravan parks, as the preference is for low cost and nature type camping.

## Consultation

Nil.

## Resource Implications

### *Financial*

Nil.

### *Workforce*

Nil.

## Options

Council has the option of:

1. supporting the proposed adjustment to the length camping stay to a maximum of 5 nights in any 21-day period and allowing campfires in the fire pits provided, except during the Prohibited Burning Time in the district or on any day declared a Total Fire Ban or, where the fire danger rating is very high or above.



2. rejecting the proposed adjustment to the length of camping stay and the use of camp fires and, retain the status quo:
  - Maximum length of camping stay is limited to 2 nights generally or 4 nights for prescribed Western Australian Public Holidays only.
  - Campfires only permitted in the fire pits provided outside the limited burning time (May and September) inclusive.
3. determining an alternate position on both matters.

**Conclusion/Justification of Officer Recommendation**

Tourism opportunities encourage visitors to the region, which in turn supports local businesses. Increasing the length of camping stay at Herron Point to a maximum of 5 nights provides users opportunities to stay longer and to further explore local and regional attractions. Supporting the variation regarding camp fires aligns Herron Point with the limitations on camp fires that are otherwise in place throughout the district.

### 11.11 Local Government Reform

File Ref:	1409-26
Previous Items:	Nil
Applicant:	Department of Local Government, Sport & Cultural Industries
Author and Title:	Dean Unsworth, Chief Executive Officer.
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

**Appendix 10**

#### **Council Decision**

**OCM21/190**

**Moved: Cr S Lee**

**Seconded: Cr A Rogers**

#### **That Council:**

1. notes the Chief Executive's comments to the proposed Local Government reform package as seen at Appendix 10;
2. delegates to the Shire's Western Australian Local Government Association's (WALGA) Peel Zone members to support or not support any details contained within the reform package, but presents Councils view that Councils (or at least Band 2) Councils should have the option of having a popularly elected President or it voted by the elected members; and
3. delegates to the Chief Executive Officer to provide a submission to the WALGA based on the report provided at Appendix 10, and including Council's position as stated in (2) above.
4. supports WALGA's position in their opposition to the following items:
  - i. 3.5 – Council does not support the results of a Chief Executive Officer's KPI Performance Indicators be published;
  - ii. 4.3 – Council does support First Past the Post methodology in Local Government elections;
  - iii. 4 – That Council retains the option to choose its own Mayor/President; and
  - iv. 6.6 – Council does not support the majority of independent members on the Audit Committee; and
5. adds a further objection in its submission that any requirement to implement a system to live stream and record Council meetings is subsidised by the State Government.

**CARRIED UNANIMOUSLY 8/0**

#### **Reason for Change**

To align the Shire of Murray's reform submission with those points where there is agreement with the WALGA reform submission.

#### **Recommendation**

#### **That Council:**

1. notes the Chief Executive's comments to the proposed Local Government reform package as seen at Appendix 10;

2. delegates to the Shire’s Western Australian Local Government Association’s (WALGA) Peel Zone members to support or not support any details contained within the reform package, but presents Councils view that Councils (or at least Band 2) Councils should have the option of having a popularly elected President or it voted by the elected members; and
3. delegates to the Chief Executive Officer to provide a submission to the WALGA based on the report provided at Appendix 10, and including Council’s position as stated in (2) above.

### **In Brief**

- A package of local government reform was released for public comment on 10 November 2021.
- The Department of Local Government, Sport & Cultural Industries (DLGSCI) is seeking public feedback until 4 February 2022.

### **Background**

Not Applicable.

### **Report Detail**

The Minister for Local Government has now announced a package of reforms to local government.

The package is based on six themes:

1. Earlier intervention, effective regulation and stronger penalties
2. Reducing red tape, increasing consistency and simplicity
3. Greater transparency and accountability
4. Stronger local democracy and community engagement
5. Clear roles and responsibilities
6. Improved financial management and reporting.

A large focus on the new reform is oversight and intervention where there are significant problems arising within a local government. The introduction of new intermediate powers for intervention will increase the number of tools available to more quickly address problems and dysfunction within local governments. The proposed system for early intervention has been developed based on similar legislation in place in other jurisdictions, including Victoria and Queensland.

This will deliver significant benefits for small business, residents and ratepayers, industry, elected members and professionals working in the sector.

These reforms are based on extensive consultation undertaken over the last five years, and have been developed considering:

- The Local Government Review Panel Final Report (mid 2020)
- The City of Perth Inquiry Report (mid 2020)
- Department of Local Government, Sport and Cultural Industries (DLGSCI) consultation on Act Reform (2017-2020)
- The Victorian Local Government Act 2020 and other State Acts
- The Parliament’s Select Committee Report into Local Government (late 2020)
- Western Australian Local Government Association (WALGA) Submissions
- Direct engagement with local governments
- Correspondence and complaints
- Miscellaneous past reports.

### **Murray 2031 Strategic Community Plan**

This item does not form part of the Strategic Community Plan.

### **Other Strategic Links**

Nil.

### **Statutory Environment**

Nil.

### **Sustainability & Risk Considerations**

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

Nil.

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

Nil.

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

Nil.

### *Policy Implications*

There will be significant changes required at a policy level.

### *Risk Management Implications*

<i>Risk Level</i>	<i>Comment</i>
Low	This report is merely identifying the potential changes to the Local Government Act and is provided for noting and potentially providing a submission.

### **Consultation**

Nil.

