



Minutes

Ordinary Council Meeting

Thursday 8 October 2015

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 following commencement of the Council 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 and the right to nominate a Councillor or Officer to answer.
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 raised is unable to be answered at the meeting, it is to be submitted in writing by the person asking the question and dealt with in accordance with normal Council procedures.

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Minutes of the Ordinary Meeting of Council held at the Murray Shire Council, 1915 Pinjarra Road, Pinjarra on Thursday 8 October 2015.

The Presiding Member Cr W Barrett declared the meeting open the time being 9.01.am.

1. ATTENDANCES

Cr W Barrett	Shire President
Cr C Thompson	Deputy Shire President
Cr M Reid	Councillor
Cr E Menara	Councillor
Cr B Thomson	Councillor
Cr P Briggs	Councillor
Cr B Beacham	Councillor
Cr S Lee	Councillor
Mr R Peake	Acting Chief Executive Officer
Mr A Smith	Director Technical Services
Mrs L Barter	Executive Assistant to Director Planning and Sustainability

There were six member of the public, two members of staff and two members of the press in attendance at this time.

2. ABSENT

Cr A Black (Apology)	Councillor
Mr D Unsworth (Annual Leave)	Chief Executive Officer
Mrs J Burton (Annual Leave)	Director Corporate and Community Development

3. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. PUBLIC QUESTION TIME

Mr Richard PH James, 8007 South West Highway, Waroona

Q1. Will the Councillors agree to meeting with me to discuss the You Can Canoe proposal?

Q2. Will the Council support the 'Show of Community Strength' picnic at the swing bridge on 8 November 2015?

The **Shire President** advised **Mr James** that his questions would be taken on notice and a response provided in writing.

5. CONFIRMATION OF MINUTES**5.1 Ordinary Council Meeting – 24 September 2015****OFFICER RECOMMENDATION/COUNCIL DECISION:****OCM15/248****Moved: Cr P Briggs****Seconded: Cr C Thompson****That the Minutes of the Ordinary Council Meeting held on Thursday 24 September 2015 be confirmed as a true and correct record.****CARRIED UNANIMOUSLY 8:0****6. DECLARATIONS OF INTEREST**

Nil

7. ANNOUNCEMENTS BY THE SHIRE PRESIDENT WITHOUT DISCUSSION

On Friday 25 September I attended the 'Fight the Bite' mosquito aware campaign held at the Sebel in Mandurah.

On Saturday 26 September I attended the opening ceremony of the Viet Nam Pavilion in the Perth Royal Show held at the Claremont Show Ground.

On Sunday 27 September I attended the official grand opening of the new Aquatic facilities at the Mandurah Aquatic and Recreation Centre.

On Tuesday 29 September the CEO, Director Planning and Sustainability and I met with Grant Quartermaine in relation to the Keysbrook Sand Mine.

On Thursday 1 October I opened the Pinjarra Community Advisory Night held at the Civic Centre.

On Friday 2 and Saturday 3 October I attended a Lions Convention held at Booragoon.

On Monday 5 October I attended the Work Safe Morning tea held in the Councillors lounge.

On Tuesday 6 October I attended the promotion of the 7 day week service at the Dwellingup Visitor Centre.

8. QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN WITHOUT DISCUSSION

Nil

9. CORRESPONDENCE

Nil

10. PETITIONS, MEMORIAL, DEPUTATIONS AND PRESENTATIONS

Nil

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

Nil

12. REPORTS OF OFFICERS

Planning and Sustainability

12.1 Peron Naturaliste Partnership – Memorandum of Understanding

File Ref:	3610-01		
Previous Items:	PPS Sept 2014	Item 7.5	(PPS14/111)
	OCM Sept 2014	Item 12.1.1	(OCM14/121)
	PD July 2011	Item 5.2.1	(PD11/048)
	OCM July 2011	Item 10.1.2	(OCM11/107)
	PD Dec 2012	Item 14.1	(PD12/200)
	OCM Dec 2012	Item 11.6.2	(OCM12/252)
Author and Title:	Leanne McGuirk, Manager Planning and Environment Services Craig Perry, Peron Naturaliste Partnership		

Appendix 1

Purpose

In September 2014 Council endorsed the incorporation of the Peron Naturaliste Partnership (PNP) and the appointment of Councillor Maree Reid as a Board member.

On 25 March 2015 the PNP became an incorporated association. The incorporation of the PNP was a significant milestone for the partnership and for the local governments involved.

It was recognised by Executive Officers at the inaugural meeting of the PNP Board that to clearly outline the expectations of the local governments and the PNP, their respective roles and responsibilities and the governance and working arrangements, a Memorandum of Understanding (MoU) should be entered into.

Based on the recommended direction of the PNP Board, it is proposed that Council:

- Acknowledges the incorporation of the Peron Naturaliste Partnership; and
- Endorses the Shire entering into a 'Memorandum of Understanding' with the Peron Naturaliste Partnership.

Background

At the inaugural General Meeting of the Board of Governors (the Board), Shire of Harvey President, Councillor Tanya Jackson was elected as PNP Board interim Chairperson and City of Mandurah Councillor Caroline Knight was appointed as PNP Board interim Deputy Chairperson.

The incorporation of the PNP is seen as the next step in the development and maturity of the PNP given that climate change and associated impacts will continue to increase in the future and it was therefore considered appropriate for the PNP to continue to grow in order to deal with these matters.

As outlined in the report to Council in September 2014, the key elements of incorporation of the PNP are as follows:

- The Board is responsible for strategic direction, policy and management;
- A Member of each Local Government (LG) is represented on the PNP Board by one delegate appointed by the Member LG;
- The Board includes a Chairperson and Vice-Chairperson. The Chairperson shall be the spokesperson for the PNP;
- The Secretariat comprises of the host LG, PNP Coordinator and PNP Project Officer and is responsible for the secretarial, clerical, administrative affairs, hosting of

- employees and activities in the Business Plan, technical input, implementation of actions and functions as directed by the Board;
- The host LG is nominated at the AGM for a 2 year term for the purpose of employing and accommodating staff and operational support;
 - At the end of the 2 year period, the host LG arrangement will be reviewed and nominations again sought for a host LG;
 - Funding for host LG for accommodation and other operational support (eg. finances, banking, engaging employees etc. will be provided in-kind;
 - The host LG establishes a trust fund or bank account in name of PNP for purposes as laid out in the Constitution;
 - Financial contributions by each member LG shall be apportioned by an annual membership fee, covering funding of officers wages (1 FTE) and administration costs. A supplementary contribution for project funding may also be sought if and when required. (The financial contributions and process does not change from the current arrangements);
 - Each LG commits to seek membership fees for 2 years, although it is acknowledged that LG's cannot confirm financial contributions beyond financial a year;
 - The Coastal Planning Committee is comprised of relevant officers from each LG responsible for planning matters related to the coast and implementation of actions and functions as directed by the Board and assists in determining strategic direction, policy making and management.
 - Other Working Groups can be created as required and directed by the Board.
 - A MoU should be developed and entered into between each LG and the PNP which defines respective roles and responsibilities and the governance and working arrangements.

Proposal

As outlined above, entering into a MoU is an essential agreement in the PNP governance framework and strengthens the approach taken by the PNP and its member local governments.

In order to meet this requirement, a draft MoU has been prepared by PNP officers which is provided as **Appendix 1**.

The non-legally binding MoU outlines the expectations of the LG's, their respective roles and responsibilities and details the governance and working arrangements to achieve the agreed objectives. The MoU also includes an outline of the general operating approach and expenses of the host local government, which is at this stage the City of Mandurah.

