



SHIRE OF  
**HARVEY**



# Ordinary Council Meeting **Agenda**

**Harvey Town Hall**

**Tuesday, 25 August 2020**

**4pm**



**Shire of Harvey**  
**Ordinary Council Meeting**

Dear Councillor,

Notice is hereby given that the next meeting of the Harvey Shire Council will be held in the Harvey Town Hall, Uduc Road, Harvey, on Tuesday, 25 August 2020 commencing at 4pm.

The business to be transacted is shown in the Agenda hereunder.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'Annie Riordan', with a stylized flourish at the end.

**Annie Riordan**  
**Chief Executive Officer**

21 August 2020.



## **Agenda**

### **1. Official Opening**

#### **Acknowledgement of Country**

The Shire of Harvey acknowledges the traditional custodians of the land and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders both past and present.

### **2. Record of Apologies and Leave of Absence**

### **3. Applications for Leave of Absence**

### **4. Reading from a Book of Learning and Wisdom**

Read by Cr. Simpson.

### **5. Declarations of Members' and Officers' Personal Interest**

### **6. Response to Previous Questions Taken on Notice**

### **7. Public Question Time**

### **8. Petitions/Deputations/Presentations**

### **9. Announcements by Presiding Member or CEO Without Discussion**

### **10. Confirmation of Minutes**

Ordinary Council Meeting – Tuesday, 28 July 2020

### **11. Receipt of Minutes and Recommendations from Committees**

Shire of Harvey Bush Fire Advisory Committee – 17 August 2020

## 12. Officer's Reports

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### 12.3 Sustainable Development

12.3.1	Application for Development Approval and Extractive Industry Licence Application – Limestone Extraction - The GM Giacci Family Trust - Lot 4 Binningup Road, Binningup - (A002367/EX/007)	30
12.3.2	Structure Plan Amendment No. 2 – Treendale South - Calibre Professional Services Pty Ltd on behalf of Fastbet Pty Ltd - Lot 9501 Jupiter Drive, Australind (P000009)	50
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12.4.3	Write-off – Sundry Debtors - Various Debtors - Shire of Harvey (FMR001)	70
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### 12.5 Community and Lifestyle

12.5.1	Community Sporting and Recreation Facilities Fund – Grant Application - Shire of Harvey - Harvey Recreation Ground (A001861)	75
12.5.2	Proposed Local Tourism Development Strategy - Shire of Harvey (B000348)	78
12.5.3	Youth Strategy - Shire of Harvey (B000349)	82
12.5.4	Tourist Information Bays and Signage Strategy - Shire of Harvey (A001861)	86

**13. Elected Members Motions of Which Previous Notice Has Been Given**

**14. Notice of Motion for Following Meeting**

**15. Questions by Members of Which Due Notice Has Been Given**

**16. Reports of Members**

**17. Seal Register**

*Officer's Recommendation:*

That Council:

1. Notes the use of the Common Seal under Delegated Authority (1.1.1) in accordance with Council Policy (1.1.2) on the following items:

- |  |  |
|--|--|
| • 70a Notification - Kingston Estate - Stage 7b1 (WAPC 157586) (DP 419430)   | Prepared By<br>MGN Surveys                     |
| • Restrictive Covenant and Application to Extinguish Section 27A Drainage Easement (DP 419240 & DP 418015) [S156460] | McLeaods<br>Barristers &<br>Solicitors         |
| • 70a Notification - Roelands - Stage 2 (WAPC 154305) (DP 418858)  | MNG Surveys                                    |
| • 70a Notification - Lot 5 (310) Logue Brook Dam Road, Cookernup [A7206]   | Paul James Mersch<br>and Deborah Ann<br>Mersch |

**18. New Business of an Urgent Nature Introduced by Decision of Meeting**

**19. Matters Behind Closed Doors**

**20. Closure of Meeting**

## 12. Officer's Reports

### Chief Executive Officer

<b>Item No.</b>	<b>12.1.1</b>
<b>Subject:</b>	<b>Council Decision Action List</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>N/A</b>
<b>Reporting Officer:</b>	<b>Chief Executive Officer</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>CC/C/0126</b>

### Summary

This report provides the action status of Council resolutions and Committee (Development Services and Corporate Services) recommendations for the period January – June 2020 and allows Councillors to track progress and note action on those items.

### Background

Council is required to responsibly govern the local government's affairs under the *Local Government Act 1995* and does so by making well informed and considered decisions at Ordinary Council Meetings and any Special Council Meetings that are held.

As actions occur, updates on the progress of Council decisions are made to the Council Decision Action List. Of the decisions that were determined by Council during the period January – June 2020, 96 have been completed or require no further action. Items which are in progress will be included in the following report to Council to note any further action.

### Comment

A Council Decision Action List has been developed to ensure that Council resolutions are implemented in a timely manner. The action status against resolutions and recommendations are updated regularly by Officers so that progress can be tracked and reported back to Council.

	<b>Number of Items</b>	<b>Action Status</b>
Council	121	96 completed 25 in progress

The following table lists the decisions that are still being actioned:

<b>Council Resolutions in Progress</b>			
<b>Date</b>	<b>Item</b>	<b>Minute No</b>	<b>Progress Status</b>
25.02.20	CEO Report - 12.1.3 - Community Precinct Redevelopment	20/035	In Progress – EOI being assessed.
25.02.20	TS Report 12.2.1 – Constellation Drive, Treendale – Proposed Traffic Safety Improvement between Grand Entrance and The Boulevard	20/036	In Progress – COVID-19 funding provided for project to be implemented in 2020 - 2021.



25.02.20	TS Report 12.2.3 – Treendale Estate – Proposed Landscaping Improvements	20/038	In Progress - Additional funds allocated for landscaping improvements in 2020 - 2021.
25.02.20	CD Reports 12.5.2 – SW Highway Tourism Drive	20/050	In Progress – Consultant appointed.
24.03.20	CEO Report 12.1.2 – Ridley Place Foreshore Master Plan – Proposed Stage 4 – Design and Construct development of Café Restaurant	20/060	In Progress – Draft CHRMAP provided and preparation of tender documentation.
24.03.20	TS Report 12.2.1 – Uduc Road – Undergrounding of overhead power lines	20/061	EOI to be submitted when next SUPP called by state government.
28.04.20	CEO Report 12.1.2 – Yarloop Workshops Redevelopment – Master Plan Amendments	20/085	In Progress – Successful consultant appointed. Design work in progress.
28.04.20	TS Report – 12.2.5 – Tender T062020 – Supply and Delivery of One Vibrating Smooth Drum Steel Roller	20/087	In Progress – Item of plant ordered, awaiting delivery.
28.04.20	TS Report – 12.2.6 Tender T052020 – Supply and Delivery of One 6x4 Tip Truck	20/088	In Progress – Item of plant ordered, awaiting delivery.
28.04.20	TS Report 12.2.2 – Old Coast Road – Travers Drive and Cathedral Avenue Intersection Upgrades	20/098	Regional Road Group funding to be applied for in 2025 – 2026.
28.04.20	TS Report 12.2.3 – Proposed Harvey Information Bay	20/099	Design in progress – Works to be implemented in January 2021 in conjunction with MRWA works.
28.04.20	CS Report – 12.5.1 – COVID-19 Response Grants Program	20/103& 20/104	Round One funding complete. Available funding allocated carried forward for Round Two.
26.05.20	TS Report 12.2.1 – Harvey War Memorial- Proposed Interpretive Signage	20/114	In Progress – Meeting arranged with Harvey Main Street Committee.
26.05.20	TS Report 12.2.2 – Lighting at Main Roads WA intersections with Shire Roads	20/115	Approval to proceed has been sought from MRWA prior to obtaining quotes.
26.05.20	TS Report 12.2.3 – Annual Bridge Maintenance – Progress Report	20/116	Additional funding has been included in the 2020 - 2021 budget.
26.05.20	DS Report 12.3.1 – Shire of Harvey – Townsite Boundary Modifications	20/117	Awaiting DPLH approval.
26.05.20	CS Report 12.5.2 – Harvey Recreation Ground – Needs Assessment and Master Plan	20/123	Needs Assessment complete. Consultant progressing Master Plan.

26.05.20	CS Report 12.5.3 – Economic Development Strategy	20/124	Strategy adopted. Funding for actions included in the 2020 – 2021 budget.
26.05.20	CS Report 12.5.4 – Proposal to develop a Youth Strategy	20/125	Funding included in the 2020 – 2021 budget. Development of RFQ to appoint a consultant in progress.
26.05.20	CS Report 12.4.4 – COVID19 Response – Local Economic Stimulus Stage 2	20/131	Program open with Round Two funding available until December 2020 Program extended to include funding opportunities for both community and local businesses.
23.06.20	TS Report 12.2.1 – Local Roads and Community Infrastructure Program – Shire of Harvey	20/146	Detailed project submissions forms for the Australian Government - Local Roads and Community Infrastructure Program - Project delivery timeline for each project have been prepared and submitted.
23.06.20	CS Report 12.5.1 – Proposed Tourist Information Bays and Signage Strategy – Shire of Harvey	20/144	Funding included in the 2020 – 2021 budget. Development of RFQ to appoint a consultant in progress.
23.06.20	CS Report 12.5.3 – Harvey Districts Tourist Bureau – Community Budget Submissions	20/150	Funding included in 2020 – 2021 budget. Development of RFQ to appoint a consultant for the Local Tourism Development Strategy in progress.
23.06.20	Elected Members Motions of which Previous Notice has been Given – Shire Facebook Page	20/151	Funding included in 2020 – 2021 budget. Development of RFQ to appoint a consultant in progress.
23.06.20	New Business of an Urgent Nature 18.1 Harvey Community Hub – Master Plan Development – Shire of Harvey	20/154	In progress – EOI issued.

The following items are still in progress previous to this reporting period:

<b>Council Resolutions in Progress</b>			
Date	Item	Minute No	Progress Status
7.8.18	Yarloop Town Development Working Group – 6.8.18	18/241	Further report re Hospital site to be submitted. Lower priority as land is Reserve land not Freehold.
18.9.18	TS No 2 – The Boulevard and The Promenade – Road Safety Inspection	18/289	Regional Road Group funding to be applied for in 2022 – 2023.