### **Resource Implications**

#### *Financial*

There will be significant financial impacts to the Shire to meet the new requirements of this proposed reform package. AT this stage that is unknown.

#### *Workforce*

There will be an impact on the workforce and additional resources will be required to meet the requirements of the proposed reform items. It will also take additional time from the Chief Executive Officer to manage the new requirements.

### **Options**

Council has the option of:

1. Providing a submission to the DLGSCI.
2. Not providing a submission to the DLGSCI.

### **Conclusion**

This report is for noting.

**11.12 In-Principle Support: Western Australian Food Innovation Precinct (Stage 2)**

File Ref:	5/6134
Previous Items:	Item 11.4 OCM 23 Sept 21 OCM21/146
Applicant:	Nil.
Author and Title:	Dr Christopher Vas, General Manager - Western Australian Food Innovation Precinct
Declaration of Interest:	Nil.
Voting Requirements:	Simple Majority

**Recommendation/Council Decision****OCM21/191****Moved: Cr S Lee****Seconded: Cr C Rose**

**That Council supports the Chief Executive Officer to canvass public interest in developing and/or leasing Stage 2 of the Western Australian Food Innovation Precinct (WAFIP) through an Expression of Interest (EoI) process, pending formal lease agreements being progressed pursuant to section 3.58 (3) of the Local Government Act 1995.**

**CARRIED UNANIMOUSLY 8/0****In Brief**

- The WAFIP currently under construction is set to occupy a footprint of 5600m<sup>2</sup> off the 2.5ha block of land (Stage 1). Three distinct facilities are being developed including a Research and Development Centre, Innovation Centre and Production facility that will comprise a food technology facility and a brewery. As of November 2021, these facilities are planned to be leased to Murdoch University, Fund Singapore/Growhub, Department of Primary Industries and Regional Development and Spinifex Brewery respectively.
- Off the 2.5ha land parcel, there exists 6000m<sup>2</sup> of land that can be developed by or for industry which will form Stage 2 of the WAFIP. Given the interest the Shire has fielded thus far in the WAFIP, it is recommended that the Shire test the market to assess appetite for any potential Stage 2 development.

**Background**

At the Ordinary Council Meeting on 26 September 2019 and 22 July 2021, Council adopted the following recommendation (OCM19/186) and (OCM 21/XXX) in support of in-principle leasing associated with the (Agri Innovation Precinct) WAFIP.

*That Council:*

1. *in principle, and subject to compliance with requirements of Section 3.58 of the Local Government Act 1995, acknowledges that lease arrangements for the Agri Innovation Precinct within the Peel Business Park in Nambeelup, are broadly supported, with prospective tenants being ManukaLife, Fund Singapore and Murdoch University, initially;*
2. *supports the Chief Executive Officer formally confirming that lease arrangements for the Agri Innovation Precinct will be progressed with ManukaLife, Fund Singapore and Murdoch University, initially, pending a further report being presented to Council prior to the construction of the Agri Innovation Precinct to consider leasing arrangements, and for acceptance of a formal market rental valuation; and*
3. *supports the Chief Executive Officer providing written in-principle confirmation to the proposed lessees of the Western Australian Food Innovation Precinct (WAFIP) — Murdoch University, GrowHub (Fund Singapore), Department of Primary Industries and Regional Development (DPIRD) and Spinifex Brewery Co. that the lease term for the proposed lessees, as detailed will be for an initial term of five years (2022 – 2027) with the option for a further five year extension*

*(until 2032) on terms to be negotiated, pending formal lease agreements being progressed pursuant to section 3.58 (3) of the Local Government Act 1995.*

WAFIP related lease discussions have been progressing with the prospective lessees - Murdoch University, Fund Singapore/Growhub, Department of Primary Industries and Regional Development and Spinifex Brewery. Advertising of proposed leases will be undertaken for those entities not exempt and public submissions will be sought. Following this process, a final report will be presented to Council to consider lease opportunities at the WAFIP. This is expected to take place in Q1-2022.

### Report Detail

With Stage 1 developments underway, industry momentum has been building up towards WAFIP particularly around advanced food and beverage manufacturing, trade and distribution and the opportunity to access renewable energy from the solar powered micro-grid. It is likely that pockets of industry may consider exploring developmental projects on the remainder of the WAFIP land which currently stands at 6000m<sup>2</sup>.

Beyond the WAFIP, there is private sector driven agri-innovation developments planned for in the wider Peel Business Park and neighbouring Keralup areas e.g. solar powered indoor vertical farm, aquaculture production etc that have sought engagement with the WAFIP.

As a consequence of these activities, it is prudent for the Shire to test the market for interest in developing and/or leasing the vacant land within the WAFIP as Stage 2. This market testing would require an Expression of Interest to be publicly released seeking information on:

- Project Vision, WAFIP linkages & Expected Outcomes (30%)
- Company Experience & Governance (20%)
- Business Model, Service Requirements, Project Timeline (20%)
- Financial Considerations (30%)

It is worth noting that the WAFIP Project Manager is currently assessing requirements for a services upgrade at the WAFIP given recent discussions with lessees. Pursuing an EoI at this time could provide some information from the market that may enable future proofing of the WAFIP.

Furthermore, it is also useful to note that the Australian Government's Regional Growth Funding which is supporting the build of the WAFIP (Stage 1) requires the Shire to own and remain accountable for the WAFIP for a period of five years.