The local governments will monitor the arrangements applying to the MoU on an ongoing basis and may through the exchange of letters between the respective Chief Executive Officers and approval by the PNP, modify the MoU. Furthermore, all parties will formally review the MoU within two years from the date of the MoU being signed to ascertain whether the terms of the MoU are still relevant or necessary.

Murray 2025 Strategic Community Plan

Objective 1:	Strong and collaborative leadership which engages in effective partnerships and reflects the aspirations of our community.
Outcome 1.3:	Effective collaboration with other government agencies, political representatives and industry.
Strategy 1.3.1:	Foster strategic alliances to deliver key infrastructure projects and initiatives in partnership with key stakeholders.

Objective 5:	A healthy and sustainable natural environment.
Outcome 5.3:	Our carbon footprint is reduced and the impacts of climate change managed.
Strategy 5.3.3	Plan and adapt to the impacts of climate change

Murray 2015-2019 Corporate Business Plan

Action 5.3.3.2	Actively participate in the Peron Naturalist Partnership activities.
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Other Strategic Links

The WA Climate change Strategy states “state and local governments have a large role to play in adaptation. Adaptation measures are also best coordinated and implemented at the State and local level because the impacts of climate change are primarily dependent on a number of local and regional factors, including geography, local climate and local characteristics. Local knowledge is also an important element in developing adaptation response. Effective and efficient adaptation will require cooperation between all levels of government, business and industry, individuals and communities.” The incorporation of the PNP and Council’s endorsement of the associated MoU will ensure that regional level coordination is implemented which will facilitate the already integrated, strategic regional approach to climate change adaptation.

Statutory Environment

Section 1.3 (3) of the *Local Government Act 1995* states “In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through integration of environmental protection, social advancement and economic prosperity”.

In order to ‘meet the needs of current and future generations’, LG must address climate change impacts on its community. Climate change poses a growing threat to the community and to LG, environmentally, socially and financially, and a range of mitigation and adaptation strategies must be applied to ensure that both social and legal obligations are met and risks and future costs are reduced.

Policy Implications

Nil

Sustainability and Risk Considerations

Economic - (Financial impact to the community)

A regional approach to climate change will reduce costs for individual LG’s and minimise inconsistency in regulations in land use and environmental planning. Furthermore, the incorporation of the PNP and the signing of the associated MoU will ensure that the Shire remains informed and an active participant in climate change awareness and adaptation planning and that greater opportunities for external funding may be sourced.

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

The incorporation of the PNP and associated MoU will ensure that the Shire continues to play an active role within the partnership, which will ultimately benefit the community as understanding of climate change impact increases and mitigation planning measures are developed and implemented.

Environment – (Impact on environment's sustainability)

Continued involvement in the incorporated PNP will ensure that the Shire continues to develop environmental awareness of climate change impacts at both a local and regional level and that environmental risk is minimised through adaptation planning.

Governance – (Policy implications)

Nil

Overall Risk Management Consideration

It is considered there are no significant risks with Council entering into the Memorandum of Understanding with the PNP.

Consultation

The following PNP partners are being consulted in relation to the proposed MoU:

- City of Mandurah
- Shire of Harvey
- Shire of Capel
- Shire of Dardanup
- Shire of Waroona
- City of Bunbury
- City of Rockingham
- City of Busselton

Resource Implications

Financial

Nil

Workforce

Nil

Options

Council has the option to:

1. Endorse the Shire entering into a Memorandum of Understanding with the PNP.
2. Not endorse the Shire entering into a Memorandum of Understanding with the PNP.

Conclusion/Justification of Officer Recommendation

The MoU is a non-legally binding agreement between the PNP and each member local government that clearly outlines the roles and responsibilities of each party and in particular outlines the operations and expenses of the host local government, currently the City of Mandurah.

The PNP continues to be recognised as a leader not only in WA but in Australia as being a good example of a partnership approach that is effectively addressing climate change matters.

The MoU is an essential agreement in the PNP governance framework and strengthens the approach taken by the PNP and its member local governments.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION:

That Council

1. acknowledges the incorporation of the Peron Naturaliste Partnership;
2. acknowledges the appointment of Shire of Harvey President Councillor Tania Jackson as interim Chairperson and City of Mandurah Councillor Caroline Knight as interim Deputy Chairperson of the Peron Naturaliste Partnership Board; and
3. endorses the Shire entering into the Memorandum of Understanding (MOU) with the Peron Naturaliste Partnership included under Appendix 1.

COUNCIL DECISION:**OCM15/249****Moved: Cr M Reid****Seconded: Cr B Beacham****That Council:**

1. **acknowledges the incorporation of the Peron Naturaliste Partnership;**
2. **acknowledges the appointment of Shire of Harvey President Councillor Tania Jackson as Chairperson and City of Mandurah Councillor Caroline Knight as Deputy Chairperson of the Peron Naturaliste Partnership Board; and**
3. **endorses the Shire entering into the Memorandum of Understanding (MOU) with the Peron Naturaliste Partnership include under Appendix 1.**

CARRIED UNANIMOUSLY 8:0**Reason for Change**

Council changed the Officer's Recommendation to reflect the Councillor appointments to the Peron Naturaliste Partnership Board as being confirmed since the preparation of the Council agenda.

12.2 Proposal to Accept Management Order for Town Lot G Canon Street, Pinjarra

File Ref: HE02/GLEBE
 Previous Items: Nil
 Author and Title: Susan Cowling, Senior Planning Officer

Purpose

Council is requested to consider an offer from the Department of Planning to accept a management order for Town Lot G Canon Street, Pinjarra, also known as the 'Glebe Land' to the Shire of Murray.

Background

Town Lot G is located at the north-eastern side of Henry Street, between the Murray River, the Old School House and Rose Garden properties. A location plan of the site is shown below.



The site comprises 3.05Ha, is primarily within the Murray River floodway and contains a medium sized brick and tile dwelling (approximately 200m²), featuring 3 bedrooms and a bathroom. The remaining portion of the lot features grass land, introduced planting and an olive grove.

Historically, the land parcel was used as the place of residence for the Reverend serving at the St John's Church. The existing dwelling was the former rectory. The original rectory site is located further east atop a small rise within the subject lot. The remainder of the land was used by the Reverend to grow food. The olive grove is the lasting physical evidence of this former use.

In 2006-2007 the Shire of Murray approached the landowner, the Western Australian Planning Commission, registering interest in acquiring the management order for the land. The intent at that time was to construct a caravan park. The Department advised that they did not support this land use, particularly as the site was located within the floodway, and subsequently rejected the Shire's request.

Since that time, the Shire has completed and/or has progressed a number of strategic based projects in the area, outlining the long term planning options for the town centre, including the Foreshore and Exchange Hotel Masterplan, Pinjarra Heritage Trail (review) and the Edenvale Landscape Masterplan.

During consultation for the Pinjarra Heritage Trail with the Department of Planning, it was noted that Council had set a clear direction, comprehensively and responsibly planning for the future of the foreshore area including the Glebe Land. The Department noted Council's commitment to the integrity of the Main Street as an economic and tourist centre and shared the Shire's vision for the future development of the townsite. Based on the above, the Department has subsequently offered to transfer the land to the State, with a management order to the Shire of Murray for the purpose of recreation and if required the demolition of the existing dwelling prior to handover.

This offer was made on the understanding that the current strategic focus was advanced, and that the development of the site as a caravan park was not in any way supported.

Proposal

The Department of Planning is offering to transfer Town Lot G Canon Street, Pinjarra to the State, with the management order to the Shire of Murray. In addition it will fund the demolition of the existing dwelling prior to handover.

Lot G is strategically important to the Shire of Murray being identified as a major tourism and recreational focal point within the Murray River Foreshore and Exchange Hotel Site Masterplan. The Masterplan assigns community, tourism, heritage/archaeological and event uses to the Glebe Land. Acquiring the property would ensure that key strategic goals and outcomes of the Masterplan are more easily achieved.