9.10.18	TS No 4 – Regional Road Group Funding – Kingston Drive Extension – Paris Road to Ditchingham Place, Treendale	18/314	MRWA advised. Project on hold pending clearing permit and native title. Clearing permit submitted to DEWR January 2020. RRG funding of \$500,000 allocated in 2020 - 2021 program.
30.10.18	Confidential TS No 3 – Proposed Memorial – Reserve No 33203 – Cnr Old Coast Road/Lisa Road, Australind	18/340	Matter deferred indefinitely.
11.12.18	TS No 1 – Collie River and Brunswick River Junction, Australind – Proposed Control of Access	18/364	On hold due to negative feedback received from some residents. WAPC currently investigating.
11.12.18	TS No 3 – Bunbury Wellington 2050 Cycle Strategy	18/377	10 year footpath program under development with projects to link into strategy. To be completed in 2020 – 2021.
26.03.19	Joint Town Planning Scheme no. 1 Committee – 1 February 2019	19/060	Schedule of shared costs Reviews are up to date 19/20 being undertake now. New Management Model being prepared.
14.05.19	Disability Access and Inclusion Advisory Committee Minutes – 7 May 2019	19/092	In progress – opportunities for 'inclusive' activities being investigated.
04.06.19	DS Committee Minutes - Proposed Amendment No 124 (Additional Use 16) to District Planning Scheme No 1		See DS 19/034.
8.10.19	Yarloop Townscape Strategy Advisory Committee Minutes – 24.9.2019	19/251	In Progress – refurbishment of silhouettes completed, new walk trail signage artwork complete. Signage to be installed
8.10.19	Harvey Recreation Ground Advisory Committee Minutes – 3.10.19	19/254	In Progress – study underway
19.11.19	Brunswick Junction Town Centre Development Advisory Committee – 16.10.19	19/273	In Progress – construction of new entry statement artwork is underway
19.11.19	DS Reports – 12.3.3 – Proposed Structure Plan – Lot 34 Third Street, Harvey	19/283	In Progress. With the WAPC for determination.
19.11.19	DS Reports – 12.3.6 Strategy for Kerbside Waste Service within Shire of Harvey	19/286 19/287 19/288 19/289	In Progress

19.11.19	Confidential Reports – Harvey Recreation and Cultural Centre	19/299	In Progress. Project Plan developed for transition of management and is being implemented.
17.12.19	DS Reports – 12.3.2 – Application for a Use Not Listed (Reception Centre with Camping Area)	19/309 19/310	Awaiting additional information as per Officer Recommendation

<b>Corporate Services Recommendations in Progress</b>			
Date	Item	Minute No	Progress Status
26.03.19	Confidential Item No 10.1 – Proposed Sale - Unpaid Rates and Charges – Shire of Harvey – (A000812)	CS 19/027	On hold due to COVID-19.
26.03.19	Confidential Item No 10.2 – Proposed Sale - Unpaid Rates and Charges – Shire of Harvey – (A12068)	CS 19/028	On hold due to COVID-19.
27.08.19	Confidential Item No 9.1 – Proposed Sale of Lot - Unpaid Rates and Charges – Rates Assessment – (A005049)	CS 19/077	On hold due to COVID-19.
27.08.19	Confidential Item No 9.2 – Proposed Sale of Lot - Unpaid Rates and Charges – Rates Assessment – (A013256)	CS 19/078	On hold due to COVID-19.
27.08.19	Confidential Item No 9.1 – Proposed Sale of Lot - Unpaid Rates and Charges – Rates Assessment – (A008826)	CS 19/079	On hold due to COVID-19.
27.08.19	Confidential Item No 9.1 – Proposed Sale of Lot - Unpaid Rates and Charges – Rates Assessment – (A012325)	CS 19/080	On hold due to COVID-19.

<b>Development Services Recommendations in Progress</b>			
Date	Item	Minute No	Progress Status
4.12.18	Confidential Item No 2 – Request to Purchase Portion Reserve 44240, Binningup	DS 18/124	Alternative option supported by Council at its meeting of 14 May 2019. Landowner and DPLH advised.
20.08.19	Item 9.1 Confidential Item – Unauthorised Land Use and Breach of the Shire's District Planning Scheme No. 1 (A001147)	DS 19/064	On Hold. Prosecution has not proceeded due to compliance currently being achieved.

## **Statutory/Policy Environment**

*Local Government Act 1995 s5.20*

## **Strategic Framework**

Within the Shire's Strategic Community Plan 2017 – 2027, Strategy 4.3.4 states:

*Monitor and ensure compliance with regulatory framework for Local Government business.*

## **Risk Management**

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The Consequence could be **Compliance** if due process is not followed in terms of the *Local Government Act 1995*. The Risk Consequence is considered to be **Minor** and the likelihood **Unlikely** resulting in a **Low** risk being present.

## **Budget Implications**

Nil.

## **Voting Requirement**

Simple Majority.

## **Officer's Recommendation**

That Council notes the resolutions of the Ordinary Meetings for the period January to June 2020 and associated progress contained in **Attachment 1**.

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**Chief Executive Officer**

Item No.	12.1.2
Subject:	Corporate Business Plan
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Acting Manager Place
Authorising Officer:	Chief Executive Officer
File No.:	B000157

**Summary**

This report recommends that Council adopts the Shire of Harvey Corporate Business Plan 2020 – 2024 as presented in **Attachment 1**.

**Background**

The *Local Government Act 1995*, requires Western Australian local governments to plan for the future of the district. Amendments made in August 2011 to the Local Government (Administration) Regulations 1996, state that a Strategic Community Plan (SCP) and Corporate Business Plan, together form this plan for the future.

The Corporate Business Plan is required to be reviewed annually and does not have the formal advertising and consultation obligation that is required for the SCP. It also differs from the SCP which requires a complete review every four (4) years, with best practice determining that a desktop review be undertaken at the two (2) year mark of the plan. The Corporate Business Plan however requires an update annually and is effectively the intermediary document between the SCP and the local government's Annual Budget and incorporates the Forward Capital Works Plan (FCWP).

The Corporate Business Plan 2020 – 2024 sets out the projects and services the Shire will deliver over the next four years that work towards achieving the outcomes identified in the SCP. The plan is a very effective tool as it has specific actions contained within, which are logically assigned to individual directorates within the Shire. Measurement of the outcomes in the plan are achievable with the systems that have been put in place including the estimated expenditure in the FCWP.

**Comment**

Prior to the preparation of the plan, Councillors have been involved in four workshops which have provided input into the development of the Corporate Business Plan 2020 – 2024.

- A Corporate Business Plan Workshop conducted by consultant Alison Dalziel from Localise on Tuesday, 10 March 2020.
- A FCWP and Long Term Financial Plan review conducted by Shire Officers on Thursday, 23 April 2020.
- A workshop for the Harvey Community Hub conducted by consultant Steve Cartledge from Steve Cartledge Consulting on Thursday, 18 June 2020, where Councillors had the opportunity to identify key projects to be completed in each locality within the Shire.
- A review held at the Concept Forum on Tuesday, 11 August which enabled Councillors to have a discussion around the draft plan and suggest amendments. These amendments have been included in the draft Corporate Business Plan presented in **Attachment 1**.

**Statutory/Policy Environment****Local Government Act 1995**

Section 5.56 of the *Local Government Act 1995*, requires WA local governments to produce a *Plan for the Future* of the district.

**Local Government (Administration) Regulations 1996**

Local Government (Administration) Regulations 1996 states:

*Strategic Community Plan and Corporate Business Plan, together form a Plan for the Future of a district.*

**19DA. Corporate Business Plans, requirements for (Acts. 5.56)**

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to —*
  - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
  - (b) *govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
  - (c) *develop and integrate matters relating to resources, including asset management, workforce planning and long term financial planning.*
- (4) *A local government is to review the current corporate business plan for its district every year.*
- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.*

*\*Absolute Majority required.*

- (7) *If a corporate business plan is, or modifications of a corporate business plan are adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

## Strategic Framework

Within the Shire's Strategic Community Plan 2017 – 2027, Strategy 4.1.1 states:

*Implement the Integrated Planning and Reporting Framework including the Long Term Financial Plan, Workforce Plan, Asset Management Plans and Corporate Business Plan.*

## Risk Management

The Risk Theme Profile identified as part of this report is **Inadequate Document Management Processes**. The Consequence could be **Financial Impact** if the details in the document are incorrect and **Compliance** if Council does not act upon the statutory requirement to adopt the Corporate Business Plan. The Risk Consequence is considered to be **Minor** and the likelihood **Possible** resulting in a **Low** level of risk.

## Budget Implications

The actions and projects which are detailed in the Corporate Business Plan 2020 - 2024 are aligned with the Shire's Annual Budget 2020 - 2021 and Long Term Financial Plan 2020 - 2030.

## Voting Requirement

Absolute Majority.

## Officer's Recommendation

That Council adopts the Shire of Harvey Corporate Business Plan 2020 - 2024 as presented in **Attachment 1**.

**By Absolute Majority**



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**Chief Executive Officer**

<b>Item No.</b>	<b>12.1.3</b>
<b>Subject:</b>	<b>Communications Strategy</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Marketing and Communications Officer</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>B000347</b>

**Summary**

This report recommends that Council endorses the scope for the development of a Communications Strategy for the Shire of Harvey and requests the Chief Executive Officer to prepare a draft Communications Strategy to be presented to Council at its meeting in February 2021.

**Background**

At the Ordinary Council Meeting of 23 June 2020, Council considered an *Elected Members Motions of Which Previous Notice Has Been Given* submitted by Councillor John Bromham. The Motion, for the Shire of develop a Facebook page to assist in communicating with the Community by 30 June 2020 had initially been raised at the Ordinary Council Meeting of 28 April 2020. A Procedural Motion deferred consideration of the item until the Council Meeting of Tuesday 23 June 2020. The resolution on the item from the Ordinary Council Meeting of 28 April 2020 is as follows:

**20/106 Moved: Cr Bromham Seconded: Cr Lovitt – The Shire of Harvey develops a Facebook page to assist in communicating broadly with its community by 30 June 2020.**

**Procedural Motion**

**Moved: Cr Beech Seconded Cr Burgoyne**  
**Councillor Beech put forward the following Procedural Motion:**

**That this debate be adjourned until the full Council meeting to be held on Tuesday 23 June 2020.**

In considering the Elected Member's Motion at the Ordinary Council Meeting of 23 June 2020, Cr John Bromham moved the following Alternative Motion which was adopted by Council:

**Moved: Cr Bromham                      Seconded: Cr Lovitt**

**That Council:**

- 1. Considers a Facebook page as part of the development of a Communications Strategy to be finalised during 2020 - 2021;**
  - 2. Requests that the Communication Strategy notes the Shire of Harvey's commitment to inclusiveness for educational, feedback, promotional purposes, and disability and inclusion requirements;**
  - 3. Considers the financial impacts of implementing the strategies of the Communications Strategy to be reported to Council for their consideration;**
  - 4. Requests the Chief Executive Officer to regularly report to Council on the progress of the Communications Strategy; and**
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**5. Requests the Chief Executive Officer to complete the Communications Strategy and implement the recommended communication platforms within the resources provided by Council as part of the 2020 - 2021 Budget.**

**Carried 7-6**

**20/151.**

Following the adoption of the Shire's 2020 - 2021 Budget at the Council Meeting held on 28 July 2020, this report responds to Council's resolution to develop a Communications Strategy for the Shire of Harvey.

**Comment**

Developing a Communications Strategy will provide a roadmap for Shire-wide communication, placing the community at the forefront of the Shire's planning and development. The strategy will have five major components; communication goals, target audiences, key messages, resources and channels.

The strategy will inform who is responsible, how many hours are dedicated to each area, the cost involved and the timeframe for when actions are to be implemented. People like to receive information through different channels – it is important to know what our community members' preferences are for receiving information about Shire activities, information and events. The only way to do this is to consult with the community and build a strategy based on what they want.

The Strategy will review all internal communications channels, and develop a strategic approach to improve collaboration within the organisation.

Subject to further input from Council, the scope for the development of a Communication Strategy for the Shire of Harvey will include the following:

- Analysis of the current state of communications, including a review of organisational context and existing channels.
- Identify goals, principles and key messages of the Shire's communications.
- Identify effective ways to communicate and ensure the community can recognise the Shire's facilities and services through a consistent and trusted brand.
- Build trust with the community to enhance the Shire's reputation and enable community involvement by being open and transparent with Shire communications.
- Transform the Shire beyond the traditional focus of roads, rates and rubbish by using communication channels as a vehicle for promoting broader objectives, such as cultural, economic and social wellbeing values in the community.
- Look for opportunities to engage with the community to increase awareness of all Shire services and facilities through communication channels.
- Address how the Shire will continually enhance and evolve its communications tools and keep the community informed through effective communications, and marketing with strong brand recognition.
- Consideration of different platforms to communicate and a SWOT analysis on each of these platforms, along with analysis of the financial and human resource implications of different platforms.
- Conduct staff run consultation programs, with the consultant to review and feed into the Communications Strategy.
- Present the draft Strategy to Council at a Concept Forum prior to final adoption of the Strategy.

In order to progress the preparation of the Communications Strategy, a working group will be established to oversee the work and will function under the following Terms of Reference:

**Name**

Communications Strategy Working Group.