### Murray 2031 Strategic Community Plan

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

### Murray 2021-2025 Corporate Business Plan

<b>Focus Area</b>	Maximise the inherent economic opportunities in the Mandurah Murray functional economic region.
<b>Objective</b>	Build and Maintain the Transform Peel Initiative.
<b>Strategy</b>	Implement the Agri-Innovation Precinct Project.
<b>Actions</b>	Further leasing arrangements and agreements with proposed tenants.

### Other Strategic Links

Nil.

## Statutory Environment

### *Local Government Act (1995) – s 3.58 Disposing of Property*

(1) In this section —

**dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not;

**property** includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

- (a) the highest bidder at public auction; or
- (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

- (a) it gives local public notice of the proposed disposition —
  - (i) describing the property concerned; and
  - (ii) giving details of the proposed disposition; and
  - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and
- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

- (a) the names of all other parties concerned; and
- (b) the consideration to be received by the local government for the disposition; and
- (c) the market value of the disposition—
  - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
  - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

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

## Sustainability & Risk Considerations

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

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

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

Nil.

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

Nil.

*Policy Implications*

Nil

*Risk Management Implications*

<i>Risk Level</i>	<i>Comment</i>
Low	Releasing a public EoI should not result in adverse effects or reactions. At the very least, the EoI may not yield any interest.

**Consultation**

Nil.

**Resource Implications***Financial*

Nil.

*Workforce*

Nil.

**Options**

Council has the option of:

1. Agree to test the market for WAFIP Stage 2 development.
2. Delay or reject this proposed course of action.

**Conclusion**

Exploring Stage 2 development opportunities at the WAFIP at this time could yield positive outcomes such as a strengthened WAFIP brand, increased industry appetite to engage with the WAFIP, competitive positioning for the Peel region as the hub of agri-innovation and a positive outlook for the Murray-Wellington community. No adverse impacts are expected with a public EoI process.



## Recreation, Economic & Community Development

### 11.13 Establishment of a Working Group for The Exchange Hotel

File Ref:	5/6115		
Previous Items:	OCM. 24 Oct 19	Item 15.3	(OCM19/200)
	OCM. 27 Aug 20	Item 11.8	(OCM20/157)
	SCM. 2 Mar 21	Item 7.1	(SCM21/027)
Author and Title:	Krystal Dawe, Manager Place and Economic Development		
Declaration of Interest:	Nil		
Voting Requirements:	Simple Majority		

#### Recommendation/Council Decision

##### OCM21/192

Moved: Cr C Rose

Seconded: Cr S Lee

That Council:

1. establishes a Working Group to facilitate redevelopment of The Exchange Hotel, consisting of the Chief Executive Officer (CEO) as Working Group Chair, Cr D Bolt (Shire President), Cr D McLarty (Deputy Shire President), Cr A Rogers, the Chairperson of Murray Business Support Group, a representative of Pinjarra Connect and Senior Shire Officers; and
2. officers prepare a draft Terms of Reference for consideration by the Working Group at the group's inception meeting.

**CARRIED UNANIMOUSLY 8/0**

#### In Brief

Council is requested to consider the establishment of a Working Group encompassing Council and community representation that meets as required to work with the project team responsible for the redevelopment of the Exchange Hotel.

#### Background

- At its Special Council Meeting in March 2021, Council endorsed a development and design proposal that supported its vision for the Exchange Hotel to be redeveloped into a 'Regional Icon' and its associated business case and redevelopment cost estimates.
- At its Special Council Meeting in March 2021, Council also endorsed a financial commitment of \$2,854,202 and the submission of a Building Better Regions Fund application seeking \$2,335,257 towards a total cost of \$5,189,459 for redevelopment of the Exchange Hotel site and to attract a suitable and experienced operator.
- In October 2021, Council received notification that its Building Better Regions Fund application was successful, enabling the redevelopment proposal to proceed.

#### Report Detail

Council is requested to consider establishing a Working Group to assist the project team responsible for the redevelopment of the Exchange Hotel.

The project team is a multidisciplinary group that comprises the Shire's Chief Executive Officer, Shire Officers and appointed technical consultants. In time, the incoming hospitality and beverage operator for the site will also form part of the project team and participate in the detailed design process for the site.

It is proposed that the Working Group include both Council and Community representation.

The role of the Working Group will be to: provide both Council and community perspective and insight throughout the project; ensure Council's vision is achieved; assist in developing a community engagement strategy that ensures the community remain informed on progress; and to champion and promote the project in the wider community.

#### Council Representation

Given the significance of the project and the community's investment in the redevelopment of the Exchange Hotel, it is proposed that the Council representation consists of:

- Shire President;
- Shire Deputy President; and a
- Nominated Councillor

#### Community Representation

As the redevelopment concept for The Exchange includes provision for community and business activation through the event and retail spaces, it is proposed that the community representation consists of:

- Chairperson, Murray Business Support Group – Subcommittee of the Peel Chamber of Commerce who represent Murray-based businesses including those located in Pinjarra and its immediate surrounds.
- Pinjarra Connect Representative – local placemaking group dedicated to revitalisation of the Pinjarra Town Centre through different initiatives including activation of public spaces, pop-up streetscape works and events that encourage: community connectedness and increased visitation; public markets that support creative industries; and public art projects that add vibrancy for community and visitor enjoyment.

#### **Murray 2031 Strategic Community Plan**

<b>Focus Area</b>	Connected and Accessible
<b>Aspiration</b>	To enhance our transport linkages and opportunities to share information using a variety of travel and technology options.
<b>Strategy</b>	Actively increase the level of engagement with the community. A participatory community to engage with the Shire to build better places.