An inspection of the site was undertaken by officers in August. It was noted that the existing dwelling needs extensive work to bring it up to a standard expected of a Shire owned rental property. In particular, there are rising damp and roof leak issues as well as electrical issues with the site that require urgent attention.

Given the costs associated with bringing up the property to an acceptable standard, the ongoing maintenance costs associated with the glebe land and future demolition costs (which would be borne by the Shire if not undertaken prior to handover) it is anticipated that the property would need to be continuously rented for 10 years for all initial and ongoing maintenance costs to be recovered.

It is relevant to acknowledge that the Murray River Foreshore and Exchange Hotel Site Masterplan recommends the demolition of the dwelling within the short to medium term (5-10 years). Should the dwelling be tenanted for the short rather than medium term, it is relevant to acknowledge that it will be difficult to recover the expenditure costs of undertaking the works required to ensure the dwelling is at an acceptable standard and the initial and ongoing maintenance costs are covered.

Murray 2025 Strategic Community Plan

Objective 4:	Well planned, integrated and active places that embrace and respect our rural lifestyle, built and natural environment and heritage.
Outcome 4.2:	Town centres are welcoming, well presented and developed to enhance their character and value.
Strategy 4.2.3:	Identify and protect sensitive landscape features and the Shire's unique rural character and identity.

Outcome 4.4:	Our heritage is embraced, protected and promoted.
Strategy 4.4.1:	Protect and enhance identified heritage places.

Outcome 4.5:	Plan for and build facilities and infrastructure that will meet the needs of a growing community.
Strategy 4.5.1:	Effectively manage infrastructure through its lifecycle.
Strategy 4.5.2:	Obtain funding sources internally, from government agencies, private and 20A Reserves land swaps to fund projects.

Murray 2015-2019 Corporate Business Plan

Action 1.1.2.1 :	Identify opportunities for new income streams that are financially sound and equitable.
Action 1.1.3.3 :	Ensure effective management of the Shire's property portfolio
Action 2.1.3.2:	Develop the Pinjarra Town Centre Revitalisation Plan
Action 2.3.3.3:	Ensure the quality of parks, road verges, townsites and recreation facilities
Action 4.3.1.2:	Maintain and develop parks and recreation areas to increase activity

Other Strategic Links

Nil

Statutory Environment

Nil

Policy Implications

Nil

Sustainability and Risk Considerations

Economic - (Financial impact to the community)

There would be significant outlay in the early stages of accepting tenure. This funding would take at least a 10 year period to be recouped from rental income.

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

The Glebe Land is an important part of the Edenvale Homestead site, as it is part of the original village centre of Pinjarra and a hub for social and economic activity in the early stages of Pinjarra's development. The site forms an important feature of the Murray River Foreshore Masterplan, which focusses on community development and recreational opportunities whilst enhancing and protecting Pinjarra's unique heritage and cultural identity.

The Glebe Land could be developed for event and passive recreation space, with the potential to develop an icon/status building (such as an art gallery or public meeting space) in place of the current dwelling.

Environment – (Impact on environment's sustainability)

There should be no environmental impacts arising from the proposal. Existing vegetation within the glebe will need to be assessed and trimmed accordingly.

Governance – (Policy implications)

Council Policy TA7 – Vesting of Land and/or Buildings, states – “When land and/or buildings are offered to Council by some other person, organisation or body or are sought by Council, a full report shall be prepared outlining the following:

- 1) its future use and benefit to the community;
- 2) the costs of improvements;
- 3) the costs of annual maintenance; and
- 4) any other relevant information.

This report is to be presented to the relevant committee and the recommendations made for Council approval prior to acceptance or rejection of the offer.

Overall Risk Management Consideration

There are no major risks associated with the proposal.

Consultation

Nil

Resource Implications

Financial

The Department of Planning is offering to transfer Town Lot G free of cost, covering all costs associated with transfer and the demolition of the existing dwelling.

It is estimated that a base cost for bringing the dwelling up to a serviceable standard would total approximately \$20,000.

The Department of Planning has offered to meet the cost of demolishing the building and will arrange for its removal prior to the transfer. Demolition costs are estimated at \$16,000 - \$20,000.

Prior to considering this offer, an investigation into potential rental yields was undertaken. It is noted that the building previously attracted a weekly rental yield of \$300 per week, or \$14,400 per year. The real estate agency currently handling the site has advised that current rental would easily be maintained and that there is no shortage of potential tenants wanting to rent the property.

Annual maintenance of the building would be approximately \$5000, which would include servicing, insurance and annual maintenance costs. The annual maintenance costs of the grounds which would include mowing, tree pruning and weed control is \$2522.

The Initial cost to make safe and remove dead trees, fallen branches, lifting of trees and removal of overgrown scrub is estimated to cost \$33,000.

Workforce

Some of the works associated with bringing the property up to an acceptable standard can be completed by Shire officers. Ongoing maintenance of the house and lands would generally be completed by staff, unless a specialist contractor is required.

Options

Council has the option of:

1. Accepting the offer to transfer and the prior demolition of the dwelling by the Department of Planning.
2. Accepting the offer to transfer and not the offer of demolition of the dwelling by the Department of Planning.
3. Rejecting the offer to transfer made by the Department of Regional Development and Lands.

Conclusion/Justification of Officer Recommendation

Town Lot G is strategically important to the future development of the Murray River foreshore and Pinjarra town centre and this has previously been identified by Council when it sought the transfer of the land. The acquisition of the land will consolidate the Shire control of the majority of the Edenvale Heritage Precinct, with the exception of St John's Church, and substantially adds to a continuous foreshore area under the Shire's control within the town centre. The land is significant from a heritage perspective and to the development of tourism and improvement of community facilities in the town centre and on this basis it is strongly recommended that Council take advantage of the Department of Planning's offer.

Costs associated with the initial upgrade of the dwelling and property can be factored into future year budgets. Given the timeframes associated with the transfer process it is unlikely that any costs would be incurred this financial year.

If Council would prefer the retention of the dwelling at this time it would benefit from the ability to obtain rental income. It would however take approximately 10 years to recoup these costs, and longer if substantial necessary repair works eventuated. The Murray River Foreshore Masterplan indicates the removal of the dwelling ought to occur within the short to medium term. On balance, given this timeframe, the at best marginal financial benefit of retaining the dwelling for 10 years and the fact that the Department has offered to cover the costs of the demolition works prior to transfer, it is recommended that Council accept the offer for the Department to demolish the dwelling.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION:

OCM15/250

Moved: Cr C Thompson

Seconded: Cr P Briggs

That Council accepts the offer by the Department of Planning in its correspondence dated 24 July 2015 to transfer management responsibility of Town Lot G Canon Street to the Shire of Murray and its offer to demolish the existing dwelling prior to the transfer.

CARRIED UNANIMOUSLY 8:0

12.3 Proposed District Scheme Amendment No. 295 to Town Planning Scheme No. 4 – Flood Prone Areas Special Control Area

File Ref: DSA 295
Author and Title: Leanne McGuirk, Manager Planning and Environment Services
Rod Peake, Director Planning and Sustainability

Purpose

To consider the preparation of an Amendment to Town Planning Scheme No. 4 (the Scheme) to introduce a Special Control Area relating to Flood Prone Areas.

Background

Putting in place appropriate planning controls for development within flood prone areas is essential to the orderly planning of the Shire. This ensures that proposals for development are considered in the context of the most up to date flood mapping and due consideration is given to whether development is likely to impede flood flow during major flood events, contribute towards an increased financial or safety risk to landowners, adjacent landowners and/or the broader community and/or result in an increased environmental risk.

