



Agenda

Ordinary Council Meeting

Thursday 26 May 2022

Question Time Rules

Please note that the following rules apply to Question Time:

- 1. The person asking the question is requested to complete a Public Question Time Form prior to asking a question at the Council meeting. This will assist in a more informed and detailed response being given at this meeting. This form is available on the Shire's website and on the desk in the gallery area of Council Chambers.**
- 2. Questions are to be directed through the Chair, with the Chairperson having the discretion of accepting or rejecting a question or taking it on notice.**
- 3. To enable all members of the public a fair and equal opportunity to participate in Question Time, each person shall, in the first instance, ask a maximum of Two Questions.**
- 4. If a question is taken on notice at the meeting, it will be answered in writing and included in the following meeting's Minutes.**

Table of Contents

1	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	1
2	ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE	1
3	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	1
4	PUBLIC QUESTION TIME	1
5	PETITIONS AND APPROVED DEPUTATIONS	1
6	CONFIRMATION OF MINUTES	1
6.1	Ordinary Council Meeting – 28 April 2022	1
7	ANNOUNCEMENTS BY THE PRESIDING MEMBER	1
8	ANNOUNCEMENTS BY ELECTED MEMBERS	1
9	ACKNOWLEDGEMENT OF RECEIPT OF DISCLOSURE OF INTERESTS (BY PRESIDING MEMBER)	2
10	RECEPTION OF MINUTES AND RECOMMENDATIONS OF COMMITTEES HELD SINCE PREVIOUS MEETING OF COUNCIL	2
	REPORTS OF CHIEF EXECUTIVE OFFICER AND OFFICERS	2
11	PLANNING AND SUSTAINABILITY	2
12	CORPORATE GOVERNANCE	3
12.1	Payments from Municipal and Trust Funds - April 2022	3
12.2	Monthly Financial Report - April 2022.....	6
12.3	Proposed 2022 / 2023 Differential Rates	9
13	RECREATION, ECONOMIC & COMMUNITY DEVELOPMENT	13
14	INFRASTRUCTURE SERVICES	13
15	ITEMS FOR INFORMATION	14
15.1	Council Resolution / Outstanding Items.....	14
15.2	Quarterly Corporate Business Plan - 30 April 2022	15
16	BUSINESS LEFT OVER FROM PREVIOUS MEETING	16
17	ELECTED MEMBERS' MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	16
18	NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING	16
19	NEW BUSINESS OF AN URGENT NATURE APPROVED BY THE PERSON PRESIDING OR BY DECISION OF THE MEETING	16
20	MEETING CLOSED TO THE PUBLIC (CONFIDENTIAL BUSINESS)	17
20.1	Stage 1 - Expression of Interest for the Exchange Hotel, Pinjarra - Consideration of Submissions	17
20.2	Stage 1 - Expression of Interest for Dwellingup Trails and Visitor Centre (Western Portion) - Consideration of Submissions	17
20.3	Financial and Organisational Review - May 2022..... Error! Bookmark not defined.	
21	CLOSURE OF MEETING	18



Notice of Meeting

Notice is hereby given that the Ordinary Meeting of Council will be held at the Murray Shire Council, 1915 Pinjarra Road, Pinjarra on Thursday, 26 May 2022 commencing at 5.30pm.

Dean Unsworth
Chief Executive Officer

- 1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**
- 2 ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE**
- 3 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
- 4 PUBLIC QUESTION TIME**
- 5 PETITIONS AND APPROVED DEPUTATIONS**
- 6 CONFIRMATION OF MINUTES**
- 6.1 Ordinary Council Meeting – 28 April 2022**

Recommendation

That the Minutes of the Ordinary Council Meeting held on Thursday 28 April 2022 be confirmed as a true and correct record.

7 ANNOUNCEMENTS BY THE PRESIDING MEMBER

The Shire President's announcements will be provided as an attachment to the Minutes.

8 ANNOUNCEMENTS BY ELECTED MEMBERS

The Elected Members' announcements, as provided, will be attached to the Minutes.

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

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

Nil.

REPORTS OF CHIEF EXECUTIVE OFFICER AND OFFICERS

11 PLANNING AND SUSTAINABILITY

Nil.

12 CORPORATE GOVERNANCE

12.1 Payments from Municipal and Trust Funds - April 2022

File Ref:	D22/14301
Previous Items:	Nil.
Applicant:	Nil.
Author and Title:	Tamara Tabor, Finance Coordinator
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Appendices:	12.1 App 1 - Payments from Municipal and Trust Funds April 2022

Recommendation

That Council receives the Payments from Municipal and Trust Funds Report April 2022 as presented.

In Brief

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

Background

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

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

Report Detail

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

The report contains the list of payments made from the Shire of Murray's Municipal and Trust bank accounts for the month of April 2022.

This list includes details for each payment made, incorporating:

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

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

Murray 2031 Strategic Community Plan

Focus Area	Capable and Accountable
Aspiration	To develop strong leadership through good governance, effective communication and ensuring value for money.
Strategy	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 <i>Local Government (Financial Management) Regulations 1996</i> , 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 April 2022.
2. Not receiving the Payments from Municipal and Trust Funds report for April 2022.