**Role**

To oversee the preparation of a Communications Strategy for the Shire of Harvey.

**Terms of Reference**

1. To prepare a Consultant's Brief that addresses Council's endorsed scope and that describes the requirements of the project.
2. To invite quotations from suitable consultants and to assess the submissions and quotations that are received and to select a consultant to undertake the project.
3. To approve the methodology and project plan for completion of the study.
4. To work with the appointed consultant and provide guidance and direction where required to ensure that all aspects of the project brief are fully addressed.
5. To review the draft Strategy and liaise with the consultant regarding any changes that may be required.
6. To present the draft Strategy to Council at a Concept Forum prior to final adoption of the Strategy.

**Membership**

- Two Shire Councillors;
- Chief Executive Officer or delegate;
- Communication and Marketing Officer;
- Corporate and Community Engagement Officer;
- Director Community and Lifestyle;
- Director Corporate Services;
- Library Services – Manager;
- Manager Harvey Recreation and Cultural Centre; and
- Manager Leschenault Leisure Centre

**Meetings**

To be held as required.

In order to keep Council informed throughout this process, all minutes of the Communications Strategy Working Group meetings will be supplied as an attachment to Concept Forum Agendas.

**Statutory/Policy Environment**

N/A.

## Strategic Framework

Within the Shire's Strategic Community Plan 2017-2027, Strategy 4.4.3 states:

*Promote a positive public image for the Council through appropriate marketing activities and high standards of customer service.*

## Risk Management

The Risk Theme Profile identified as part of this report is **Inadequate Engagement Practices**. The Consequence could be **Reputational** if the Shire does not adequately involve and engage with the community and stakeholders. The Risk Consequence is considered to be **Minor** and the likelihood **Possible** resulting in a **Moderate** level of risk.

## Budget Implications

An allocation of \$20,000 is included in the Shire's 2020 - 2021 Budget for the development of a Communications Strategy which will be supplemented by Officer time to conduct consultation activities.

## Voting Requirement

Simple Majority.

## Officer's Recommendation

That Council:

1. Endorses the scope for the development of a Communications Strategy for the Shire of Harvey.
2. Appoints the following persons onto the Communication Strategy Working Group:
  - Cr. \_\_\_\_\_;
  - Cr. \_\_\_\_\_;
  - Chief Executive Officer or delegate;
  - Communications and Marketing Officer;
  - Corporate and Community Engagement Officer;
  - Director Community and Lifestyle;
  - Director Corporate Services;
  - Library Services – Manager;
  - Manager Harvey Recreation and Cultural Centre; and
  - Manager Leschenault Leisure Centre.
3. Requests the Chief Executive Officer to prepare a draft Communications Strategy to be presented to Council at its meeting in February 2021.

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**Infrastructure Services**

<b>Item No.</b>	<b>12.2.1</b>
<b>Subject:</b>	<b>Proposed Regional Road Group Improvement and Expansion Projects, 2021 - 2022 to 2024 - 2025</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Various</b>
<b>Reporting Officer:</b>	<b>Director Infrastructure Services</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>R000005</b>

**Summary**

Regional Roads comprise roads under the care, control and management of local governments identified as roads of regional significance.

Through the Regional Road funding program, the State Government provides two thirds funding toward 'Preservation and/or Improvement/Expansion' projects and the local government is required to fund the remaining one third of the cost.

In May 2020 Main Roads Western Australia (MRWA) requested that local governments seeking funding for Regional Road projects should make submissions by close of business on Monday 31 August 2020. The requested submissions are for a five year program however only the first year of the program i.e. 2021 - 2022, is required to be submitted in detail as the other years are mainly for MRWA forward planning purposes.

The Shire's Infrastructure Services Officers have been investigating suitable road projects and have prepared concept designs and estimates. This report outlines the projects selected for funding for Regional Road Improvement and Expansion and recommends that Council endorses the projects listed.

**Background**

As mentioned above Regional Road projects are categorised into either Preservation or Improvement/Expansion projects as follows:

- Preservation: Rehabilitation/reconstruction and/or reseal/re-sheeting works; and
- Improvement/Expansion: Upgrading works, e.g. road widening or extending the seal of a partially sealed road, second carriageway improved 'level of service' of a road, intersection improvements etc.

MRWA is the authority responsible for administering and managing the program and they ensure that all decisions are in line with the guidelines and program objectives.

Funding submissions for projects are called on an annual basis. All submitted projects are evaluated and if they meet the funding criteria, they are recommended for approval to the Regional Road Group (RRG) which comprises elected representatives, and responsible Shire Officers.

This report deals with Improvement/Expansion projects only as the preservation projects are incorporated in the annual road rehabilitation and construction program.

Council has considered previous reports on a number of projects that would be suitable for funding from the RRG program.

**Council meeting held on 18 September 2018**

Council, after considering a report on The Boulevard and The Promenade intersection, supported the proposal to amend the priority of the intersection to provide the primary movement with a through route along The Boulevard rather than as a turning movement.

Following consideration of the report, Council requested that a progress report be prepared once the proposal had been further developed and costed including the applicable grant funding availability.

**Council meeting held on 28 April 2020*****The Promenade Reconfiguration***

Council supported a proposal to reconfigure The Promenade, and noted that the Shire would actively pursue grant funding for the proposal.

***Proposed intersection upgrades on Old Coast Road at Travers Drive and Cathedral Avenue***

Council endorsed the proposed intersection upgrade on Old Coast Road at Travers Drive and Cathedral Avenue and supported an application for future funding.

**Other Projects**

In addition to the above the following two additional projects have been identified as suitable Improvement/Expansion projects to be included in the requested five year program.

- Uduc Road/Forestry Road/Government Road Intersection reconfiguration; and
- Ditchingham Place/The Boulevard reconfiguration

**Comment**

The projects recommended for funding, in the following order of priority, are discussed below:

**Uduc Road/Forestry Road/Government Road Intersection reconfiguration**

The Shire has received numerous ongoing requests to improve safety at this intersection. Uduc Road and Forestry Road is the main connector road between the Forrest Highway and the Harvey townsite.

An increasing number of heavy vehicles use this intersection to access Harvey Beef and other industries in and around Harvey and it has been requested that larger vehicles be permitted to use both Forestry Road and Uduc Road in the future.

Current traffic volumes indicate that, in the vicinity of the intersection, Uduc Road and Forestry Road have a traffic volume of approximately 1,500 vehicles per day (vpd) whereas Government Road has a traffic volume of approximately 300vpd.

In addition to add to the safety issues, Government Road, through the two intersections, has an open road speed limit of 110kph (however the 85% speed is higher than this), while the main traffic flow route has a posted speed of 90kph on Uduc Road and 100kph on Forestry Road. MRWA have been formally requested to consider lowering the posted speed limit on Government Road through the intersection to 80kph.

There have been three reported major accidents at this intersection in the last three years.

### ***Intersection configuration***

The current configuration of the intersection is termed as a 'staggered tee' and to improve the safety and serviceability of the intersection it would be desirable for Forestry Road and Uduc Road to be the priority route with Government Road comprising an intersecting road.

A concept design for this reconfiguration has been prepared, refer **Attachment 1**, however due to the limited room in the existing road reserve and the angle that Forestry Road intersects with Government Road, the reconfigured intersection would comprise two very sharp bends.

### ***Discussion with Harvey Beef***

Harvey Beef recently advised that they have purchased Lot 232 Uduc Road, located on the north east corner of Uduc and Government Roads. They further indicated at a recent meeting to discuss road safety and heavy vehicle access, that they would be willing to agree to a land swap of a portion of Lot 232, with an equal portion of the existing Uduc Road reserve, to facilitate improvements to the Uduc Road/Forestry Road/Government Road Intersection.

A concept plan for this proposal has been as shown in **Attachment 2**

Should Council support the proposal, discussions with Harvey Beef would be progressed and the land swap further investigated in accordance with Sections 56 and 58 of the *Land Administration Act (LAA) 1997* (Dedication of roads and closure of roads).

### ***Proposed funding year and estimated cost***

YEAR	PROJECT	TOTAL	MRWA	SHIRE
<b>2021 - 2022</b>	Uduc /Forestry /Government Road Intersection reconfiguration.	<b>\$880,000</b>	\$500,000	\$380,000

### **The Boulevard and The Promenade Intersection - Proposed Reconfiguration**

The existing configuration of the intersection of The Boulevard and The Promenade has received many comments regarding safety and in 2018 Shire Officers undertook a Road Safety Inspection (RSI) of the intersection with the recommendations from the RSI considered by Council in September 2018.

In addition, the reconfiguration of the Promenade to reinforce its status as the major arterial road in the area and to reduce rat running through some of the adjoining residential streets, was also considered by Council in April 2020.

The road reserve width at the intersection is substantial as the original proposal was to accommodate a roundabout, however at the time it is understood that MRWA preferred that the intersection be designed to accommodate possible future traffic signals.

Currently the main movement at the intersection is into, and out of, the north west leg of The Boulevard and this results in many vehicles having to stop and turn at the intersection rather than being able to flow through, as would typically be expected for the primary movement. The RSI made a number of recommendations to improve safety at the intersection, which have since been implemented, however the main recommendation was to amend the intersection priority.

Shire Officers engaged a consultant to prepare a preliminary design and detailed estimate for the intersection reconfiguration. The proposal comprises constructing a roundabout which would change the priority of The Boulevard and The Promenade intersection and provide the primary movement along The Boulevard while still providing safe access to and from The Promenade (refer **Attachment 3**).

***Proposed funding year and estimated cost***

YEAR	PROJECT	TOTAL	MRWA	SHIRE
<b>2022 - 2023</b>	The Boulevard / The Promenade Intersection Reconfiguration	<b>\$700,000</b>	\$470,000	\$230,000

**The Promenade - Proposed Reconfiguration**

The proposed future extension of Kingston Drive between Ditchingham Place and Paris Road, will generate substantially more traffic and as per the traffic modelling previously undertaken, this traffic would be expected to use The Promenade to access The Boulevard.

Reconfiguring The Promenade, including improving The Boulevard / The Promenade Intersection would facilitate better north south traffic movement on roads intended for this purpose and reduce the dependence on the adjoining residential streets.

Shire Officers engaged a consultant to prepare a preliminary design (refer **Attachment 4**) and detailed estimate for the reconfiguration of The Promenade. The proposal comprises the following:

- Retaining the one-way road system and existing 90-degree angle parking on the west bound carriageway; and
- Converting the current one way east bound carriageway to two-way with a 50kph speed limit with no on road parking and removing the existing raised plateau section.

This would ensure that The Promenade became the priority traffic route while still retaining the existing 90-degree angle parking and other related infrastructure i.e. shade sails/clock tower etc. all of which is under the care, control and management of the Shire.

***Proposed funding year and estimated cost***

YEAR	PROJECT	TOTAL	MRWA	SHIRE
<b>2023 - 2024</b>	The Promenade Reconfiguration	<b>\$750,000</b>	\$500,000	\$250,000



### Ditchingham Place / Grand Entrance Reconfiguration

Grand Entrance provides an east west link from Paris Road through the Treendale commercial centre to Forrest Highway. While Grand Entrance is the predominant traffic route at the Ditchingham Place intersection, Ditchingham Place is the through road with Grand Entrance being the intersecting road.

The traffic volume on Grand Entrance west of Ditchingham Place is 6,886vpd and south of Ditchingham Place is 4,200vpd. Ditchingham Place carries 1,690vpd.

Therefore, it is proposed to reconfigure the intersection to make Grand Entrance the priority route with Ditchingham Place being the intersecting road as shown in **Attachment 5**.