Since the initial gazettal of the Scheme, a number of amendments have been undertaken to provide Council with greater planning control over development within the floodplain area of the Murray and Serpentine Rivers.

The *Planning and Development (Local Planning Scheme) Regulations 2015* were gazetted on 25 August 2015. The new Regulations introduce a range of changes to the way in which planning and development applications and processes are currently undertaken.

The new Regulations contain a range of 'deemed provisions'. As of 19 October 2015 these provisions become statutorily binding and in circumstances where there are inconsistencies between these and local planning scheme provisions, the 'deemed provisions' will prevail.

A key concern with the implementation of the Regulations is the inconsistency that will exist between the current the Scheme provisions and the 'deemed provisions' in regard to the types of development exempt from planning approval.

Under the current Scheme provisions development within the floodway requires planning approval, except certain specified minor types of development such as post and rail fencing. Under the new 'deemed provisions' however there are specified exemptions from the need to obtain planning approval, most notably for single houses that meet the deemed to comply provisions of the Residential Design Codes, irrespective of issues such as flooding. It is understood that these exemptions were introduced into the Regulations to reduce regulatory 'red tape', however they will result in what appears to be an unintended consequence whereby the Shire and likely other local governments will have little control over development of particularly single houses in flood prone areas.

The 'deemed provisions' of the Regulations do provide local government with an opportunity to introduce 'Special Control Areas' (SCA's) to deal with specific issues such as flood protection and this can be used as a mechanism to reintroduce the necessity for planning approval for development within a floodway.

This report therefore seeks Council's initiation of Amendment 295 to the Scheme to replace the current floodplain related provisions with a new SCA which would address the requirements for development within flood prone areas and in particular reintroduce the requirement for planning approval for all development in the floodway, notwithstanding any exemptions that may otherwise apply. The SCA will also provide the benefit of updating the current flood plain related provisions of the Scheme to meet contemporary circumstances.

Proposal

It is proposed to remove the current provisions in Part XII – River Flood Plains of the Scheme and the associated floodplain demarcation included on the Scheme Maps and replace these with a new Flood Prone Area SCA which would address a range of relevant matters including:

- The purpose, objectives and extent of the SCA;
- Flood related definitions;
- A requirement for planning approval for generally all development except public works and open fencing within the floodway, notwithstanding that the development may otherwise be exempted;
- Application referral requirements to the Department of Water for advice;
- Flood related development provisions and considerations for determining applications within flood prone areas including constraining development in the floodway; minimum habitable building floor levels; measures to be employed to protect development from the impacts of flood and notification requirements;

Murray 2025 Strategic Community Plan

Objective 4:	Well planned, integrated and active places that embrace and respect our rural lifestyle, built and natural environment and heritage
Outcome 4.1:	Growth is managed in a sustainable and responsible way that protects our lifestyle and the natural environment
Strategy 4.1.2:	Establish a comprehensive and sustainable local planning framework to guide the growth of our Shire

Objective 5:	A healthy and sustainable natural environment
Outcome 5.1:	Biodiversity of our natural ecosystems are protected and enhanced
Outcome 5.2:	Waterways and water resources are protected, conserved and enhanced
Strategy 5.1.5:	Promote sustainable land management
Strategy 5.2.1:	Protect, maintain and enhance the health of our waterways and wetlands.

Murray 2015-2019 Corporate Business Plan

Action 4.1.2.6:	Prepare and review a range of Local Planning Policies to support sustainable planning outcomes
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Statutory Environment

Part 2, Regulation 10(4) of the *Planning and Development (Local Planning Schemes) Regulations 2015* states that “*The provisions in Schedule 2 are deemed provisions, being provisions to which section 257B of the Act applies, and are applicable to all local planning schemes, whether or not they are incorporated into the local planning scheme text.*” The notes associated with this Regulation states that “*If a deemed provision is inconsistent with another provision of a local planning scheme to which the deemed provision applies, the deemed provision prevails and the other provision, to the extent of the inconsistency, is of no effect.*”

Of relevance to the subject of this report, Schedule 2, Part 7, cl. 61 (1) of the Regulation’s deemed provisions specifies types of development for which planning approval is not

required, which includes single and ancillary dwellings and associated outbuildings and infrastructure in specified circumstances.

Notably Schedule 2, Part 7, cl. 61 (3) of the Regulations provides local government with the ability to introduce Scheme provisions that require planning approval for development within a 'Special Control Area'.

Policy Implications

In 1996 the Western Australian Planning Commission (WAPC) adopted the Natural Hazards and Disasters State Planning Policy 3.4 (SPP). This policy states that:

'proposed development on a floodplain is considered acceptable with regard to major flooding as long as it does not produce an adverse impact on surrounding development and it has an adequate level of flood protection. Land uses in flood prone areas should not allow development that will obstruct floodways.'

In 2002 the WAPC adopted the Peel Region Scheme (PRS) Floodplain Management Policy to guide land use planning within flood plains within the area covered by the PRS. The flood plain mapping contained within the document was based on historical records of 1:100 year flood events and a projected sea level rise of 0.38 m.

A draft update to this policy was released in May 2015 for public comment. The updated mapping applied recent Department of Water flood modelling and more up to date sea level rise projections of 0.9 m. The updated policy also advised that

'State and local governments have a responsibility to minimise the potential for flood damage resulting from decisions about the use and development of land within the floodplains of rivers.'

The advertised, updated policy further states that local planning schemes should require a landowner/developer to obtain planning approval prior to undertaking development including the construction of a dwelling, building, rural shed(s), solid fencing, landfill and excavation within the floodway (refer cl. 5.1.3). Furthermore, the policy indicates that development should not be approved in the floodway in circumstances where it may obstruct major river flood flow events and increase flood events upstream (refer cl. 5.3.1).

Notably, the gazetted *Planning and Development (Local Planning Scheme) Regulations 2015* are inconsistent with the provisions of both the current and updated draft PRS Floodplain Management Policy which clearly acknowledge the need for planning controls for development within the floodway.

The proposed amendment will ensure the intent of the SPP and PRS Floodplain Management Policy is retained.

Sustainability Implications

Economic - (Financial impact to the community)

The economic cost of reinstatement works as well as recovery and response activities associated with major flood events can be immense. A suitable planning framework aimed at mitigating the impacts of floods in prone areas is considered the most effective strategy for reducing the long-term economic costs to the community.

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

Building in flood prone areas can increase risk of personal injury.

Environment – (Impact on environment's sustainability)

Building in flood prone areas can increase the amount of nutrients entering waterways particularly in the unsewered parts of the Shire and can impact on the values and ecological integrity of the waterways and adjacent land.

Governance

Nil

Consultation

The concerns pertaining to the exemption of dwellings and associated outbuildings from planning approval under the new *Planning and Development (Local Planning Schemes) Regulations 2015* with the Department of Planning. The advice from officers from the Department was that the most appropriate course of action was for Council is to initiate an amendment to its Scheme to introduce a 'Special Control Area' for land within the floodway.

Resource Implications

All relevant documentation for progressing the amendment will be prepared by Shire officers. Officer time and other direct costs can be contained within the Planning and Sustainability operational budget.

Risk Management Considerations

There are potentially considerable risks to people and property from developing in flood prone areas. The introduction of the SCA will provide suitable planning framework to effectively manage these risks.

Options

Council has the option of:

1. Adopt the proposed amendment;
2. Adopt the proposed amendment, subject to modifications; or
3. Not adopt the proposed amendment.

Conclusion/Justification of Officer Recommendation

Amendment 295 to the Scheme is intended to rectify an issue which has arisen as a result of an inconsistency between the 'deemed provisions' of the *Planning and Development (Local Planning Schemes) Regulations 2015* and the current provisions of the Scheme.