#### **Murray 2021-2025 Corporate Business Plan**

<b>Focus Area</b>	Places for People
<b>Objective</b>	Ensure quality, diverse and innovative planning outcomes that meet community aspirations.
<b>Strategy</b>	Implement the Pinjarra Town Centre Revitalisation Strategy.
<b>Actions</b>	Facilitate the restoration and re-use of the former Exchange Hotel.

#### **Other Strategic Links**

Communications and Engagement Strategy 2018

#### **Statutory Environment**

Nil.

## Sustainability & Risk Considerations

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

Nil.

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

Including community representation on the Working Party will facilitate an outcome that will benefit the local community (business and residents), build local capacity and involve the community in a transformational project that will revitalise the Pinjarra Town Centre.

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

Nil.

*Policy Implications*

Nil.

*Risk Management Implications*

<i>Risk Level</i>	<i>Comment</i>
Low	Without a Working Group consisting of Council and community representation, there is a risk that the redevelopment outcome may not achieve community expectations.
Low	By establishing a Working Party that includes community representation, there is risk of project delays should the representatives’ availability be limited or if conflicting views and/or expectations arise that have not been contemplated or funded by the BBRF grant. These risks are considered manageable.

## Consultation

Redevelopment of The Exchange as proposed and funded through the BBRF was informed by extensive engagement with:

- Key stakeholders in the local food sector;
- Regional Development Australia; and the
- Peel Development Commission.

Development and implementation of a Communication Strategy will be a priority of the Working Group to ensure the community remain informed and updated on progress with the project. This may include drop in information sessions and digital communications throughout the life of the project to ensure information is accessible and readily available for the community.

## Resource Implications

*Financial*

Nil.

*Workforce*

The project can be adequately managed within existing Shire resources.

## Options

Council has the option of:

1. Establishing The Exchange Working Group, consisting of Council and Community representation, proposed as:
  - Cr David Bolt (Shire President);
  - Cr Douglas McLarty (Deputy Shire President);
  - Cr \_\_\_\_\_;
  - Chairperson, Murray Business Support Group; and a
  - Pinjarra Connect Representative.
2. Determining alternative representation for The Exchange Working Group; or
3. Declining Council and/or Community representation on The Exchange Working Group.

## Conclusion

By establishing a Working Group with Council and community representation the outcomes achieved on this important landmark site in the Pinjarra Town Centre will be informed by, and reflect, the expectations of Council and the community and honour the Shire's commitment to working with the community to create great places and destinations.

## 11.14 Pinjarra Town Centre Revitalisation Concept Plan

File Ref: 1/2388  
Author and Title: Krystal Dawe, Manager Place and Economic Development  
Declaration of Interest: Nil  
Voting Requirements: Absolute Majority

### Recommendation/Council Decision

**OCM21/193**

**Moved: Cr G Black**

**Seconded: Cr C Rose**

**That Council allocates \$50,000 excl. GST to engage an architect and design team to develop a Pinjarra Town Centre Revitalisation Vision and Concept Plan, outlining a strategic vision, encompassing site feasibility and conceptual sketches of identified key sites and an animated fly through video that will inform Federal and State funding opportunities / applications and encourage new investment in the Town Centre.**

**CARRIED UNANIMOUSLY 8/0**

### In Brief

Council is requested to consider supporting the allocation of \$50,000 for the engagement of an architect and design team to develop a Pinjarra Town Centre Vision and Development Concept Plan, encompassing site feasibility and conceptual sketches of identified key sites and an animated fly through video.

### Background

Pinjarra is identified as the 'Secondary Centre' of the Peel Region and is anticipated to experience significant growth over the next 20-30 years and play a major economic and social role in the Region.

As part of the Shire's strategic planning, in 2017 the Pinjarra Revitalisation Strategy and draft Activity Centre Plan was developed. The Strategy and draft Activity Centre Plan establishes clear direction as to the outcomes sought through revitalisation of the town. The documents establish a strategic land use and development framework, which seeks to ensure economic vitality of the town centre and balance the housing, employment, transport, education, community services and infrastructure needs required to support growth, along with protecting and celebrating the highly valued heritage character of the town.

The Strategy also strives to concentrate activities around Pinjarra to activate the main street and create a critical mass of local residents (16,000 to 20,000 people) which would encourage a significant increase in pedestrian and economic activity and contribute to the town's sense of vibrancy and place.

Additionally, in 2018 the Shire developed its Economic Strategy 2018-2022 which provides a framework for economic growth and to deliver strong investment flows, employment and economic diversification. Success factors are to be targeted through a range of priority areas, including:

- Centres and Place Making
- Tourism and Visitation

A number of initiatives have already been undertaken or are underway to achieve the vision, goals and objectives of the Pinjarra Revitalisation Strategy and Economic Development Strategy and it is critical that we continue to implement the strategy documents to stimulate investment and position the town as a major activity centre that is an exciting place to live, work, shop and visit.

## Report Detail

Council is requested to consider supporting the engagement of an architect and design team to develop a Pinjarra Town Centre Vision and Development Concept Plan which would include site feasibility and conceptual sketches of key landmark sites and an animated fly through video.

### 1. Revitalisation Vision

It's proposed that the engaged Consultant will work with Shire Officers to develop an overarching vision for the town centre which is reflective of the outcomes sought under the Pinjarra Town Centre Revitalisation Strategy.