Conclusion

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

12.2 Monthly Financial Report - April 2022

File Ref:	D22/14302
Previous Items:	Nil.
Applicant:	Nil.
Author and Title:	Tamara Tabor, Finance Coordinator
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Appendices:	12.2 App 1 - Monthly Financial Report - April 2022

Recommendation

That Council receives the April 2022 Monthly Financial Report as presented.

In Brief

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

Background

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

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

Report Detail

The monthly financial report for April 2022 identifies the financial position of Council as at the reporting date and consist 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

Focus Area	Capable and Accountable
Aspiration	To develop strong leadership through good governance, effective communication and ensuring value for money.
Strategy	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 April 2022.
2. Not receiving the monthly financial report for April 2022.

Conclusion

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

12.3 Proposed 2022 / 2023 Differential Rates

File Ref: D22/14988
 Previous Items: Nil
 Applicant: Nil
 Author and Title: Tracie Unsworth, Director Corporate Services
 Declaration of Interest: Nil
 Voting Requirements: Simple Majority
 Appendices: 12.3 App 1 - Differential Rates Objects and Reasons 2022 - 2023

Recommendation

That Council:

1. Authorise the advertising of the Statement of Objects and Reasons as contained in the Appendix; and
2. Authorise the advertising of the following proposed differential rates and minimum payments for 2022/2023:

GRV Rate Categories	Minimum Payment	Rate in \$
General	1,212	0.10229
Lesser minimum for Storage Units	912	0.10229
Commercial	1,212	0.08183
UV Rate Categories	Minimum Payment	Rate in \$
General	1,212	0.007042

In Brief

- The *Local Government Act 1995* requires the proposed differential rates to be advertised for public comment, for a minimum of 21 days, prior to their formal adoption as part of the annual budget.
- The Shire has applied the current property values as at 12 May 2022 to determine the total rates revenue per differential rate type, based on a proposed 4.5% rate increase.
- Council is requested to consider and endorse the Statement of Objects and Reasons and proposed differential rates and minimum payments for the 2022/2023 financial year, for the purpose of advertising and seeking public submissions as required by the *Local Government Act 1995*.

Background

A key component of the development of the Shire’s annual budget is the establishment of the rate in the dollar to be applied when raising the rates for that financial year. Before differential rates can be imposed, Council must advertise the proposed differential rates for a minimum of 21 days. This period of advertising provides ratepayers the ability to consider the proposed rate in the dollar for each category and make any submissions prior to Council adopting the proposed rate as part of the annual budget adoption process. The proposed differential rates and minimum payments can then be imposed through the adoption of the budget, with or without modification.

Report Detail

When preparing the annual budget, the focus is aimed at balancing the need for revenue to fund the requirements of local government services, activities, maintenance of assets, financing costs and capital infrastructure requirements, with the desire to limit the increase to affordable levels for the ratepayers.

Due consideration has been given to the economic climate experienced over the last few years, in particular the last two years impacted by the COVID19 pandemic. In response to this, the Shire has kept rate increases over the last four years to a relatively low level:

- 2018/19 2.00%
- 2019/20 1.96%
- 2020/21 0.00%
- 2021/22 1.49%

This low level of revenue increase has put severe pressure on the ability of the Shire to maintain the same service levels to meet the Community’s expectations as delivered in previous years. In the Australian Bureau of Statistic’s latest Consumer Price Index, Australia release, the All Groups CPI for the March Quarter 2021 to March Quarter 2022 for Perth was 7.6%. This increase will have an even larger impact on the cost of materials and contracts required for service delivery and consequently a 4.5% increase in rates is recommended.

The Statement of Objects and Reasons details the proposed characteristics and objects and reasons for each rating category and are detailed in the Appendix.

The rate in the dollar modelled for each category, and included in this report, are based on the property database as at 12 May 2022.

Murray 2031 Strategic Community Plan

Focus Area	Capable and Accountable
Aspiration	In 2031 Murray will have further developed strong leadership through good governance, effective communication and ensuring value for money.
Strategy	Maintain long term financial sustainability.

Murray 2021 – 2025 Corporate Business Plan

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

Other Strategic Links

Shire of Murray Long Term Financial Plan

Statutory Environment

The *Local Government Act 1995* provides the following requirements in relation to differential rating.

6.36 Local government to give notice of certain rates

- 1) Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so.