The amendment is intended to introduce a 'Special Control Area' for land within the floodway, as well as specific provisions which require development within flood prone areas to be subject to development approval and comprehensively assessed against a range of suitable criteria.

It is recommended that Council support the initiation of the proposed amendment.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION:

OCM15/251

Moved: Cr B Thomson

Seconded: Cr C Thompson

That Council:

1. pursuant to Section 75 of the *Planning and Development Act 2005* resolve to initiate Amendment No 295 to Town Planning Scheme No 4 to:
 - a) delete the current provisions in Part XII – River Flood Plains of the Scheme;
 - b) delete reference to the floodplain on the Scheme map;
 - c) insert a new Scheme Objective under Clause 2.2 relating to flood protection;
 - d) insert a new Special Control Area under Clause 6.14.4 for Flood Prone Areas to comprehensively address a range of relevant matters including:
 - the purpose, objectives and extent of the Special Control Area;
 - flood related definitions;
 - a requirement for planning approval for generally all development except public works and open fencing within the floodway, notwithstanding that the development may otherwise be exempted;
 - application referral requirements to the Department of Water;
 - flood related development provisions and considerations for determining applications for development within flood prone areas including constraining development in the floodway; minimum habitable building floor levels; measures to be employed to protect development from the impacts of flood and notification requirements.
 - e) include reference to the Flood Prone Areas Special Control Area on the Scheme map based on the information contained in the Department of Water Floodplain Management Strategy;
 - f) make any consequential changes necessary as a result of the above.
2. endorse the preparation of amendment documents to the satisfaction of the Director Planning and Sustainability and authorise the Shire President and Chief Executive Officer to endorse the Amendment documentation;
3. authorise the Amendment to be forwarded to the Environmental Protection Authority for consideration of environmental assessment in accordance with Section 81 of the Act;
4. after compliance with Sections 81 and 82 of the Act, advertise the amendment for a period of 42 days.

CARRIED UNANIMOUSLY 8:0

12.4 Ravenswood Regional Sport Precinct Project

File Ref: 5315
Previous Items: Nil
Applicant: Not Applicable
Author and Title: Dean Unsworth, Chief Executive Officer

Appendices 2 and 3

Purpose

Council is requested to consider supporting the commencement of the formal planning process for the Ravenswood Regional Sports Precinct (RRSP) project.

Background

The Ravenswood Regional Sports Precinct (“the Precinct”), previously widely known as the Fiegert Road Regional Sporting Facility, has generated renewed interest in recent months following the release of the Department of Planning’s *Direction 2031 and Beyond* draft Perth and Peel Sub-Regional Structure Plan.

The draft plan, known as “Perth and Peel @3.5 million” is designed to cater for Perth’s expected significant growth between now and 2050. In that time the Perth and Peel area is expected to have a population of 3,500,000.

To accommodate such a population, the Department of Planning has suggested that a significant amount of this growth will be in the southern areas, particularly in Murray and Mandurah. The current draft shows that by 2050 the population of the local governments of Murray and Mandurah will be approximately 300,000.

This growth is unprecedented. Already the Department of Sport and Recreation (DSR) has publicly stated that, already, there is inadequate sport and recreation space in the Perth and Peel regions. This problem will be exacerbated with the growth that is expected in Murray and Mandurah.

The Precinct is located in the Ravenswood Strategic Activity Centre, which is the heart of the major urban growth area as identified by the Perth @ Peel 3.5 million plan. The site was purchased by Main Roads WA to facilitate not only for the development of the Forrest Highway though also to secure the location for the future regional open space.

The proposition to develop a regional sporting and recreational facility at Ravenswood has been the subject of several studies and reviews commissioned by the principle project stakeholders with regional population growth the primary catalyst.

A commitment to now progress with this project was taken by the principle project stakeholders at a Project Framing Workshop conducted in May 2015. The stakeholders include the Shire of Murray, City of Mandurah, Peel Development Commission and DSR. The workshop developed a five phase road map for the project with a staging plan that facilitates the projects delivery over an indicative 10 year time horizon.

A principle outcome of the workshop and phasing plan was the creation of a Project Steering Committee supported by a Project Working Group.

Proposal

At its initial meeting on 28 August 2015 the Steering Committee confirmed the outcomes of the framing workshop, the phasing plan and the creation of the working group. The Steering Committee further requested the development of this paper to assist in council deliberations to seek support for the Ravenswood Project. The phasing plan identifies the necessary

process that will be required to bring the facility to fruition over a 10-year planning and delivery horizon.

Broadly, the phasing plan proposes the following stages;

- Phase 1: Needs Analysis, Feasibility Study and Business Case development.
- Phase 2: Master Planning, Statutory Approvals, Investment Models and Contributions Plan.
- Phase 3: Detailed Project Delivery Plan and Regional Cooperative Model.
- Phase 4: Construction and Implementation of the Operating Model.
- Phase 5: Project Implementation Review and Life Cycle Approval process.

From a process perspective, progression to the next successive phase is contingent upon the approval of the Project Steering Committee.

At the detail level, the first phase of the road map identified the following actions:

- Commitment to the project initialisation and commencement process;
- Completion of a needs analysis;
- Development of a usage model;
- Supporting strategies to advocate the importance of the site;
- Development of a stakeholder and communications plan, and
- Once approved the development of a Feasibility Study and Business Case.

While strategic recreation and facilities planning documents have been developed over the past 10 to 15 years for both the Shire of Murray and the City of Mandurah, the projected use and utilisation of the proposed Ravenswood Regional Open Space should be reviewed in light of the recently released strategic planning documents *Directions 2031 and Beyond* and the *Perth and Peel @ 3.5 Million*. Moreover, it is now timely to undertake a regionally based needs analysis to identify both current and emerging sport and recreation needs for the Murray and Mandurah region. Such an analysis will identify current demands and gaps as well as provide a more accurate understanding of the Ravenswood site and plot surrounding sporting and recreation spaces to meet future demands.

The culmination of this work will facilitate the creation of a short, medium and long-term usage model that will be used to inform the timing of the project and phasing of facility delivery over time to meet the identified needs.

A fully investigated business planning process that engages across the Murray and Mandurah segment of the Peel region is essential when considering the range of project funding options as part of that process.

Murray 2025 Strategic Community Plan

Objective 4:	Well planned, integrated and active places that embrace and respect our rural lifestyle, built and natural environment and heritage
Outcome 4.3:	Public open space, recreation areas and facilities are accessible and well utilised
Strategy 4.3.1:	Plan, provide and manage recreation infrastructure to meet the needs of our community

Murray 2015-2019 Corporate Business Plan

Action 4.3.1.4:	Progress master planning of sporting precincts.
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Other Strategic Links

- Peel Region Sport & Recreation Facilities Plan (2010)
- State Sporting Facilities Plan (2013)

Statutory Environment

Nil

Policy Implications

Nil

Sustainability and Risk Considerations

Economic - (Financial impact to the community)

The management of such a large regional sporting precinct will have a financial impact to the community in the ongoing management of this facility. It is planned that this financial pressure however will be offset with the joint partnership agreement to be developed with the City of Mandurah.

While there is a significant cost in providing quality regional sporting facilities to a growing population, not having these types of facilities would be a negative impact on potential home and business investors.

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

It is very evident that, with the vast growth that the Shire of Murray and the Peel region will experience, that sporting fields and facilities are paramount to the social aspect of our lifestyle.

Environment – (Impact on environment's sustainability)

Environmental issues will be dealt with through the master planning process.

Governance – (Policy implications)

Governance models will need to be developed between the Shire of Murray and the City of Mandurah. At this point however, it is seen as logical to first undertake the master plan and feasibility of the project.