#### **Proposed funding year and estimated cost**

YEAR	PROJECT	TOTAL	MRWA	SHIRE
2024 - 2025	Ditchingham Place / The Boulevard Reconfiguration	\$455,000	\$305,000	\$150,000

### Old Coast Road - Travers and Cathedral Intersection Upgrades

As previously reported to Council, the intersections on Old Coast Road at Travers Drive and Cathedral Avenue require upgrading in order to improve lighting, lane demarcation and cycling and pedestrian facilities. This section of the Old Coast Road also provides a significant entry statement to the foreshore Reserve.

To improve the safety and amenity of this location, a concept design for Old Coast Road - Travers & Cathedral intersection upgrades was previously prepared as shown in **Attachment 6** and was endorsed by Council at its meeting held on 28 April 2020.

#### **Proposed funding year and estimated cost**

YEAR	PROJECT	TOTAL	MRWA	SHIRE
2025 - 2026	Old Coast Rd - Travers & Cathedral Intersection Upgrades	\$560,000	\$373,000	\$187,000

### Statutory/Policy Environment

The Shire of Harvey Forward Capital Works Plan (FCWP) provides a mechanism to identify and adopt future projects, some of which may be eligible for grant funding.

The Regional Road Group Program provides a mechanism for local government to apply for grant funding in accordance with relevant funding criteria.

Section 56 of the *Land Administration Act (LAA) 1997* is the statutory reference for the Dedication of roads, while Section 58 of the *LAA 1997* is the statutory reference for the Closure of roads. Regulation 8 of the *Land Administration Regulations 1998* describes the details and process for making the application to the Minister seeking to dedicate a parcel of land as road reserve.

## Strategic Framework

Within the Shire's Strategic Community Plan 2017 – 2027, Strategies 3.6.1, 3.6.3 and 4.5.1 state:

3.6.1 *Provide a safe standard of roads and ancillary infrastructure.*

3.6.3 *Lobby for State and Federal Government funding for road infrastructure.*

4.5.1 *Maximise Shire grants funding.*

## Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/ Information**. The Consequence could be **Financial**, **Reputational** or **Compliance** if incorrect procedures are followed or poor submissions are developed when applying for Road Project Grants. The risk is mitigated by developing a robust funding application in compliance with the required funding guidelines when submitting proposals to Main Roads WA resulting in **Low** risk being present.

## Budget Implications

### Forward Capital Works Plan

The following projects have been included in the Forward Capital Works Plan (FCWP), subject to grant funding:

- The Promenade - Proposed Reconfiguration;
- Ditchingham Place / Grand Entrance Reconfiguration; and
- Old Coast Road - Travers & Cathedral Intersection Upgrades

While the reconfiguration of Uduc Road/Forestry Road/Government Road Intersection and the reconfiguration of The Boulevard and The Promenade Intersection are not currently listed in the FCWP they can be included to the 'unallocated Regional Road Group works' in future financial years

With regards to the Uduc Road/Forestry Road/Government Road Intersection proposal, the offer of a possible land swap with Harvey Beef is an opportunity for the Shire to undertake the project with the road works component of the project comprising the predominant cost.

### Proposed Budget Summary

The following is a summary of the recommended Regional Road Group Improvement and Expansion Projects, 2021 - 2022 to 2024 - 2025 listed in order of priority outlining the funding composition.

YEAR	PROJECT	ESTIMATE	MRWA	SHIRE
<b>2021 -2022</b>	Uduc /Forestry /Government Road Intersection reconfiguration.	\$880,000	\$500,000	\$380,000
<b>2022 - 2023</b>	The Boulevard / The Promenade Intersection Reconfiguration	\$700,000	\$470,000	\$230,000

<b>2023 - 2024</b>	The Promenade Reconfiguration	\$750,000	\$500,000	\$250,000
<b>2024 - 2025</b>	Ditchingham Place / The Boulevard Reconfiguration	\$455,000	\$305,000	\$150,000
<b>2025 - 2026</b>	Old Coast Rd - Travers & Cathedral Intersection Upgrades	\$560,000	\$373,000	\$187,000
	<b>TOTAL</b>	<b>\$3,345,000</b>	<b>\$2,148,000</b>	<b>\$1,197,000</b>

### Voting Requirement

Simple Majority.

### Officer's Recommendation

That Council:

- 1 Endorses making a submission for Regional Road Group Funding, to Main Roads WA for the projects as listed in the following table and as shown in **Attachments 2, 3, 4, 5 and 6**, noting that if successful only the 2021 - 2022 project will attract funding with the other projects to be listed in Main Roads WA forward planning funding list;

YEAR	PROJECT	ESTIMATE	MRWA	SHIRE
<b>2021 - 2022</b>	Uduc /Forestry /Government Road Intersection reconfiguration.	\$880,000	\$500,000	\$380,000
<b>2022 - 2023</b>	The Boulevard / The Promenade Intersection Reconfiguration	\$700,000	\$470,000	\$230,000
<b>2023 - 2024</b>	The Promenade Reconfiguration	\$750,000	\$500,000	\$250,000
<b>2024 - 2025</b>	Ditchingham Place / The Boulevard Reconfiguration	\$455,000	\$305,000	\$150,000
<b>2025 - 2026</b>	Old Coast Rd - Travers & Cathedral Intersection Upgrades	\$560,000	\$373,000	\$187,000

2. Authorises the Chief Executive Officer to liaise with Harvey Beef to further investigate the proposed land swap, closure of the existing road reserve and creation of a new road reservation to facilitate the Uduc /Forestry /Government Road Intersection reconfiguration project; and
3. Receives a progress report on recommendation 1 and 2 when further information is available.

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**Infrastructure Services**

<b>Item No.</b>	<b>12.2.2</b>
<b>Subject:</b>	<b>Binningup Community Garden Proposal</b>
<b>Proponent:</b>	<b>Binningup Community Garden Group</b>
<b>Location:</b>	<b>Lot 5491, Reserve 39587 Driftwood Way, Binningup</b>
<b>Reporting Officer:</b>	<b>Director Infrastructure Services</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>A006408</b>

**Summary**

This report presents a proposal to create a Binningup Community Garden (BCG) to be located adjacent to the Binningup Hall and recommends that Council endorses the proposal subject to the conditions outlined in the report.

**Background**

The Binningup Community Garden Group (the Group) has requested that the Shire support the establishment of the BCG on Lot 5491 Driftwood Way, Binningup. The land which is owned by the Shire, currently includes the Binningup Hall and Day Care Centre, the Binningup Library, playing fields, skate park and car park.

At a recent site meeting between the Group's representatives and Shire Officers it was agreed that the most suitable location for the community garden would be on the south of the oval adjacent to the Binningup Hall and alongside Driftwood Way and the pathway to the Hall as shown in **Attachment 1**.

**Comment****Proposal**

The proponents consider that the BCG would be a place for people in the community to meet have a chat and potter amongst the plants. When established, the children from the day care would also be encouraged to pick some fruit etc.

The proponent's vision is similar to that of the successful Myalup Community Garden (refer **Attachment 2**) and would comprise approximately six beds, herbs, vegetables and fruit trees. The area would be fenced with an open gate for anyone to come and go.

There would also be a small shed to lock up gardening equipment.

**Community Interest**

The proponents gauged community interest in the BCG prior to forming their group and received considerable support from the community. They have also liaised with the Binningup Community Association as they are an incorporated body for community activities and the group could fall under their umbrella with possibly its own operating committee.

### **Proposed Location**

The area of land proposed to be used for the community garden is largely cleared and would be a suitable location for a community garden given its close proximity to the Community Hall and access to Driftwood Way.

The group has received in principle support from the adjoining property owners.

### **Establishment**

The group have prepared detailed costings for the establishment of the BCG which is estimated to cost in the order of \$8,500. This includes fencing, planters, soil, drip irrigation infrastructure, tools etc.

The Shire has arranged a quotation to cut into the existing water line at the BBQ and run a new 25mm waterline to the proposed BCG, install a copper riser and install a hose tap. The estimated cost of this work is \$1,050.

### **Discussion**

The project is considered to be a positive initiative that will seek to engage local residents and encourage them to participate in a wholesome activity and provide opportunities for participants to expand their social networks and meet new friends.

Provided that the community garden is developed and maintained to a standard that does not detract from the visual amenity of the area, and the activity is covered by the groups insurance policies, the proposal has merit and is considered to be worthy of Council's support subject to a number of conditions.

### **Statutory/Policy Environment**

It is considered that no formal lease arrangement be entered into with the Group for use of the land however a Memorandum of Understanding will be prepared between the Shire and the Group's for the use of the land in accordance with the recommended conditions of approval.

### **Strategic Framework**

Within the Shire's Strategic Community Plan 2017 – 2027, Strategy 3.1.4 states:

*Continue to support community events and programs.*

### **Risk Management**

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The Consequence could be Reputational if Council decided not to support the proposal to establish a community garden in Binningup. The Risk Consequence is considered to be **Minor** and the Likelihood **Unlikely** resulting in a **Low** level of risk.

## **Budget Implications**

### **Shire of Harvey**

The estimated cost to cut into an existing water line and run a new 25mm water line to the proposed BCG, install and copper riser and install a hose tap is estimated to cost \$1,050.

This could be funded from the Binningup Reserve maintenance budget allocation.

### **Binningup Community Garden Group**

The estimated cost of fencing, planters, soil, drip irrigation infrastructure, tools etc. is estimated to cost \$8,500. The group have indicated that they would fundraise and should Council be supportive of the proposal, it is likely that the Group may request contributory funding through either the COVID-19 Response Grant or the Community Benefits Package in 2021-2022.

## **Voting Requirement**

Simple Majority

## **Officer's Recommendation**

That Council:

1. Supports the Binningup Community Garden Group's proposal to establish a community garden on Lot 5491 Driftwood Way, Binningup, as shown on **Attachment 1**, subject to the following conditions:
    - a. Providing evidence of support from the immediate adjoining property owner and property owners adjacent to the proposal along Driftwood Way, Binningup;
    - b. Agreeing to fully fund the establishment and ongoing maintenance of the proposed community garden;
    - b. Submission of detailed site plan of the community garden layout, and associated infrastructure, to be approved by the Director Infrastructure Services;
    - c. Provision of formal confirmation that the proposed garden related activities will be covered by the Group's insurance policies; and
    - b. Subject to approval being granted, that the community garden is established and maintained by the Binningup Community Garden Group to a standard that enhances the visual amenity of the area to the satisfaction of the Director Infrastructure Services;
    - d. The Shire, at its sole discretion, reserves its right to withdraw the approval should the community garden not be maintained to the required standard, or for any other reason, in which case the group would be required to remove the community garden and the associated infrastructure; and
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- e. Agreeing to be signatories to a Memorandum of Understanding, to be prepared by the Shire, for the temporary use of a portion of Lot 5491 Driftwood Way, Binningup; and
- 2. Subject to the above conditions being adhered to, receives a further report on the success or otherwise of the Binningup Community Garden, in 12 months' time.

## Sustainable Development

<b>Item No.</b>	<b>12.3.1</b>
<b>Subject:</b>	<b>Application for Development Approval and Extractive Industry Licence Application – Limestone Extraction</b>
<b>Proponent:</b>	<b>The GM Giacci Family Trust</b>
<b>Location:</b>	<b>Lot 4 Binningup Road, Binningup</b>
<b>Reporting Officer:</b>	<b>Planning Officer (AR)</b>
<b>Authorising Officer:</b>	<b>Director Sustainable Development</b>
<b>File No.:</b>	<b>A002367/EX/007</b>
	<b>Attachment Reg. No. 19/49111</b>

### Summary

Applications for Development Approval and an Extractive Industry Licence have been received for the extraction of limestone at Lot 4 Binningup Road, Binningup (refer **Attachment 1**). While Officers have delegation to determine the applications, based on the considerable level of community concern, the matter is being referred to Council for determination.