- 2) A local government is required to ensure that a notice referred to in subsection (1) is published in sufficient time to allow compliance with the requirements specified in this section and section 6.2(1).
- 3) A notice referred to in subsection (1) –
 - a) May be published with the period of 2 months preceding the commencement of the financial year to which the proposed rates are to apply on the basis of the local government’s deficiency; and
 - b) Is to contain –
 - i. Details of each rate or minimum payment the local government intends to impose; and
 - ii. An invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days (or such longer period as is specified in the notice) of the notice; and
 - iii. Any further information in relation to the matters specified in subparagraphs (i) and (ii) which may be prescribed; and
 - c) Is to advise electors and ratepayers that the document referred to in subsection (3A) –
 - i. May be inspected at a time and place specified in the notice; and
 - ii. Is published on the local government’s official website.
- 3A) The local government is required to prepare a document describing the objects of, and reasons for, each proposed rate and minimum payment and to publish the document on the local government’s official website.
- 4) The local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.
- 5) Where a local government –
 - a) In an emergency, proposes to impose a supplementary general rate or specified area rate under section 6.32(3)(a); or
 - b) Proposes to modify the proposed rates or minimum payments after considering any submissions under subsection (4),

It is not required to give local public notice of that proposed supplementary general rate, specified area rate, modified rate or minimum payment.

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>

<p>Moderate</p>	<p>Key risks include:</p> <ul style="list-style-type: none"> • Non-compliance with the requirements of legislation around differential rates resulting in a non-complying rating structure. • An adverse reaction from ratepayers regarding the percentage rate increase and the variation in the rate in the dollar.
-----------------	---

Consultation

The proposed 2022/2023 rate in the dollar and Objects and Reasons Statement for Differential Rates must be advertised for a minimum of 21 days in accordance with the statutory requirements. Results of the public consultation are considered by Council following the advertising process.

Resource Implications

Financial

The decision around increases or decreases to the rates model will directly influence Council’s ability to fund expenditure requirements proposed in the 2022/23 budget and the 2022 Long Term Financial Plan. The annual rate revenue difference for each 1% of rates is \$178,311. Expenses will be incurred in relation to advertising the proposed differential rates, which are accommodated within the current budget.

Workforce

The administrative requirements of the recommendation will be carried out within current workforce resources.

Options

Council has the option of:

1. Adopting the proposed 2022/23 rate in the dollar and objects and reasons for each category of differential rates.
2. Adopting an alternative 2022/23 rate in the dollar and objects and reasons for each category of differential rates.

Conclusion

Council is required to advertise the objects and reasons for differential rates before they can be adopted in the annual budget. Advertising Council’s intention to apply differential rates prior to the adoption of the budget enables community feedback on the reasons for the proposed rates.

Electors or ratepayers will have 21 days from the date of public advertising to make submissions in respect of the proposed rate in the dollar or minimum payment, and any related matter. Council is required to consider any submissions received before imposing the proposed rate in the dollar or minimum payment as part of the adoption of the 2022/2023 annual budget.

The proposed differential rates reflected in the 2022/23 Objects and Reasons Statement have been determined using the available property valuation provided by Landgate.

The advertising of differential rates does not bind Council to that increase in the rate in the dollar and minimum payment when adopting the 2022/2023 budget. Council has the option to vary the rate in the dollar and minimum payments up or down, depending on the final budget requirement and any submissions received.

13 RECREATION, ECONOMIC & COMMUNITY DEVELOPMENT

Nil.

14 INFRASTRUCTURE SERVICES

Nil.

15 ITEMS FOR INFORMATION

15.1 Council Resolution / Outstanding Items

File Ref: D22/14235

Author and Title: Denise Garner, CEO Executive Support Officer

Appendices: 15.2 App 1 - Council Resolution - Outstanding Items - 26 May 2022

In Brief

Resolution Register is attached for information.

15.2 Quarterly Corporate Business Plan - 30 April 2022

File Ref: D22/15635

Author and Title: Rikki Gardiner, Senior Corporate Support Officer

Appendices: 15.2 App 1 - Quarterly Corporate Business Plan Report - 30 April 2022

In Brief

The Corporate Business Plan progress report as at 30 April 2022 is attached for your information.

16 BUSINESS LEFT OVER FROM PREVIOUS MEETING

Nil.

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

Nil.

18 NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING

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

20 MEETING CLOSED TO THE PUBLIC (CONFIDENTIAL BUSINESS)**Recommendation**

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

20.1 Stage 1 - Expression of Interest for the Exchange Hotel, Pinjarra - Consideration of Submissions

File Ref: D22/14078
Previous Items: OCM 28 Apr 22 Item 20.2
Applicant: N/A
Author and Title: Krystal Dawe, Manager Place and Economic Development
Declaration of Interest: Nil
Voting Requirements: Absolute Majority

Confidential Appendices Under Separate Cover

20.2 Stage 1 - Expression of Interest for Dwellingup Trails and Visitor Centre (Western Portion) - Consideration of Submissions

File Ref: D22/14348
Previous Items: OCM 28 Apr 22 Item 20.3
Applicant: N/A
Author and Title: Krystal Dawe, Manager Place and Economic Development
Declaration of Interest: Nil
Voting Requirements: Absolute Majority

Confidential Appendices Under Separate Cover

20.3 Financial and Organisational Review - May 2022

File Ref: D22/15892
Previous Items: Nil.
Applicant: Nil.
Author and Title: Dean Unsworth, Chief Executive Officer
Declaration of Interest: Nil
Voting Requirements: Simple Majority

Confidential Appendices Under Separate Cover

21 CLOSURE OF MEETING