Overall Risk Management Consideration

There is significant reputational risk to Council if it does not plan ahead for needed future facilities, particularly given that Council is well aware of the population growth that the Shire will experience over the next 30 – 50 years.

Consultation

- Department of Sport and Recreation
- City of Mandurah
- Peel Development Commission

Resource Implications

Financial

The cost of master planning for such a significant regional sporting precinct will be significant. However, the Department of Sport and Recreation and City of Mandurah have committed \$30,000 each towards the master planning of the project. The Peel Development Commission has applied to the Department of Regional Development for a funding allocation of \$30,000.

Workforce

These implications are internal and will be incorporated into current staff's work programs.

Options

Council has the option of:

1. Allocating funding towards the Ravenswood Regional Sporting Precinct project.
2. Not allocating funding to the Ravenswood Regional Sporting Precinct project.

Conclusion/Justification of Officer Recommendation

There has been significant buy-in towards this important regional sporting precinct from all stakeholders in recent months. The need for this precinct has become even more important given that the Department of Planning has recently released its draft "Perth and Peel @ 3.5" sub regional structure plan. This plan illustrates the significant growth that is expected in the Peel. Much of this growth will be within the Shire of Murray boundary and particularly within the Ravenswood precinct (Appendix 2). The current sub regional structure plan identifies the Shire of Murray having a population of approximately 164,256 people by 2050.

Also attached is a draft Memorandum of Understanding proposed, which will clearly set-out the process and agreement to jointly progress this project.

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION:

OCM15/252

Moved: Cr B Beacham

Seconded: Cr S Lee

That Council:

1. **formally supports progressing with the Master Planning of the Ravenswood Regional Sport Precinct and as such allocates \$30,000 as a 25% contribution towards the planning;**
2. **allocated these funds from Council's estimated cash surplus which will be presented in November 2015 to Council; and**
3. **endorses the draft Memorandum of Understanding (Appendix 3) between the Shire of Murray and City of Mandurah which will guide the process in developing the Ravenswood Regional Sport Precinct project.**

CARRIED UNANIMOUSLY 8:0

Corporate Governance

12.5 Risk Management Strategy

File Ref:	8040		
Previous Items:	PPS Jun 13	Item 8.7	(PPS13/076)
	TS May 11	Item 5.1	(TS/029)
Applicant:	Not Applicable		
Author and Title:	Nicole Hewitt, Health, Safety and Risk Management Officer		

Appendix 4

Purpose

This report is presented to Council to endorse the reviewed Risk Management Strategy. The Strategy details the framework which supports the implementation of Enterprise Risk Management throughout Council's strategic, operational and project management processes.

Background

Risk management is a central part of an organisation's strategic management and integral to effective corporate governance. The primary objective of having a risk management framework is to ensure all outcomes are considered as part of decision making processes which results in the effective management of threats and maximisation of opportunities.

Management of risks includes identification, evaluation and enacting appropriate treatments or strategies to manage operations and achievement of objectives. It encompasses both disadvantageous effects and also opportunities to improve and sustain the organisations performance. The existence of a risk management framework assists this by:

- Ensuring resources and operational capacities are identified and deployed responsibly and effectively.
- Demonstrating transparent and responsible risk management processes, which align with best practice.
- Establishing clear roles and responsibilities and reporting lines within Council for risk management.
- Incorporating risk management in the Council's decision-making, business planning and performance management processes.
- Establishing procedures for the monitoring of risk management on a regular basis.

The Risk Management Strategy aligns effective risk management practices across Council within a common framework. A key focus of the Risk Management Strategy is to further position risk management as a critical driver of process within Council, and one that is supported by a framework of values that are practiced by all staff. The Strategy is applicable to staff, elected members, volunteers, contractors and is relevant to all activities undertaken on behalf of the Shire of Murray.

Proposal

The amendments made to the Risk Management Strategy since it was first endorsed in May 2011 have been endorsed by the Risk Management Committee.

These amendments include the following:

- Strategic alignment updated to match the Shire of Murray 2025 Strategic Community Plan;
- Consequence and Likelihood tables updated to incorporate projects;

- Examples of possible risk areas added to Risk Categories;
- Risk Acceptance Criteria table updated to incorporate projects;
- Risk Management Priorities and Integration updated.

Murray 2025 Strategic Community Plan

Objective 1:	Strong and collaborative leadership which engages in effective partnerships and reflects the aspirations of our community
Outcome 1.1:	A long-term, strategically focused Shire that is sustainable, respected and accountable
Strategy 1.1.3:	Ensure accountable, ethical and best practice governance to our district

Murray 2015-2019 Corporate Business Plan

Action 1.1.3.6:	Review the Risk Management Strategy
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Other Strategic Links

Not Applicable

Statutory Environment

The Risk Management Strategy is aligned to the International Standard for Risk Management, ISO 31000:2009.

There are references within the Local Government Act 1995 that require Councils to adopt appropriate policies, practices and procedures to effectively manage risks. In addition, the Chief Executive Officer, or his nominee, is responsible for reporting to the Audit Committee and Council, at least once every two years, on the appropriateness and effectiveness of risk management systems and procedures. This is in accordance with the Local Government (Audit) Regulations 1996.

Local Government also has risk management obligations under other legislation, such as the:

- Occupational Safety and Health Act 1984;
- Environmental Protection Act 1986;
- Health Act 1911; and
- Emergency Management Act 2005.

Policy Implications

Nil

Sustainability and Risk Considerations

Economic - (Financial impact to the community)

The Strategy provides the foundation to ensure that strategic, operational and project planning is carried out in a way that will minimise risk and maximise opportunity. This will enhance the ability to provide cost effective services.

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

The Risk Management Strategy assists Council to meet its objectives in the delivery of services to the community through the deliberate consideration of all impacts in relation to business objectives.

Environment – (Impact on environment's sustainability)

Not Applicable

Governance – (Policy implications)

The Strategy supports Council's Risk Management Policy through the development of a consistent framework that is prepared in accordance with the international standard for risk management.

Overall Risk Management Consideration

The Risk Management Strategy contributes to the minimisation and management of all risks.

Consultation

The Risk Management Strategy has been amended in consultation with the Risk Management Committee.

Resource Implications

Financial

No financial impacts apply to proposed Strategy amendments.

Workforce

No significant impact.

Options

Council has the option of:

1. Endorsing the proposed Strategy amendments.
2. Making changes to the Strategy.
3. Not endorsing the proposed Strategy amendments.

Conclusion/Justification of Officer Recommendation

The reviewed Risk Management Strategy continues to provide an overview of the framework, arrangements and responsibilities for risk management within the Council. It provides the mechanism to integrate all of the previously developed tools and provide a strategy that is of relevance to Elected Members with responsibility for overseeing the Council's risk management arrangements. It is also of relevance to members of the officer body charged with co-ordinating and facilitating development of the Council's risk management arrangements.

The Shire of Murray's reviewed Risk Management Strategy also continues to set the risk management direction for all service areas operating within Council. It provides a holistic, strategic and comprehensive approach to risk management that integrates the risk management activities across the Council, and further positions risk management as a critical governance mechanism within our internal processes.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION:

OCM15/253

Moved: Cr P Briggs

Seconded: Cr B Thomson

That Council adopts the reviewed Risk Management Strategy as contained in Appendix 4.

CARRIED UNANIMOUSLY 8:0

12.6 Notification of Amendment to the 2015/16 Financial Assistance Grant Allocation

File Ref: 8/9015
 Author and Title: Julie Burton, Director Corporate and Community Development

Purpose

This report is presented to Council to provide information on the allocation of the financial assistance grant for 2015/16, and to request approval for a budget amendment to reflect the change.