It is proposed to extract approximately 120,000m<sup>3</sup> from a total area of 26ha (development area), with an annual extraction of approximately 20,000m<sup>3</sup> over seven stages (refer **Attachment 2**, being an update site extent plan recently provided by the applicant).

A total of 359 submissions were received during the public advertising period. Of those, 356 were received from the community and three submissions were received from relevant government agencies. Of the 356 community submissions, 346 objected to the proposal, and 10 were in support of the proposal. The majority of the objections were based on perceived impacts the proposal may have on the town of Binningup and its residents. Those in support of the proposal acknowledged there was an existing extractive industry occurring nearby and to date has not been of concern.

During the assessment of the application, the proponent modified the proposal and provided additional supporting documents and management plans. Officers consider that the management plans provide an appropriate framework to mitigate potential offsite impacts and therefore recommend that the application be approved subject to appropriate conditions and that the Manager Planning Services be authorised to issue the Extractive Industry Licence following the satisfactory completion of the relevant Development Approval conditions.

## Background

### Site Description

Lot 4 Binningup Road, Binningup is zoned “General Farming” and is located within a “Place of Landscape Value” under the Shire’s District Planning Scheme No.1 (the Scheme). The site is of regular shape with an area of approximately 115ha and is generally flat with an elevation ranging between 2 to 3m (AHD) from east to west.

The northern edge of the site contains approximately 3ha of sparsely planted residual pine trees from an historic pine plantation that existed on the property approximately 20 years prior. A small pocket of remnant vegetation is present in the south-west corner of the property, both of which are to remain as there is no clearing proposed as part of this application.



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The area the subject of this application is cleared pasture. The western portion of Lot 4 (outside of the development area) contains a Multiple Use Wetland (UFI No. 15718). There is a farm dam located approximately 30m to the north-west of the development area and a Resource Enhancement Wetland (UFI No.1216) located approximately 130m to the south-west of the subject site (refer **Attachment 3**).

### Site History

The subject site has been historically used for pine plantations, but has been predominately cleared and the subject of livestock grazing and intensive horticulture for the last 18 years.

The area proposed for this application is detailed within **Attachment 2**.

Limestone extraction activities currently occur, to the south of the area the subject of these applications, accessed from Springhill Road as is proposed by this application.

### Proposal

The application includes the following modified and additional documents, which can be found within **Attachment 4**:

- Works and Excavation Plan (Doc. No. A002367/EX/007 – 01 – REV 6);
- Noise Management Plan (Doc. No. A002367/EX/007 – MP1 – REV 2);
- Dust Management Plan (Doc. No. A002367/EX/007 – MP2 – REV 3); and
- Visual Cross Section (Doc. No. A002367/EX/007 – 02).

The application is made for a five-year period however, the exact life of the project is difficult to estimate as it will be dependent on the supply and demand trends. The proposed extraction area is approximately 26ha with an insitu extraction volume of approximately 120,000m<sup>3</sup>. The application proposes an extraction of approximately 20,000m<sup>3</sup> per year, over a total of seven stages, with extraction to commence from the southern boundary, progressing in a northerly direction (refer **Attachment 2**).

The proposal includes the following components:

- Prior to excavation, the site will be ground surveyed, the excavation footprint marked out and a 1m contour plan prepared;
- Pasture cover will be removed, for use on the batters and/or for the final land surface during rehabilitation;
- All topsoil will be removed for spreading directly onto areas to be revegetated and screening or perimeter bunds. If direct spreading is not possible the topsoil will be stored in low dumps temporarily;
- Soil and overburden will be removed and either directly transferred to a rehabilitation area or stored in low dumps temporarily;
- A small mobile crusher/screening machine will be located on the floor of the quarry to provide visual and acoustic screening;
- Upon completion of each stage of extraction, the section will be reformed and back filled, where subgrade material is available, to achieve the proposed final contours;
- The final pit floor after extraction will be approximately 1.5m AHD; and
- Rehabilitation will occur to a constructed soil with pasture grass.

The limestone proposed to be extracted is mainly to be used for road construction, with possibility for agricultural lime supply should there be a demand. The application identifies that the development area is one of the few locations where limestone suitable for road base can be extracted without compromising vegetation or resulting in immediate land use conflicts.

Access to the property will be via an internal limestone track (which is partially constructed) through Lot 2 Springhill Road and Lots 4 and 5 Binningup Road (owned by Coast Pastoral Company Pty Ltd), which connects to the constructed Springhill Road reserve approximately 1.3km south of the subject site. Springhill Road then intersects with the Forrest Highway, approximately 1km to the east.

The number of trucks per day is estimated at eight, however, this will be dependent on demand. Operating times are stated as Monday to Friday from 7.00am to 6.00pm (excluding public holidays). The site will be operated by 2 – 3 persons, depending on market demand.

The Applicant has recently provided additional information (refer **Attachment 4**) in response to matters raised by Shire Officers following advertising and formal assessment. The additional information includes the following:

#### **Acoustic Assessment**

The Acoustic Assessment report (refer *Appendix B – Noise Assessment* of the Noise Management Plan (NMP) included as **Attachment 4**) has been prepared to assess the potential noise emissions from limestone extraction including; extraction, crushing, screening and haulage, against allowable levels of the Environmental Protection (Noise) Regulations 1997.

Extraction works proposed within stages 2 and 6 as marked on *Figure 1-1* of the Acoustic Assessment (the report) are considered to have the worst-case noise predictions for receivers R4 (nearest Binningup resident) and R6 (98 Springhill Road, Rodgers residence) as identified in *Table 4-1* of the report. *Table 4-1* identifies that noise levels are predicted to exceed assigned levels at both R4 and R6, and as such noise mitigation measures must be considered.

In addition to the above, rehabilitation works proposed within stages 1 – 3 as identified in *Table 5-2* of the report are predicted to exceed the assigned levels at R6.

The recommended noise mitigation is for the construction of earth bunds located on the southern boundary of the extraction area, at the southern boundary of each of the Stages 3 to 6 and around the crushing and screening plant. It is noted that the bund located along the southern boundary of the proposed extraction area will remain in place for the duration of the extraction activities. The bunds proposed on the southern boundaries of individual stages would only be in place whilst the proposed stage was being extracted. The required bund locations are identified in *Figure 1* of the NMP and heights are provided in *Table 5-1* of the report.

The report concludes that, provided noise controls are implemented at various stages of operations as described in *Section 5* of the report and included within the NMP, compliance with the applicable assigned noise level can be achieved at all receivers except 98 Springhill Road (R6).

The following best practices should be implemented to further minimise noise impacts:

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- If reversing alarms are deemed necessary, all plant should be fitted with broadband reversing alarms;
- The pit face should run north-south for each stage of the operations, therefore allowing the pit face to act as a barrier for the residents in Binningup and to some extent, the resident at 98 Springhill Road (R6);
- Noise bunds to be built and maintained using best practice to ensure negligible off site impacts; and
- The road required for loading of trucks should be designed such that the trucks are not required to reverse, this ensures truck reversing alarms are minimised.

### **Noise Management Plan**

The purpose of the NMP is to identify potential nuisance noise and prescribe measures to mitigate the impact of that nuisance on noise sensitive premises.

Noise producing activities are limited to the operation of vehicles and machine engines with regard to this proposal. Blasting and drilling are not proposed.

The likely sources of noise from the proposal will include:

- Machinery noise from equipment use;
- Noise from safety equipment (beepers on machinery); and
- Noise from trucks departing the site.

Reversing alarms alert pedestrians when a vehicle is moving and can represent a significant nuisance to sensitive receptors. As the development is proposed within private property, the Applicant has identified the use of flashing lights or a broadband alarm system (less intrusive) as an alternative which will reduce/eliminate emissions associated with reversing alarms.

The proposal is required to comply with the requirements of Environmental Protection (Noise) Regulations 1997 at all times. Management measures prescribed in Section 4 of the NMP (refer **Attachment 4**) will be implemented to ensure that all noise emissions comply as per the requirements.

### **Dust Management Plan**

The purpose of the Dust Management Plan (DMP) is to review the risks and control measures to appropriately manage dust and mitigate its impact.

In accordance with the Environmental Protection Australia (EPA) *Guidance Statement No.3 Separation Distances between Industrial and Sensitive Land Uses* (2005), the recommended separation distance between an extractive industry (non-blasting) and a sensitive receptor (residential dwelling) is 300-500m. The closest residential dwellings to the subject site are provided below:

Resident No.	Occupants	Distance to subject site (m)
1	Rodgers Family	125m
2	Binningup residents	680m

Resident 1 (sensitive receptor), is located within the recommended 500m buffer for extractive industries. Whilst support for the proposal has been provided by resident 1, it does not remove them as a sensitive receptor to be considered. Resident 2 reflects the nearest residential dwelling in the Binningup townsite, which is located outside of the recommended separation distance.

In accordance with the Department of Water and Environmental Regulation's (DWER's) "*A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities*" (2011), a risk assessment has been prepared (refer Section 3.4 of the DMP).

Based on the risk assessment, a site classification score (A x B) of 546 has been provided. This results in a Classification 3 which is considered medium risk (DWER 2011). The provisions, contingency arrangements and monitoring requirements as specified by the DWER (2011) associated with a Classification 3 proposal are provided within the DMP (refer **Attachment 4**).

The Applicant has indicated that compliance with the Classification 3 contingency arrangements are proposed, with the exception of the provision relating to on-site and off-site dust monitoring for the following reasons:

- Dust monitoring would only be undertaken at the Rodgers' residence given that the other sensitive receptors are located in excess of 500m from the extraction area. Consultation with the Rodgers' regarding this matter has been undertaken and they have indicated in writing they have no objection to the proposal (refer Appendix B of **Attachment 4**); and
- There is approximately 139ha of horticultural land immediately to the east of the Rodgers' residence. This land is under frequent rotation resulting in large areas of exposed soils. In addition, an operational limestone extractive industry is located approximately 250m south of the Rodgers' residence. Accordingly, dust monitoring results are likely to provide exceedances against the nominated criteria from other activities occurring on adjoining properties and are likely to be difficult to differentiate from the proposed limestone quarry.

As an alternative to monitoring, it is proposed to provide comprehensive dust management measures and a rigorous complaints management procedure to address any potential impacts.

### **Advertising**

The proposal was advertised in accordance with Schedule 2, Clause 64 of the Planning and Development (Local Planning Schemes) Regulations 2015 (Deemed Provisions) for a period of 23 days (the minimum being 14 days) concluding on 17 April 2020. The proposal was made available for viewing on the Shire's website and within the Shire's administration buildings located in Australind and Harvey. The proposal was also referred to the relevant government agencies for comment.

The recommended separation distance in the EPA Guidelines (June 2005) for sand and limestone extraction is 300-500m, depending on size. However, the EPA Guidelines does not provide a recommended separation distance when crushing/screening activities are involved and therefore this is assessed on a case-by-case basis. Officers consider a separation distance of at least 1,000m should be applicable in relation to noise, dust and visual amenity impacts when crushing and screening activities are required. The proposal was therefore referred to all landowners within approximately 1,000m of the proposed extraction boundary.

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A total of 359 submissions were received with 356 being from members of the public and three submissions received from government agencies. A summary of the submissions is provided in **Attachment 5**. The main relevant points from the submissions are:

- *Potential impacts on the environment and wildlife;*
- *Potential impacts to ground and surface water;*
- *Increased truck movements and safety of Binningup Road;*
- *Ongoing noise associated with processing (crushing), vehicle movements and large machinery;*
- *Ongoing dust impacts with processing, vehicle movements and prevailing winds;*
- *Potential health impacts from limestone and silica dust on residents;*
- *Visibility and potential impacts for residents and tourism of the town;*
- *Effect of property values;*
- *Potential impact to future land uses of adjoining properties (golf course and urban expansion); and*
- *The proximity to the Binningup townsite is not appropriate, extractive industry should be located further from urban areas and in rural or industrial zones.*

Officer responses have been provided within the summary of submissions (**Attachment 5**), which have been based on ongoing correspondence with the Applicant, reference to relevant planning policy and legislation, relevant government agency guidelines and previous experience with similar applications.