### 2. Site Feasibility and Conceptual Sketches

Informed by the established Vision, landmark sites will be identified, along with development feasibility and conceptual sketches, involving the following:

- Identification of the highest and best built form and land use outcomes for up to 5 sites, involving potential design and site yield outcomes that reflect the design principles and objectives of the Pinjarra Town Centre Revitalisation Strategy and draft Activity Centre Plan, which will be communicated through a consolidated report and associated conceptual sketches.
- Order of Probable Cost – engaging the services of a quantity surveyor to determine estimated costs in achieving the outcomes contemplated.

As part of this process, the Shire will engage with landowner/s of any privately-owned sites identified. This will ensure they are aware and involved in the process and the outcomes may potentially assist the landowner by providing valuable information should there be an aspiration to develop / redevelop or attract investor interest in the site in the future.

The site feasibility and conceptual sketches will form the basis of the Pinjarra Town Centre animated fly through video.

### 3. Animated Fly Through Video

Following the above steps, a fly through video will be developed to visually demonstrate the revitalisation vision and the aspirational outcomes of redevelopment of key sites within the Town Centre.

## Murray 2031 Strategic Community Plan

<b>Focus Area</b>	Thriving Economy
<b>Aspiration</b>	To create diverse and prosperous economy that supports innovation, training opportunities and provides a variety of business, tourism and employment opportunities.
<b>Strategy</b>	Maximise inherent regional economic opportunities Position Pinjarra as a key regional centre through the Pinjarra Revitalisation Strategy.

## Murray 2021-2025 Corporate Business Plan

Nil.

### Other Strategic Links

- Pinjarra Town Centre Revitalisation Strategy 2017
- Shire of Murray Economic Strategy 2018-2022
- Shire of Murray Tourism, Marketing and Communications Plan 2020-2023

### Statutory Environment

Planning and Development Act 2005

### Sustainability & Risk Considerations

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

Pinjarra is on the cusp of a unique future, with major socio-economic initiatives completed, underway or proposed in the Murray Region, such as the Western Australian Food Innovation Precinct, Dwellingup's growth as a major tourism destination, the imminent redevelopment of the Exchange Hotel and major initiatives associated within the equine sector. Furthering Council's strategic leadership in enabling and facilitating economic growth in the Murray Region through support for the proposed project will ensure the Shire and landowners of key landmark sites have the necessary information required to pursue future funding opportunities and assist in catalysing further investment and economic activity in Pinjarra.

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

The project will assist in fostering the outcomes for the Town Centre that were visioned by the community as part of the Pinjarra Town Centre Revitalisation Strategy.

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

Nil.

#### *Policy Implications*

Nil.

#### *Risk Management Implications*

<i>Risk Level</i>	<i>Comment</i>
Moderate	Place and destination competitiveness is becoming increasingly important and is a highly competitive market. There is moderate risk to Council should it not strongly seek out economic opportunities that stimulate investment and position the town as a major activity centre that is an exciting and vibrant place where people live, work, shop and visit.

### Consultation

Where relevant, Shire officers will engage with the landowners of any identified privately owned landmark site to ensure the landowner/s is involved in the process and assists in informing the potential redevelopment outcomes contemplated.

### Resource Implications

#### *Financial*

It is proposed the \$50,000 of unbudgeted expenditure for this project be sourced from the 2021/22 additional surplus of \$63,741.

#### *Workforce*

The project can be adequately managed within existing Shire resources.

**Options**

Council has the option of:

1. Allocating \$50,000 for engagement of an architect and design team to develop a Pinjarra Town Centre Development Concept Plan including site feasibility report, conceptual sketches and an animated fly through video.
2. Not allocating \$50,000 towards the proposed project.
3. Determining an alternative course of action, funding allocation or scope of works.

**Conclusion**

This project will enable the development of information and visual tools to assist in re-imagining the future of Pinjarra, communicating the desired outcomes of the Pinjarra Town Centre Revitalisation Strategy, support existing landowners and businesses to guide future development and/or attract investment and assist in securing funding to realise redevelopment outcomes in the Pinjarra Town Centre.



## Infrastructure Services

### 11.15 Petition – Footpath from Intersection North Yunderup Road to Western End of Culeenup Road

File Ref: 6507-04  
 Previous Items: OCM. 28 Oct 21 Item 5.1 (OCM21/156)  
 Applicant: Petition  
 Author and Title: Alan Smith, Director Infrastructure Services  
 Declaration of Interest: Nil  
 Voting Requirements: Simple Majority

**Appendix 11**

#### Recommendation/Council Decision

**OCM21/194**

**Moved: Cr G Black**

**Seconded: Cr A Rogers**

**That Council:**

- 1. support the community to establish a footpath along Culeenup Road (West) from North Yunderup Road to the Cul de sac;**
- 2. review an allocation of funding for Culeenup Road (West) footpath with all other footpath priorities as part of the 2022/23 annual budget process; and**
- 3. undertake traffic counts for Culeenup Road (West) to review driver behaviour and consider traffic management requirements.**

**CARRIED UNANIMOUSLY 8/0**

In Brief

- A petition was received from the local community regarding the need for a path network and improved traffic safety.
- A previous footpath gap analysis has identified support for a footpath on Culeenup Road (West).
- There are a number of competing priorities for footpath works.
- Previous traffic counts on Culeenup Road (West) have not identified concerns over traffic speed with further additional traffic counts needed to further review.
- Vehicles numbers are in the order of 300 vehicles per day (2018).

#### Background

A petition, containing 182 signatures requesting that Council consider the construction of a footpath from North Yunderup Road to the western end of Culeenup Road was received on 27 October 2021.