Background

Financial assistance grants are provided to Local Governments on an annual basis and form a critical part of the revenue base of all Councils.

Information regarding the notional allocation is provided in June of each year, with advice regarding the final figures available following the final funding pool determination which is determined by the Commonwealth early in each financial year.

Proposal

The Western Australia Local Government Grants Commission have recently advised that the Financial Assistance Grants have been finalised. These allocations have decreased since the notional allocations were completed in June 2015 due to an adjustment by the Commonwealth in the population used to determine the allocation of funds to the States for distribution.

The final figures for the Financial Assistance Grants for the Shire of Murray in 2015/16 are as follows:

General Purpose Grant	Notional	Final
Advance Paid in 2014/15	\$539,404	\$539,404
Balance to be paid in 2015/16	\$425,596	\$364,548
Total General Purpose Grant	\$965,000	\$903,952

Road Grant	Notional	Final
Advance Paid in 2014/15	\$431,139	\$431,139
Balance to be paid in 2015/16	\$369,861	\$369,814
Total General Purpose Grant	\$801,000	\$800,953

A total decrease of \$61,095 is the effect of the final grant allocation, being \$61,048 in regard to the general purpose grant and \$47 in relation to the road grant.

Murray 2025 Strategic Community Plan

Objective 1:	Strong and collaborative leadership which engages in effective partnerships and reflects the aspirations of our community
Outcome 1.1:	A long term strategically focused Shire that is sustainable, respected and accountable
Strategy 1.1.2:	Prudent management of financial resources to maximise value for money

Statutory Environment

Not Applicable

Policy Implications

Nil

Sustainability and Risk Considerations

Economic - (Financial impact to the community)

Not Applicable

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

A reduction in income effects the ability of the Shire to deliver community outcomes.

Environment – (Impact on environment's sustainability)

Not Applicable

Governance – (Policy implications)

Not Applicable

Overall Risk Management Consideration

The reduction in financial assistance grants is an ongoing financial risk to Council which is in part mitigated by the development and maintenance of the Long Term Financial Plan.

Consultation

Not Applicable

Resource Implications

Financial

The effect of this notification is a total reduction of \$61,048 in grant funding for the 2015/16 year. This budgeted surplus as at 30 June 2015 is \$625,378 which will be reduced to \$564,330 following the adjustment.

The effect on the first five years of the Long Term Financial Plan is detailed below:

	2015/16	2016/17	2017/18	2018/19	2019/20
Estimated Surplus	\$ 625,378	\$ 463,611	\$ 107,335	\$ 53,290	\$ 319,316
Amended Estimated Surplus	\$ 564,330	\$ 402,563	\$ 46,287	-\$ 7,758	\$ 258,268

Workforce

Nil

Options

Council has the option of:

1. Approving the officer recommendation
2. Not supporting the officer recommendation

Conclusion/Justification of Officer Recommendation

To keep in line with best practice financial management, the notification of a reduction in income should be correctly reflected in the budget as soon as it is known. It is therefore proposed that the 2015/16 Budget and Long Term Financial Plan is reduced by a total of \$61,095, resulting in a decrease in available funds.

There is no immediate proposal to amend or defer projects in the current year in order to address the deficit projection of 2018/19, as the final surplus figure as at 30 June 2015 will not be finalised until the auditors have signed off the annual financial audit. Following this, an item will be presented to Council to consider the current financial position.

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION:**OCM15/254****Moved: Cr C Thompson****Seconded: Cr M Reid****That Council:**

- 1. notes the total decrease in the allocation of the Financial Assistance Grants for 2015/16 of \$61,095;**
- 2. approves a budget amendment to reflect the reduction in income of \$61,095 in the 2015/16 year; and**
- 3. instructs the Chief Executive Officer to prepare a press release advising the community of this decrease in funding.**

CARRIED UNANIMOUSLY 8:0

12.7 Maintenance for 8 Country Road, Pinjarra

File Ref: CO12/141
Previous Item: OCM Aug 2015 Item 12.3 OCM15/197
Author and Title: Dean Unsworth, Chief Executive Officer

Purpose

This report is presented to Council to consider allocating funding towards internal painting of Council's property at 8 Country Road, Pinjarra.

Background

The property is currently surplus to Council requirements and is currently on the open market for sale. The property was originally purchased over a decade ago for the purpose of attracting a doctor to the district. However there has not been a requirement from the medical fraternity for some years and has been privately rented.

Council resolved at the 13 August 2015 Ordinary Council meeting:

That Council:

1. *authorises the Chief Executive Officer to place on the market 8 Country Road Pinjarra and Lot 821 Old Bunbury Road Coolup;*
2. *requires that offers received for these properties be presented back to Council for consideration;*
3. *considers what projects are to be funded with the sale of the properties at the time of sale; and*
4. *requests the Chief Executive Officer presents a further report on further 20A Reserve and freehold land opportunities in the second half of 2015.*

8 Country Road has been on the market since that time, however there have been no offers submitted to purchase this property to date.

Proposal

8 Country Road has had very little maintenance funding allocated to it since it was purchased over a decade ago. Given this amount of time, it is very worthy of Council considering allocating funding from the Asset Enhancement Reserve towards painting the internal walls. As there are quite a few properties for sale in this area at present, fresh paint would improve the chances of sale and potentially increase the value of the property.

Statutory Environment

Nil

Policy Implications

Nil

Sustainability and Risk Considerations

Economic - (Financial impact to the community)

Not Applicable

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

Not Applicable

Environment – (Impact on environment's sustainability)

Not Applicable

Governance – (Policy implications)

Not Applicable

Overall Risk Management Consideration

By having this property on the market in less than ideal condition both brings down the value of the property and significantly decreases the chance of sale.

Consultation

The property is currently being marketed by Yunderup Realty Pty. Ltd.

Resource Implications

Financial

The cost to paint all interior rooms, doors and frames has been quoted at \$5100 (exc. GST). There is water damage following the discovery of a water leak behind the ensuite wall which will cost \$900. This cost is unavoidable. However for a further \$4200 the whole house can be painted internally. The estimated balance of the Asset Enhancement Reserve in Councils 2015/16 budget to 30 June 2016 will be \$152,300.

Workforce

Nil

Options

Council has the option of:

1. Allocating \$5100 towards the full internal painting of 8 Country Road, Pinjarra.
2. Allocating \$900 towards painting a water damaged room adjacent to the ensuite.

Conclusion/Justification of Officer Recommendation

To have the best chance of sale it is recommended that the full amount of \$5100 is allocated towards the full internal painting of 8 Country Road.

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION/COUNCIL DECISION:

OCM15/255

Moved: Cr S Lee

Seconded: Cr B Beacham

That Council allocates \$5100 from the Asset Enhancement Reserve to internally paint 8 Country Road, Pinjarra.

CARRIED UNANIMOUSLY 8:0

Recreation and Community Development

Nil

Technical Services

12.8 East Coolup Bridge – Alternative Access Blake Road/Williams Road

File Ref: 0144-01
Author and Title: Alan Smith, Director Technical Services

Purpose

The closure of East Coolup Road to enable the replacement of the bridge over the Murray River has warranted a number of initiatives to meet access and community expectation during the road closure.

Background

Main Roads undertake structural inspections of all traffic bridges to ensure they conform to the required standards, during these inspections they undertake necessary tests on structural components to determine what maintenance and structural works are required to keep the bridge at a manageable level.

In 2012, when Main Roads undertook the programmed inspections on the East Coolup Road Bridge it was determined that the concrete beams had structural cracks and immediately a 10 tonne load restriction was placed on the bridge. Main Roads in consultation with the Shire of Murray then undertook ongoing structural inspections with a view of undertaking improvement works as early as funding could be allocated.