### **Community Meeting**

The Chief Executive Officer and Director Sustainable Development were invited to attend a Binningup Community Meeting to provide an update on the progress of the application. During the course of that update the community had the opportunity to seek clarification on matters of concern provided in written submissions already submitted to the Shire as part of the advertising period.

### **Comment**

#### **Operating Hours**

Requested operating times are stated as Monday to Friday from 7.00am to 6.00pm, excluding public holidays. However, consistent with other Development Approvals, operating times recommended by Officers are to be restricted to 7.00am to 5.00pm, Monday to Friday. No activities are to occur on weekends or public holidays.

#### **Vegetation and Wildlife**

No remnant vegetation is contained within the subject area, with flora species are restricted to pasture grasses and weed species. Accordingly, Officers consider that no flora, vegetation or fauna of conservation significance is likely to be impacted by the proposed development within the subject site.

#### **Surface and Groundwater Management**

The development area does not contain any defined natural surface water channels or wetlands (as defined within the *Geomorphic Wetlands of the Swan Coastal Plain* dataset) and it is not located within a 'Public Drinking Water Source' area (SLIP 2019).

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The proposed extraction has been designed to provide a 30m setback to the Parkfield agricultural drain, the Multiple Use (MU) wetland and the nearest farm dam (within Lot 4). The proposed development is also located approximately 130m from the Resource Enhancement (RE) Wetland, located to the north.

It is proposed that during extraction activities, the surface will be internally drained, with a low bund installed down slope of any excavation area. The processing area will also be bunded by a low bund to ensure no surface water runoff occurs. These ponds will be designed in accordance with previous DWER recommendations.

The Applicant proposes installation of four piezometers within the subject site (refer *Figure 5 of Attachment 1*) to accurately determine and monitor the suitability of the proposed maximum excavation depth of future stages.

Throughout the life of the proposed extraction, the Applicant will undertake monthly monitoring from May to October to ensure that a 0.5m separation to the maximum groundwater level is maintained.

The installation of the piezometers will ensure accurate monitoring of groundwater onsite will occur and enable the required separation distance to the maximum groundwater level to be maintained. Reporting of this monitoring data will be provided to the Shire and DWER for review.

The proposal indicates that groundwater will not be extracted or dewatered during the operation of the proposed extraction, it is therefore considered that impacts to groundwater levels are unlikely.

## Noise

With the exception of one resident, there are no noise sensitive receptors within 500m of the proposed pit(s) stages, furthermore, this resident has indicated in writing that they do not object to the proposal (refer *Appendix B* of the NMP included in **Attachment 4**) and proposed noise management mitigation measures included within the NMP.

EPA Guidelines (2005) do not provide a recommended buffer for the crushing and screening activities of a limestone extraction pit. However, it does specify a buffer of 1,000m for crushing, screening and blasting of hard rock quarrying, which is considered to have a more significant noise impact than the proposed limestone extraction (no blasting) the subject of this application, as limestone is generally a softer material. The Shire has generally applied this buffer across previous extractive industry sites with regards to crushing and screening activities. The proposal details that any crushing and screening activities will always be located 1,000m from the closest residents in Binningup. This therefore restricts the location of the crushing and screening plant to the eastern portion of the development area within proposed stages 1, 3 and 5.

At the request of Officers, the Applicant has undertaken an Acoustic Assessment and also prepared a NMP (refer above and **Attachment 4**) to provide further information and transparency in relation to the potential noise impacts and mitigation measures to be implemented.

The NMP has been prepared to ensure levels of noise and vibration are maintained in accordance with the Environmental Protection (Noise) Regulations 1997 and AS2436-2010. This is to be achieved by:

- 
- Establishing a 4m high bund on the western, northern and southern extents of the extraction area;
  - Using machinery and equipment with minimal noise output levels;
  - Ensuring all machinery is regularly serviced as per maintenance schedule;
  - Using flashing lights/broadband alarms instead of tonal reversing alarms;
  - Crushing and screening activities being located 1km from all Binningup residents at all times;
  - Maintaining noise complaints register; and
  - Signage on the gate will include the contact details of the pit manager to allow for quick reaction to any complaints that might arise.

With the inclusion of the Acoustic Assessment and NMP mitigation measures and the requirement to maintain noise and vibration levels in accordance with the Noise Regulations 1997, it could be considered that the potential noise impacts from the proposed development are unlikely to cause an unacceptable impact to the surrounding community.

### **Dust and Risk Assessment**

The proposed extraction activities will involve the disturbance of soil and earthen material. The below activities have the potential to generate dust that, if not adequately controlled, may cause nuisance and safety risks:

- Earthworks during extraction activities;
- Topsoil stripping;
- Loading and transportation of material;
- Vehicle movement within the site; and
- Wind erosion of exposed surfaces.

In-pit operations (extraction) tend to generate less dust due to the reduced airflow within the pit. The removal and replacement of topsoil material has the highest risk associated with dust generation due to the large volumes of material involved and generally lower levels of soil moisture.

The Applicant completed a Risk Assessment in accordance with DWER's "*A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities*".

Officers requested a review of the Risk Assessment by the Applicant to ensure complete transparency for the assessment, particularly with regards to *Part B. Proximity of site to other land uses, Item 1*. This was misrepresented in the table, given the nearest resident is between 100m – 500m of the development site (*Resident 1 – 125m*), it was the Officer's opinion that whilst this resident was supportive of the development it shouldn't be excluded from the assessment as it is still considered a sensitive receptor.

At the request of Officers, the Applicant has provided a DMP (refer above and **Attachment 4**) to provide further information as to the potential dust impacts and mitigation measures to be implemented.

Methods proposed to limit impacts of operational dust include:

- Establishing a 4m high topsoil bund along the western, northern and southern extent of the extraction area. Seed the bund with grass as soon as possible;
- Stockpiles, access roads and immediate extraction areas being watered as required;

- Topsoil stockpiles and exposed areas being watered and stabilised as required;
- Timing of earthworks (daily and seasonally) will coincide with periods of low wind velocity as far as practicable. This will especially need to be considered during summer with the prevailing easterly winds;
- Truck loads being covered;
- Crushing and screening plant being fitted with spray bars at all times;
- Maintaining a complaints register; and
- Signage on the gate will include the contact details of the pit manager to allow for quick reaction to any complaints that might arise.

Further review of the NMP and DMP was requested by Officer's to appropriately reflect Resident 1 within the Risk Assessment table as a sensitive receptor. Whilst Officer's acknowledge the support for the proposal by Resident 1, and their likely acceptance of potential impacts from the proposal, it should not exclude them as a sensitive receptor within the Risk Assessment as per DWER's guidelines. The updates to the Risk Assessment re-classify the development proposal as a Classification 3 – Medium Risk, (DWER 2011). The provisions, contingency arrangements and monitoring requirements as specified by DWER (2011) associated with a Classification 3 proposal are provided within the DMP (refer **Attachment 4**).

### **Silica Dust**

The Applicant has advised that there is no evidence to indicate that silica related diseases are resultant from non-occupational exposure to respirable silica. Furthermore, exposure to the respirable fraction of silica generally needs to be continuous and for extended periods of time (e.g. employees working in an enclosed area where the airborne particles are unable to dissipate as readily) for it to present significant health risks.

### **Visual Impact**

Visibility of the subject site from the golf course (private property, now closed), Lakes Parade and the nearest Binningup residents are predominantly obscured by vegetation and the natural topography. The proposed extraction may be visible along a section of Binningup Road; however, Officers believe that given the; designated speed, limited visibility, distance of the proposed extraction site from Binningup Road and the proposed perimeter screening bunds, the potential visual impact is not a reasonable ground for refusal.

### **Cross section**

The Applicant has provided a Cross Section at the request of Officers to assist with how the proposed extraction would operate in relation to the Binningup townsite (refer **Attachment 4**). The cross section identifies the existing ridge that is located between the Binningup townsite and the proposed development area as well as the proposed bund (topsoil stockpile) and pit floor of the extraction area.

### **Rehabilitation**

The application proposes to rehabilitate the development area to pasture, to ensure no long term loss of prime agricultural land occurs, following extraction. Rehabilitation is proposed following the completion of each extraction to stage, with revegetation to pasture species likely to occur during Autumn months.

The rehabilitation process is described in section 6 (pg 21) of the Works and Excavation Plan (refer **Attachment 1**).

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A recommended condition would be the preparation of a Rehabilitation Management and Monitoring Plan to the satisfaction of the Shire.

### **Response to public submissions**

A summary of submissions has been provided in **Attachment 5** which also includes comments from government agencies.

### **Matters to be Considered by the Local Government**

Clause 67 of the Deemed Provisions provides matters Council is required to give due regard when considering an application. The Matters to be Considered relevant to the subject application are detailed and discussed below.

- *The requirements of orderly and proper planning – Clause 67(b):*

The application of orderly and proper planning has been clarified in case law. With respect to decision making, to be orderly and proper, the assessment and determination of the application needs to be done in an orderly (disciplined, methodical, logical, systematic and objective) and proper (suitable for specified purpose or appropriate to circumstances or conditions) way. That is: planning principles identified as being relevant to the proposal should not be lightly departed from without sound reasons based on planning law or principle.

The proposal can be considered to meet the requirements of 'orderly' planning if it complies with all relevant Scheme provisions. Further, the proposal can be considered to meet the requirement of 'proper' planning if it is considered to be a suitable use for the site.

Officers consider that the proposal meets the requirements of the Scheme provisions, namely the aims and objectives of the General Farming zone. Furthermore, given the immediate adjoining uses are considered compatible (market gardens and extractive industry). The development site is located outside of the EPA recommended buffers with regards to separation distances between Industrial and Sensitive (residential dwellings) land uses.

The application of the principles of orderly and proper planning concludes that approval can be considered subject to appropriate conditions to address potential offsite impacts.

- *The built heritage conservation of any place that is of cultural significance – Clause 67(k):*

The Springhill Homestead and Private Cemetery is included in the Shire's Municipal Heritage Inventory. The Applicant has advised that a condition report associated with the Springhill Homestead will be undertaken as part of a private agreement with the landowner.

- *The compatibility of the development with its setting – Clause 67(m):*

As evidenced by **Attachment 2**, the subject sites immediate setting is located in an area that is predominately used for intensive horticulture and extractive industries. The application proposes the continuation of extraction within the locality and rehabilitation of the site to ensure long term viability of intensive horticulture and farming activities.

Within the broader setting, whilst it is near the urban area of Binningup, it exceeds the EPA's recommended separation distances.

As a precursor to discussing the following Matters to be Considered, Officers have undertaken a review of relevant case law with respect to the weight to be given to the community's concerns and what could potentially be considered as perceived outcomes rather than actual or known outcomes. Whilst it is understandable that the community have concerns for the potential impact on the amenity of the town as a result of the proposed extraction, researched case law indicates that unless the Act is amended, to expand the range of relevant planning criteria, social, economic and moral matters are not considered proper town planning considerations. The concerns by the community are largely based on the perceived impacts, rather than fact. Officer's assessment of the proposal is required to comply with the relevant legislation.

- *The amenity of the locality – Clause 67(n):*

Amenity is defined in the Deemed Provisions as *"all those factors which combine to form the character of an area and include the present and likely future amenity"*.