The ultimate goal is to establish a path network on all higher order and local road networks where a footpath has been identified, this will ensure a safer and more accessible community. The Long-Term Bike Plan (2013) was developed to prioritise path networks for funding through the Department of Transport but also to help establish new path opportunities to better service our local communities, an excerpt of the of the plan for North Yunderup is provided as **Appendix 11**.

#### Report Detail

The petition identifies an area in which the signatories are requesting that a footpath be constructed.

The petition states that:

*“Over the years traffic has increased tenfold and it has become very hazardous walking along the road. Apart from the elderly residents living in North Yunderup (with visiting grandchildren) there is (sic) 4 Air B & B houses along this stretch of Culeenup Road which means a large influx of families with extra cars, children on bicycles and mums pushing prams.*

*Families have moved in with school aged children —walking to the bus with no foot path presents a danger. Also, quite a few of the older residents say that they don't walk nowadays as it is far too dangerous.*

*There are too many motorists driving way too fast along this road.*

*Maybe :*

- *No Through Road sign*
- *40 or 50 KPH sign;*
- *Or even speed bumps could be considered.”*

It is important to appreciate the movement of the community either by vehicle or walking to better plan for the future. It is recognised that with necessary facilities will create and improved environment to encourage increased activation and progressively improve safety.

There are continual funding challenges as existing town areas have traditionally had a lack of identified path networks and to retrofit will unfortunately take time. As part of the budget process priority paths can be identified to better inform Council of the growing need to improve the path network to progressively meet community expectation.

As part of the budget briefing the path priorities can be further explored to ensure the path along Culeenup Road (West) is being considered in parallel with other priorities.

The path network is typically broken into a number of levels that suits the function of the path in question. The path could be part of a local road that ultimately connects to a high order network. In this case the Shire has been successful in obtaining previous funding to extend the priority shared path network along North Yunderup Road and Tonkin Drive to link the regional path network on Pinjarra Road.

Ultimately the path being proposed would be part of the local network that enables a formalised and safer pedestrian outcome that links to the greater North Yunderup path network.

### **Murray 2031 Strategic Community Plan**

<b>Focus Area</b>	Places for People
<b>Aspiration</b>	To create great places for the people through strong partnerships with the community; innovative urban design; and improve the well-being and quality of life for residents.
<b>Strategy</b>	In partnership with communities, identify and prioritise community-led projects and initiatives.

<b>Focus Area</b>	Connected and Accessible
<b>Aspiration</b>	To enhance our transport linkages and opportunities to share information using a variety of travel and technology options.
<b>Strategy</b>	Improve the shared pathway linkages within and between towns.

**Murray 2021-2025 Corporate Business Plan**

Nil.

**Other Strategic Links**

Nil.

**Statutory Environment**

Shire of Murray Meeting Procedures Local Law:

**3.6 Petitions**

- (1) A petition is to
  - (a) be addressed to the president;
  - (b) be made by electors of the district;
  - (c) state the request on each page of the petition;
  - (d) contain the name, address and signature of each elector making the request, and the date each elector signed; and
  - (e) contain a summary of the reasons for the request; and (f) state the name of the person to whom, and an address at which, notice to the petitioners can be given.
- (2) Upon receiving a petition, the local government is to submit the petition to the relevant employee to be included in the employee's deliberations and report on the matter that is the subject of the petition, subject to subclause (3).
- (3) At any meeting, the council is not to vote on any matter that is the subject of a petition presented to that meeting, unless
  - (a) the matter is the subject of a report included in the agenda; and
  - (b) the council has considered the issues raised in the petition.

**Sustainability & Risk Considerations**

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

Nil.

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

Activation within communities is of paramount importance and the progressive improvement to path networks will add considerably to the health and wellbeing of our community.

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

Nil.

*Policy Implications*

Nil.

*Risk Management Implications*

<i>Risk Level</i>	<i>Comment</i>
Moderate	The creation of this footpath would improve the safety, and therefore lessen the risk of injury to residents and conflict with vehicle movements.

**Consultation**

Nil.

## **Resource Implications**

### *Financial*

To establish a path network for the section of Culeenup Road (West) would be in the order of \$90,000. There may be an opportunity to stage these works in an effort to manage within budget allocations.

### *Workforce*

Implementation of any path construction works are coordinated through the Operations Team and utilise contractors engaged through a tender process.

## **Options**

Council has the option of:

1. Support the community through the budget process to review a footpath along Culeenup Road (West) and undertake further traffic review.
2. Not support the community through the budget process to review a footpath along Culeenup Road (West) and undertake further traffic review.

## **Conclusion**

We are fortunate to live within a beautiful environment and there is a need to encourage increased activation within our communities to progressively provide options to improve health and wellbeing. Increasing the network of paths has always been a priority to assist in this space with an ongoing priority within Council and the community. There are competing priorities within the budget process with annual path allocations being provided to assist with the development of the path network. A review of the Long Term Bike Plan is proposed in the next 2-3 years to further inform path priorities.

Previous traffic counts for Culeenup Road (West) undertaken in 2012 & 2018 identify up to 300 vehicles per day, the speed environment from these counts was between 43km/h to 56km/h. The location of the traffic count can have an impact on these results with the count undertaken in 2018 being within proximity of North Yunderup Road, therefore having a lower speed area, while giving a true indication of traffic volumes. It would be proposed to undertake additional traffic counts to further review traffic behaviour and recommend traffic improvements where required.