Main Roads undertook design estimates with a view of a full bridge replacement to enable funding to be programmed within the bridge programme, it was anticipated the works were to be programmed for the 2016/17 financial year. Due to the failing state of the bridge, special funding was allocated through the State Government to enable the works to be fast tracked and commence in the current financial year.

The final bridge design and tenders were coordinated by Main Roads with the works anticipated to cost in the order of \$10 Million, which was the allocation through the State. In parallel with the works, Local Government met with Main Roads to understand other impacts of the bridge works and investigate alternative access arrangements for emergency services, school bus services and the general public.

At a public community meeting held at the Coolup Hall on 8 July 2015 to discuss the Community Survey and Shire of Murray Strategic Plan the closure of East Coolup Road was raised and discussed. The consensus from the meeting was to prioritise emergency access, school bus services and to upgrade Nicholson Road to provide an alternative access to the area.

It was anticipated that the bridge works would take the bulk of funding and any improvements to the surrounding road network would be managed through approvals from Main Roads. It was agreed to undertake improvements to Nicholson Road to provide a second all weather access to the area east of the bridge. Emergency access was negotiated with the private property at the southern end of Newman Road to enable primarily fire brigade crew's easier access between the Coolup Fire Station and the area east of the bridge.

Further negotiation and application through FESA enabled an additional fast attack fire vehicle to be acquired to assist during the pending fire season. This vehicle will be stored on the east side of the bridge where a water source is already in place. Ongoing communication with Public Transport Authority who manage school bus services to arrange an alternative bus service for those students based on the east side of the road closure was continuing.

Following a further public Meeting at the Coolup Hall on the 10 September 2015, Main Roads detailed that tenders had been approved by the Minister and were well under budget at a cost of around \$6.9 Million. With this in mind community members at the meeting called for investigation into an alternative crossing of the Murray River to better meet community needs.

Shire officers in consultation with Main Roads undertook inspections of the proposed crossing point at Blake Road/Williams Road to appreciate the extent of the works. Approval was sought through Main Roads to undertake survey, preliminary design and associated cost estimates to appreciate the extent of works. Approval was issued by Main Roads on 21 September 2015 to enable these works to progress, survey was coordinated to commence on 24 September 2015 with liaison with consulting engineers commencing in parallel with the coordination of the survey.

Further inspections have been held on site with adjacent properties directly impacted by the proposed works, being contacted to gauge background information and local concern relating to the proposed river crossing. In addition, contact was made with the Department of Water to discuss approval requirements and what application would be required to enable the formal crossing of the Murray River.

Notification has been received from Main Roads and electronic message boards have been placed on site to advise the bridge works will commence in October with East Coolup Road to be closed on 5 October 2015.

Proposal

The initial priority was to allocate improved emergency access and maintain access for school bus services, which has now been completed. Works are continuing on Nicholson Road to enable the road to be accessed by two wheel drive vehicles and this will be ready for access prior to the closure of East Coolup Road.

Main Roads have agreed to fund the initial investigation into the crossing of the Murray River to establish the recommended design and associated costs. These works are being fast tracked to provide alternative access arrangements and should cost estimates be acceptable to Main Roads the impending works could be prioritised with a view of works being completed prior to the end of the year.



Questions were asked at the public meeting on 10 September 2015 whether the bridge works could be delayed to enable the river crossing to be placed to enable an alternative access prior to the road closure. Advice from Main Roads at this meeting highlighted that the bridge has reached a point where the structural integrity is being compromised and Main Roads are no longer willing to take the risk of keeping the bridge open. Therefore, irrespective of whether the bridge works would be undertaken the bridge would have been closed in October due to structural concerns.

Murray 2025 Strategic Community Plan

Objective 4:	Well Planned, integrated and active places that embrace and respect our rural lifestyle, built and natural environment and heritage
Outcome 4.5:	Plan for and build facilities and infrastructure that will meet the needs of a growing community
Strategy 4.5.1:	Effectively manage infrastructure through its lifecycle

Other Strategic Links

Nil

Statutory Environment

Nil

Policy Implications

Nil

Sustainability and Risk Considerations

Economic - (Financial impact to the community)

Concern has been raised by local residents regarding the increased traffic distance due to the pending closure of the East Coolup Road for the proposed bridge replacement. The primary concern was for those residents that required direct access to the south or west especially when the only detailed access available was Burnside Road or Nicholson Road that only provided access via Pinjarra. The availability of funding through the Main Roads tender process has enabled an opportunity for an alternative access and this is currently being explored.

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

For the duration of the bridge works, the access for affected residents will be restricted and where possible alternative emergency access has been secured, school bus services have been modified and alternative road access maintained.

Environment – (Impact on environment's sustainability)

To enable the Blake Road/Williams Road River crossing to proceed liaison with the Department of Water is required to determine the environmental impacts of the river crossing and ensure the relevant approvals are sought prior to any works progressing.

Governance – (Policy implications)

Nil

Overall Risk Management Consideration

The primary risk was to manage the area during an emergency event to ensure residents had multiple access opportunities. In addition the management of access for emergency services was paramount to enable fast access should the need arise. The current agreements enable multiple access points for both residents and emergency services should an emergency situation arise.

Consultation

The pending closure of East Coolup Road had been muted for some time, through the two community meetings held at the Coolup Hall it was identified that further access arrangements should be investigated to improve the ongoing access for the impacted residents. These investigations are currently being funded by Main Roads through the East Coolup bridge replacement works.

Resource Implications

The funding for the survey, design and physical works is being provided by Main Roads through the East Coolup bridge replacement works. The Shire of Murray are coordinating the consultants to carry out the initial survey, preliminary design and cost estimates to establish a full understanding of the required outcomes.

Financial

Nil – Works are being fully funded by Main Roads.

Workforce

Administration staff are coordinating the survey and preliminary design phase of the works to establish costs estimates.

Options

Council has the option of:

1. Support the investigation into the alternative access at the Blake Road/William Road crossing of the Murray River.
2. Not support the investigation into the alternative access at the Blake Road/William Road crossing of the Murray River.

Conclusion/Justification of Officer Recommendation

It was clear from the public meeting held on 10 September 2015 that the community were keen to investigate an alternative access across the Murray River to enable improved access during the East Coolup Road closure due to the bridge replacement works.

Due to the tenders being well under the estimated budget this has raised an opportunity to investigate an access through Blake Road/Williams Road at the site of the previous bridge location that only has remnants of the old bridge remaining. The idea being to install a rock armour/concrete causeway with improvements to the roads leading into the river crossing.

Initial thoughts were to place a temporary crossing and have it removed at the end of the bridge works; consideration will be to investigate both the temporary and permanent causeway crossing.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION/COUNCIL DECISION:

OCM15/256

Moved: Cr C Thompson

Seconded: Cr P Briggs

That Council support Main Roads to investigate an alternative river crossing at Blake Road/William Road to provide the community impacted by the East Coolup bridge replacement and subsequent road closure.

CARRIED UNANIMOUSLY 8:0

13. BUSINESS LEFT OVER FROM THE PREVIOUS MEETING AND ANY BUSINESS THAT THE PRESIDING MEMBER MAY THINK DESIRABLE TO BRING UNDER THE NOTICE OF THE COUNCIL AND MAY HAVE DIRECTED TO BE ENTERED AS AN ORDER OF THE DAY

Nil

14. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

15. NOTICE OF MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING

Nil

16. CONFIDENTIAL ITEMS

Nil

17. ANY OTHER BUSINESS THE RECEPTION OF WHICH HAS BEEN APPROVED BY THE PRESIDENT OR COUNCIL

Nil

There being no further business, the Presiding Member declared the meeting closed, the time being 9.21am.