Amenity can be defined spatially in that:

- The proposed use is located on land zoned 'General Farming', and is therefore capable of being compatible with the amenity of a rural area;
- The immediate adjoining land (south and east) is zoned "General Farming", and consists of compatible uses;
- Amenity of the townsite; the Binningup townsite, is already subject to natural processes related to dust given its coastal location and proximity to unmanaged horticulture and farming land to the east.

As evidenced above the proposed use is listed in the Zoning table for "General Farming". Objections to the proposal identified the dust issues already experienced by the community. This dust is likely generated from the farming and horticulture practices that occur to the east of the townsite, in addition to the general sandy nature of the Binningup townsite given its coastal location.

The development area complies with recommended buffer distances and setbacks to waterways. The proposal includes the need for or is supported by relevant management plans and includes the establishment of perimeter buffers (in the form of bunds) to further minimise any perceived amenity impacts of the locality. This will include monitoring and management of dust that may be generated from the works relevant to the proposal only.

The proposed extractive industry within Lot 4 will be a managed process and considered unlikely to cause an unacceptable impact to the amenity of the area.

The development proposal is considered a temporary use and rehabilitation of the site identifies the return to a pasture state, to ensure that there is no net loss of productive agricultural land.

Against the background of the above explanation, a review of numerous tribunal matters and all information provided by the Applicant, Officers consider that there appears to be no relevant grounds for refusal on the basis that the proposed extraction would have a negative or detrimental impact on the amenity of the locality.

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- *The suitability of the land for the development taking into account the possible risk to human health or safety – Clause 67(r);*

Concerns were raised with regard to the risk of silica dust due to the extraction, crushing and screening of limestone. The Applicant has provided the following statement:

*“Exposure to respirable crystalline silica can occur anywhere that fine particles of silica dust are present in the air. Everyone is exposed to very low levels of respirable crystalline silica dust on a day to day basis because this naturally occurring substance is so abundant. However, experience indicates that environmental exposure to silica dust (even for people living in the vicinity of quarries) are not sufficiently high to cause any disease (European Industrial Minerals Association, 2014).*

*Non-occupational exposure occurs naturally due to wind erosion. Farming, construction, and demolition activities also contribute to environmental exposure of crystalline silica. However, exposure to the respirable fraction of silica occurs mainly in industrial and occupational settings with continuous and extended periods of exposure (National Cancer Institute 2019). This is supported by a study in California regarding non-occupational exposure to respirable silica from sand quarries, whereby there were no reported cases of silica-related diseases (Bhagia 2012).”*

Given the above clarification, Officers consider that the proposed development may be considered suitable for the land and unlikely to be considered a risk to human health or safety.

- *The amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system – Clause 67(t);*

Springhill Road is primarily utilised for farming and haulage style transport. The proposal was referred to Main Roads Western Australia (MRWA) who have indicated that no upgrades to roads or intersections are required as part of this proposal.

Furthermore, a condition of Development Approval has been recommended which requires a contribution to be made towards the maintenance and upgrading of Springhill Road in accordance with the methodology adopted by the Western Australian Local Government Association (WALGA).

- *The impact of the development on the community – Clause 67(x);*

Information provided by the Applicant indicates that the proposed development is unlikely to have an unacceptable impact on the community. No vehicle access is proposed onto Binningup Road, therefore ensuring traffic and access/egress to Binningup will not be impacted.

Relevant management plans have been prepared or are proposed to ensure potential impacts from the proposed development are managed accordingly and that the development is compliant with industry standards. The Applicant has identified the establishment of a complaints register (as is required for all extractive industry sites), which will include appropriate signage at the perimeter gates identifying the contact details to register any concerns or complaints that may arise, and will be assessed and resolved as required. Should a complaint be unable to be resolved within the allocated 2-hour response period, it may be necessary to cease operations.

It is also a requirement that the Shire be advised of all complaints made on an extractive industry site as soon as they are received.

Furthermore, a condition of Development Approval for all Extractive Industry applications within the Shire, requires an Annual Audit of Compliance be prepared by a suitably qualified independent expert against the conditions of approval and the extractive industry licence. Officers will also undertake regular inspections of development sites or as required to ensure compliance is maintained.

Based on the information provided by the Applicant, by way of the development application, further requested management plans and the proposed implementation of the complaints register, Officers consider that the proposal is unlikely to have a significant detrimental impact on the community. Notwithstanding this a condition of Development Approval has been recommended requiring additional management plans be prepared to address measures to ensure the avoidance of adverse amenity impacts on the community.

- *Any submissions received – Clause 67(y);*

As previously provided, approximately 97% of submissions received objected to the proposal. An assessment of an application cannot be determined on the mathematic ratio between those in support and those in opposition. A determination must be made using a merit-based assessment having regard to the Scheme provisions and the nature of concerns when considered against the relevant “Matters to be Considered”.

Research suggests that the community’s concerns are shared for a proposal of this nature and proximity to urban areas. However, unless there is evidence to validate these concerns, they cannot be considered valid planning grounds to warrant a refusal.

On the request of Officers, the Applicant has prepared an Acoustic Assessment, Noise Management Plan and Dust Management Plan to further support the application, conditions of approval also recommend the need for further management plans to be prepared. A review of these documents further inform that the proposal is unlikely to have a significant impact on the amenity of the town and its residents.

- *Any submissions received from referral authorities – Clause 67(za);*

The submissions received from referral authorities did not include any objections to the proposal. However, recommendations were made which have been incorporated into the proposed conditions of an Approval.

## **Conclusion**

The consideration and potential impact on amenity has been at the forefront of the assessment process of this application.

Officers consider that the concerns expressed by the community, whilst understandable, are unlikely to be realised and based on known planning case law, not justifiable as grounds for refusal.

When assessed against all relevant Matters to be Considered, Officers conclude that the proposal may be considered to be consistent with the objectives and purposes of the Scheme and the Policy Statement for the “General Farming” zone.

Approval of the proposed use can be considered as it:

- Complies with the Environmental Protection Authority's (EPA's) *Guidance for the Assessment of Environmental Factors: Separation Distances between Industrial and Sensitive Land Uses* recommended separation distances to sensitive land uses, with exception to sensitive receptor 1 as referenced in the Works and Excavation Plan (WEP, R6 in the Acoustic Assessment);
- Is included within the Scheme as a discretionary land use;
- Can be managed via management plans that are considered appropriate to address potential offsite impacts within acceptable limits of relevant legislation; and
- Is considered to be a temporary land use which does not compromise the sites long term agricultural viability and use.

It is therefore recommended that the application be approved subject to appropriate conditions.

### **Statutory/Policy Environment**

#### ***Environmental Protection Act 1986***

- Section 54 – Works Approval, Applying for, Granting, Refusing etc.

#### ***Planning and Development Act 2005***

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

The following are portions of Schedule 2 – Deemed Provisions that are relevant to this application:

#### **Section 64 – Advertising Applications**

- “(1) *An application for development approval must be advertised under this clause if the proposed development – “*
- “(e) *is of a type that this Scheme requires to be advertised.”*
- “(3) *The local government may advertise, or require the applicant to advertise, an application for development approval in one or more of the following ways –*
- (a) *by giving notice of the proposed use or development to owners and occupiers of properties in the vicinity of the development who, in the opinion of the local government, are likely to be affected by the granting of development approval, including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days from the day on which the notice is given to the person; and*
- (b) *by publishing a notice of the proposed use or development by electronic means in a form approved by the local government CEO including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days from the day on which the notice is published.”*
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**Section 67 – Matters to be considered by local government**

*“In considering an application for development approval the local government is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application*

*–*

- (a) the requirements or orderly and proper planning including any proposal local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving;*
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;*
- (n) the amenity of the locality including the following –  
(iii) social impacts of the development*
- (r) the suitability of the land for the development taking into account the possible risk to human health or safety*
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;*
- (y) any submissions received on the application; and*
- (za) the comments or submissions received from any authority consulted under clause 66;*

**Shire of Harvey District Planning Scheme No.1**

The following are portions of the Scheme that are relevant to this application:

- Clause 4.2.3 – Zoning and Development Tables

*The symbols used in the cross reference in the Zoning Table have the following meanings:*

*“SA Means that the local government, may at its discretion, permit the use after notice of application has been given in accordance with Clause 64 of the Deemed Provisions.”*

- Tables 27 – 29 – Zoning and Development Standards: General Farming

In dealing with zoning and development standards for General Farming, the following policy statement has been established:

*“...intends to encourage these areas to continue to be used for viable large scale farming activity. Council will encourage and promote good farming, animal husbandry and soil conservation. Some limited tourist and recreational activity may be permitted where no adverse effect to the primary agricultural purpose of the zone will result”.*

- Clause 8.1.1 – Places of Landscape Value – Development requirements

*“The places and buildings described in Schedule 1 and situated on the lands shown as a Place of Landscape Value on the Scheme Maps are considered by the local government to be of scenic or other value and should be retained in their present state or should be restored to their original state, or to a state acceptable to the local government.”*

- Clause 8.12 – Extractive Industries

Provides the requirement for Development Approval and information required to be submission with an application.

### **Shire of Harvey Extractive Industries Local Law 2017**

Provides the framework associated with the granting of an Extractive Industry Licence following satisfactory compliance with Development Approval conditions.

### **Strategic Framework**

Within the Shire’s Strategic Community Plan 2017 - 2027, Strategy 2.3.1 and 2.3.2 state, in part:

2.3.1 *Continue to implement integrated environmental, social and land use planning which will:*

- *minimise land use conflict.*

2.3.2 *Ensure compliance of rehabilitation plans for extractive industry areas.*

### **Risk Management**

The Risk Theme Profile identified as part of this report is **Providing Inadequate Advice/Information** and **Inadequate Environment Management**. The Consequence could be **Environmental, Financial, Reputational** or **Compliance** if incorrect advice, information is provided or a condition missed. The risk is considered **Minor** and the likelihood **Unlikely**, given that the report has been thoroughly researched, peer reviewed and provided by a qualified Shire Officer. This results in a **Low** risk being present.

### **Budget Implications**

Nil.

### **Voting Requirement**

Simple Majority.

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**Officer's Recommendation**

That Council:

1. Approves the Application for Development Approval for the extraction of limestone from the nominated area within Lot 4 Binningup Road, Binningup, subject to the following conditions:
  - a. No extraction works associated with this Development Approval shall occur on the property until Conditions c to j of this Development Approval have been satisfactorily achieved and an Extractive Industry Licence has been issued by the Shire;
  - b. This approval is valid for a period of five (5) years from the date of the issue of the Extractive Industry Licence. If development is not completed within this period, a new approval must be obtained before commencing or continuing development;

Prior to Extractive Industry Licence being issued

- c. Prior to the issue of an Extractive Industry Licence, the Applicant shall prepare and submit for approval by the Shire, a Rehabilitation Management and Monitoring Plan which shall include:
    - i. Revegetation and rehabilitation of the extraction area the subject of this approval;
    - ii. The proposed rehabilitation back to pasture, to ensure no net loss of agricultural land occurs;
    - iii. Details of species types and maintenance and monitoring measures;
    - iv. The site is reinstated with a minimum of 400mm cover of overburden and topsoil to a finished rehabilitated level of at least 1m above the highest water table level; and
    - v. All slopes of the batters at the end of excavation, being retained at no more than 1:6 vertical to horizontal.
  - d. Prior to the issue of an Extractive Industry Licence, the Applicant shall submit for approval by the Shire, in consultation with the Department of Primary Industries and Regional Development, a Weed Management Plan;
  - e. Prior to the issue of an Extractive Industry Licence, the Applicant shall submit for approval by the Shire a Drainage Management Plan to detail storm water management measures proposed for the site;
  - f. Prior to the issue of an Extractive Industry Licence, a reinstatement bond of \$130,000 (26ha @ \$5,000 per hectare) shall be provided to the Shire in the form of a Bond or an irrevocable and unconditional Bank Guarantee;
  - g. Prior to the issue of an Extractive Industry Licence, a contribution shall be made towards the maintenance and upgrading of Springhill Road in accordance with the methodology adopted by WALGA in the document "Estimating the Incremental Cost Impact on Sealed Local Roads from Additional Freight Tasks, May 2015";
  - h. Prior to the issue of an Extractive Industry Licence, the Applicant shall have the approved pit boundaries surveyed and fenced by a suitably qualified surveyor, with the location of such pegs being to the satisfaction of the Shire;
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- i. Prior to the issue of an Extractive Industry Licence, the Applicant shall install a minimum of four (4) piezometers within the subject site to establish and monitor site-specific groundwater levels, to the satisfaction of the Shire, in consultation with the Department of Water and Environmental Regulation;
  - j. Prior to the issue of an Extractive Industry Licence, the Applicant shall provide the Shire with a copy of an amended Water Allocation Licence issued by the Department of Water and Environmental Regulation to include 'Dust Suppression' as an authorised activity;