**11.16 Adoption of Amended Shire of Murray Waste Plan**

File Ref: 3/3846  
 Previous Items: OCM. 25 March 2021 Item 11.14 (OCM21/044)  
 Applicant: Nil  
 Author and Title: Claire Ward, Coordinator Waste and Fleet  
 Declaration of Interest: Nil  
 Voting Requirements: Simple Majority

**Appendix 12**

**Recommendation/Council Decision**

**OCM21/195**

**Moved: Cr A Rogers**

**Seconded: Cr S Lee**

**That Council adopts the amended Shire of Murray Waste Plan in accordance with the *Waste Avoidance and Resource Recovery Act 2007* and section 5.56 of the *Local Government Act 1995*.**

**CARRIED UNANIMOUSLY 8/0**

**In Brief**

- In March 2021 Council adopted the Shire of Murray Waste Plan which was submitted on 31 March 2021 to the Department of Water and Environmental Regulation (DWER) for endorsement.
- Advice received from DWER on 1 October 2021 that further detail in relation to the Shire’s waste to energy commitment is required to add further clarity to the Shire’s waste plan.

**Background**

In 2019 the State Government exercised their power under the Waste Avoidance and Resource Recovery Act 2007 and advised all local governments in the Perth and Peel regions and major regional centres of the requirement to develop a waste plan.

In November 2019 the Department of Water and Environmental Regulation (DWER) formally notified the Shire of Murray of the requirement to prepare a Waste Plan.

The purpose of the waste plan is to improve waste management planning across local governments to -

- align local government waste management activities with the objectives and targets of the waste strategy;
- positively impact municipal solid waste recovery rates; and
- encourage local government to adopt better practice approaches to waste management.

The State Government’s Waste Avoidance and Resource Recovery Strategy 2030 (WARRS 2030) released in February 2019 sets targets to reduce waste generation, increase material recovery and the diversion of waste from landfill.

<ul style="list-style-type: none"> <li>○ 2025 – 10% reduction in waste generation per capita</li> <li>○ 2030 – 20% reduction in waste generation per capita</li> </ul>	<ul style="list-style-type: none"> <li>○ 2025 – Increase material recovery to 70%</li> <li>○ 2030 – Increase material recovery to 75%</li> <li>○ From 2020 – Recover energy only from residual waste</li> </ul>	<ul style="list-style-type: none"> <li>○ 2030 – No more than 15% of waste generated in Perth and Peel regions is landfilled.</li> <li>○ 2030 – All waste is managed and/or disposed to better practice facilities</li> </ul>
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In 2012 Rivers Regional Council, of which the Shire of Murray is a member, proposed the establishment of a Waste to Energy (WtE) facility which would allow Councils to meet the diversion targets set out in the Western Australian Waste Strategy ‘*Creating the Right Environment*’ released in March 2012. At this time the State Government were supportive of energy from waste (EfW) and the Shire entered into a contractual commitment to send its

municipal solid waste (MSW) from the current two-bin kerbside service to WtE providing a recovery rate of over 95% diversion from landfill.

The release of the State Government's 'Waste Strategy 2030' in 2019 changed the direction of the 2012 strategy now requiring all Perth and Peel local governments to implement a consistent three-bin kerbside system to provide for the separation of food organics and garden organics (FOGO) by 2025 and from 2020 recover energy from residual waste only.

With WtE contracts signed in 2013/14, the release and direction of the Waste Strategy 2030 has the potential to financially impact the Shire and its ratepayers as the diversion of FOGO will reduce the committed tonnes to WtE for which a penalty will be imposed along with the costs involved with the introduction of a third bin.

The notification received from DWER in October 2021 advises that the submitted waste plan is unable to be assessed as it does not address the Shire's energy commitments and intentions and does not adequately outline how the Shire's waste services will be managed to achieve consistency with the Waste Strategy.

The Shire's draft waste plan was submitted to DWER in October 2020 for review prior to finalisation and presentation to Council. Feedback from DWER's review was incorporated into the waste plan which received Council endorsement in March 2021.

DWER have advised that at the time of providing feedback on the draft waste plan they had not considered the complexity around WtE commitments and the level of detail required within waste plans to ensure consistency with the Waste Strategy 2030.

### **Report Detail**

There are two Waste Strategy targets that are directly relevant to the Shire's waste plan:

1. All local governments in the Perth and Peel region to provide a consistent three bin kerbside collection system that includes the separation of FOGO from other waste categories.
2. From 2020 – Recover energy from residual waste only.

Subsequent to receipt of the advice from DWER in October 2021, officers have undertaken discussions with DWER to seek further clarification as to how the Shire can address these targets and achieve endorsement of its waste plan.

DWER have advised that the first target has been addressed within the Implementation Plan by outlining the Shire's commitment to undertake a feasibility assessment of the technical and financial implications of introducing a three bin FOGO system, incorporating the Shire's WtE commitment to be completed by December 2023.

The assessment will consider all available kerbside options across several criteria - economic, environmental, social and governance given that any change will have significant upfront and ongoing financial ramifications for the Shire's community.

DWER have requested further detail addressing the second target around how waste services will be delivered consistent with this target along with the relevant steps and timeframes for this to occur.

Until such time as the feasibility assessment is complete it is difficult to address the second target timeframes, however upon DWER's advice an additional action, "*Diverting waste from landfill to waste to energy*", has been added to the Implementation Plan. To provide clarification of the Shire's position and commitment to waste to energy an additional "*Clause 1.1 Background*" has been inserted into the Waste Plan.

The Shire is required to review the waste plan annually and provide a report to DWER in October each year to update progress against the Waste Strategy targets with the first report due 1 October 2022.

### **Murray 2031 Strategic Community Plan**

<b>Focus Area</b>	Environment, Character and Heritage
<b>Aspiration</b>	Proactively manage resources and reduce our carbon footprint through responsible management of water, energy, fire management and waste.
<b>Strategy</b>	Improve waste management practices through diversion, re-use and recycling.

### **Other Strategic Links**

Nil.

### **Statutory Environment**

- Local Government Act 1995
- Waste Avoidance and Resource Recovery Act 2007
- Waste Avoidance and Resource Recovery Regulations 2008
- Waste Avoidance and Resource Recovery Strategy 2030

### **Sustainability & Risk Considerations**

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

The waste plan outlines actions to be implemented over a five-year period and any economic impacts will be incorporated into future planning and budgets.

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

Waste management education and behaviour change initiatives have been included in the waste plan to support waste avoidance, resource recovery and correct waste disposal behaviours.

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

The waste plan incorporates actions which will enhance current activities and provide opportunities to engage with our community and improve waste management practices in turn reducing waste to landfill and thereby protecting the environment.

#### *Policy Implications*

Nil.

#### *Risk Management Implications*

<i>Risk Level</i>	<i>Comment</i>
Low	Adoption of the amended waste plan will remove the risk of non-compliance with State Government requirements.

### **Consultation**

- Department of Water and Environmental Regulations
- Western Australian Local Government Association
- Rivers Regional Council

**Resource Implications***Financial*

The waste plan has been prepared within existing budget funding and actions within the plan will be included in future budgets.

*Workforce*

The waste plan has been developed utilising current staff resources and actions within the plan will be progressed initially within current staff resources. To fully implement the actions within the waste plan consideration will need to be given to a part time/contract Waste Education Officer within the next 2-3 years.

**Options**

Council has the option of:

1. Adopting the amended Shire of Murray Waste Plan as presented.
2. Adopting the amended Shire of Murray Waste Plan with further amendment.

**Conclusion**

The preparation of a waste plan is a requirement under section 40(4) of the *Waste Avoidance and Resource Recovery Act 2007* (the Act). Under sections 41 and 42 of the Act, powers are provided to the CEO of DWER to prepare or modify waste plans that do not meet the requirements under sections 40(3) and 40(4) of the Act.

It is recommended that Council adopt the amended Waste Plan.



**Items for Information****11.17 Council Resolution/Outstanding Items**

Resolution Register is attached for information.

**Appendix 13**

**11.18 Delegated Decisions – October 2021**

Delegated Decisions is attached for information.

**Appendix 14**

**12. BUSINESS LEFT OVER FROM THE PREVIOUS MEETING**

Nil.

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

Nil.

**14. NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING**

Nil.

**15. NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE PERSON PRESIDING OR BY DECISION OF THE MEETING****16. MEETING CLOSED TO THE PUBLIC (CONFIDENTIAL BUSINESS)****16.1 Western Australian Food Innovation Precinct – Food Technology Facility Fit-Out**

File Ref:	T21/1
Previous Items:	Nil
Applicant:	N/A
Author and Title:	Dean Unsworth, Chief Executive Officer Dr. Chris Vas, General Manager WAFIP
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority

**Confidential Appendices 1 – 3 Under Separate Cover**

**Recommendation/Council Decision**

**OCM21/196**

**Moved: Cr C Rose**

**Seconded: Cr A Rogers**

**That Council proceeds behind closed doors the time being 6.14pm as per Section 5.23(2)(c) of the Local Government Act for the purpose of considering confidential item 16.1 Western Australian Food Innovation Precinct – Food Technology Facility Fit-Out.**

**CARRIED UNANIMOUSLY 8/0**

**Recommendation/Council Decision**

**OCM21/197**

**Moved: Cr S Lee**

**Seconded: Cr S Kirkham**

**That Council receives Item 16.1 Western Australian Food Innovation Precinct – Food Technology Facility Fit-Out as Late Urgent Business and that the report remains confidential due to the commercial-in-confidence nature of the report.**

**CARRIED UNANIMOUSLY 8/0**

### **Suspension of Shire of Murray Meeting Procedures**

#### **Council Decision**

**OCM21/198**

**Moved: Cr A Rogers**

**Seconded: Cr G Black**

**That Council suspend Meeting Procedures (as per Shire of Murray Meeting Procedures Local Law 2015 Clause 12.1) to allow open discussion on Confidential item 16.1 Western Australian Food Innovation Precinct – Food Technology Facility Fit-Out, the time being 6.16pm.**

**CARRIED UNANIMOUSLY 8/0**

### **Resumption of Shire of Murray Meeting Procedures**

#### **Council Decision**

**OCM21/199**

**Moved: Cr S Lee**

**Seconded: Cr S Kirkham**

**That Council resume Meeting Procedures (as per Shire of Murray Meeting Procedures Local Law Clause 12.1) the time being 6.43pm.**

**CARRIED UNANIMOUSLY 8/0**

### **Recommendation/Council Decision**

**OCM21/201**

**Moved: Cr A Rogers**

**Seconded: Cr C Rose**

**That Council proceeds with open doors the time being 6.44pm.**

**CARRIED UNANIMOUSLY 8/0**

## **17. CLOSURE OF MEETING**

There being no further business the Presiding Member declared the meeting closed the time being 6.44 pm.

**I confirm that these minutes were confirmed at the Ordinary Council Meeting held on 16 December 2021 as being a true and correct record.**



.....  
**Presiding Member**

16 December 2021

.....  
**Date**