Ongoing

- k. Any subsequent extraction stage shall not begin until rehabilitation of the previous stage has substantially commenced, to the satisfaction of the Shire;
  - l. The Approved Development shall, at all times, comply with the approved plans, approved Management Plans and approved Works and Excavation Plan (Doc. No. A002367/EX/007 – 01 – REV 6), as modified by conditions of this approval;
  - m. The Applicant shall engage a suitably qualified independent expert to carry out an Annual Audit of Compliance of the conditions of Development Approval and Extractive Industry Licence. The Annual Audit of Compliance shall also include a progress report on the conditions of the approved Rehabilitation Management and Monitoring Plan including:
    - i. Details of completed, ongoing and future rehabilitation areas;
    - ii. Photos of rehabilitated areas;
    - iii. Monitoring and reporting details, if available;
    - iv. Start and completion dates, and expected start dates, if applicable; and
    - v. A map depicting the rehabilitation areas and their completion progress

The Annual Audit of Compliance shall be submitted prior to an annual renewal licence being issued by the Shire;
  - n. No crushing or screening activities shall occur unless a Works Approval has been obtained from the Department of Water and Environmental Regulation as required by Part V of the *Environmental Protection Act 1986*;
  - o. All crushing and screening activities shall be located a minimum of 1,000m from the nearest Binningup resident;
  - p. Stockpiles shall be kept to a maximum height of 4m AHD to avoid visual impact and/or material wind drift;
  - q. Operating hours are restricted to Monday to Friday 7.00am to 5.00pm. No activities to occur on weekends or Public Holidays;
  - r. The approved Dust Management Plan (Document No. A002367/EX/007 – MP1 – REV 3) shall be implemented to the satisfaction of the Shire;
  - s. The approved Noise Management Plan (Document No. A002367/EX/007 – MP2 – REV 2) shall be implemented to the satisfaction of the Shire;
  - t. The approved Rehabilitation Management and Monitoring Plan (Document No. A002367/EX/007 – MP3) shall be implemented to the satisfaction of the Shire;
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- u. The approved Weed Management Plan (Document No. A002367/EX/007 – MP4) shall be implemented to the satisfaction of the Shire;
  - v. The approved Drainage Management Plan (Document No. A002367/EX/007 – MP5) shall be implemented to the satisfaction of the Shire;
  - w. The pit boundary survey pegs shall remain in place for the duration of the operation to the satisfaction of the Shire;
  - x. The Applicant shall undertake monthly monitoring of the installed piezometers (as per condition (i) above, from May-October for the life of the development and provide the monitoring data to the Shire and the Department of Water and Environmental Regulation to ensure that a 0.5m separation to the maximum groundwater level is maintained;
  - y. Any refuelling activities shall be undertaken in accordance with the Department of Water and Environmental Regulations' Water Quality Protection Note – Toxic and Hazardous Substance Storage and Use. There is to be no storage of hydrocarbons on-site and no major vehicle or machinery repairs or maintenance is to take place on-site;
  - z. Excavation shall be undertaken to the maximum depth of 1.0m AHD, unless otherwise approved by the Shire, in consultation with the Department of Water and Environmental Regulation, following site specific groundwater monitoring being undertaken;
  - aa. A 0.5m separation distance to groundwater must be maintained for the life of extraction activities;
  - bb. Groundwater shall not be extracted or dewatered during the operation of the extraction activities;
  - cc. With respect to the reinstatement bond required by condition (f), the Shire:
    - i. may call on the Bank Guarantee or Bond for the purpose of carrying out or maintaining rehabilitation work required by the Rehabilitation Management and Monitoring Plan, where that work has not been satisfactorily carried out by the Applicant;
    - ii. may, with one week's written notice to the Applicant, enter Lot 4 for the purpose of carrying out or maintaining the rehabilitation work;
    - iii. may retain the Bank Guarantee or Bond and/or enter Lot 4 in accordance with the preceding paragraph for three years after the expiration of this approval, or until the works prescribed by the Rehabilitation Management and Monitoring Plan have been satisfactorily completed (whichever is the later); and
    - iv. must return the Bank Guarantee or Bond (or the balance thereof) to the Applicant at the expiration of that period
2. Advises the Applicant of the following additional requirements that are not included as conditions of the approval:
- a. The Applicant is advised of their obligations under the *Environmental Protection and Biodiversity Conservation Act 1999*; and
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- b. The Department of Planning, Lands and Heritage recommends that reference be made to the State's Aboriginal Heritage Due Diligence Guidelines.
  - c. Activities such as crushing and screening, may be prescribed and as such, require a Works Approval, Licence or Registration under Part V of the *Environmental Protection Act 1986 (EP Act)*;
  - d. The proponent will ensure that all noise emissions comply with the requirements of the 'Environmental Protection (Noise) Regulations 1997' at all times' (p.11);
  - e. All extraction is required comply with:
    - i. The Shire of Harvey Extractive Industry Local Law 2017, including the holding of a valid licence for all periods of operation; and
    - ii. The Department of Water and Environmental Regulation's "Water Resource Considerations for Extractive Industries 2014";
3. Upon satisfactory completion of the conditions of the Development Approval required to be fulfilled prior to the issue of an Extractive Industry Licence, authorises the Manager Planning Services to issue an Extractive Industry Licence to The GM Giacci Family Trust for the extraction of limestone at Lot 4 Binningup Road, Binningup, subject to relevant conditions.

## Sustainable Development

<b>Item No.</b>	<b>12.3.2</b>
<b>Subject:</b>	<b>Structure Plan Amendment No. 2 – Treendale South</b>
<b>Proponent:</b>	<b>Calibre Professional Services Pty Ltd on behalf of Fastbet Pty Ltd</b>
<b>Location:</b>	<b>Lot 9501 Jupiter Drive, Australind</b>
<b>Reporting Officer:</b>	<b>Planning Officer (AR)</b>
<b>Authorising Officer:</b>	<b>Director Sustainable Development</b>
<b>File No.:</b>	<b>P000009 Attachment Reg. No. 20/04223</b>

### Summary

Council has received a request for an amendment to the Structure Plan (SP) for Treendale South, specifically for the undeveloped portion of Lot 9501 Jupiter Drive, Australind (refer **Attachment 1**). The proposed amendments include:

- Remove the local centre land use;
- Replace the proposed landscaped earth bund with an acoustic wall along the eastern boundary of the development area; and
- Reconfigure the residential cells to accommodate the two changes above.

The amended Structure Plan was advertised pursuant to Schedule 2, Clause 18 of the Planning and Development (Local Planning Schemes) Regulations 2015 (Deemed Provisions).

Officers do not have delegation to make a recommendation to the Western Australian Planning Commission (WAPC) on Structure Plans. As such, the proposed amended Structure Plan is referred to Council for consideration pursuant to Clauses 19 and 20 of the Deemed Provisions.

It is recommended that Council support the proposed amended Structure Plan, subject to modifications which address matters raised in this report.

## Background

### Site Description

Lot 9501 Jupiter Drive, Australind is zoned “Residential Development” under the Shire’s District Planning Scheme No.1 (the Scheme). The subject site is located on the northern side of the Collie River, approximately 2.5km east of the Australind townsite and between the developments of Treendale to the north and Millbridge on the southern side of the Collie River (refer **Attachment 2**). The total area of the Structure Plan is approximately 59ha.

The property has been historically used primarily for livestock grazing, but in more recent years the western portion has been developed for residential purposes, while the eastern portion, the subject of this amendment, has remained vacant. Surrounding land uses include the adjoining Treendale Estate to the north and west and the Forrest Highway to the immediate east.

## Site History

The Treendale South Structure Plan was adopted by the Shire in February 2010 and covers the land generally bound by the Forrest Highway to the east, the Collie River to the south and west and the existing Treendale Estate to the north and west respectively. The land the subject to this Structure Plan Amendment is the land located to the east of The Boulevard.

In July 2018, Council approved an Amendment to the Treendale South Structure Plan, which was considered a 'major' amendment by the WAPC, and was endorsed by the WAPC in April 2019.

Amendment No. 1, which primarily covered the undeveloped eastern portion of the Treendale South Structure Plan (east of The Boulevard), included the removal the primary school site, relocation of the Public Open Space (POS) and community purposes site and reconfiguration of the residential cell layout (refer **Attachment 3**).

A subdivision approval over the undeveloped portion of the Structure Plan area was issued by the WAPC on the 22 November 2019 (WAPC Ref: 157 706). It is the intention of the developer to make application for a new subdivision approval in accordance with this Structure Plan Amendment (No. 2) for the portion of lots subject to the modification.

## Proposal

The purpose of Amendment No. 2 is to:

- Remove the local centre land use;
- Replace the proposed landscaped earth bund with an acoustic wall along the eastern boundary of the development area; and
- Reconfigure the residential cells to accommodate the two changes above.

## Removal of Local Centre

A Retail Needs and Demand Assessment (RNDA) was undertaken by Taktics4, a specialist consultancy providing advice on consumer behaviour and market drivers and how they specifically influence the sustainability of development and policy.

Analysis of the commercial, market and policy factors influencing the delivery and sustainability of a local retail centre at Treendale South suggests that there is insufficient market demand to warrant the continued planning for a local centre. The findings of the RNDA considers:

- There is enough retail activity available to the local resident market to provide for all their convenience-based food and grocery needs;
- There is insufficient spending capacity within the local catchment to sustain a local centre;
- In addition to the sufficient retail network providing for the convenience-based retails needs of the current and future local Treendale South residents, there are an additional three local activity centre zones planned in proximity to the potential Treendale South local centre. These centres will be competing directly for the same markets in an established and significant commercial environment, further limiting the sustainable delivery of a centre at Treendale South;
- Residents have access to all their convenience-based food and grocery needs within 1.5km of Treendale Centre; and

- 
- There remains the potential for a local centre to be developed in the area at one of the three remaining planned local centre zones located between Treendale South and Eaton District Centre.

A copy of the full RND is located as *Appendix C* of the *Treendale South Structure Plan Amendment No.2 Report* contained within **Attachment 1**.

### **Noise Mitigation**

The Applicant engaged Herring Storer Acoustics in December 2019 to undertake an Acoustic Assessment report to:

- Measure current noise levels within the proposed development area;
- Determine by noise modelling the noise levels that would be received at residences within the development area from vehicles travelling on the future Forrest Highway;
- Assess the predicted noise levels received at residences for compliance with the requirements of the WAPC State Planning Policy 5.4 “Road and Rail Transportation Noise and Freight Consideration in Land Use Planning” – 2019 (SPP 5.4); and
- If exceedances were predicted, comment on possible noise amelioration options for compliance with the appropriate criteria.

Noise monitoring was conducted at the site at the edge of Forrest Highway to determine the existing vehicle noise levels. Future road traffic volumes, based on data supplied by Main Roads Western Australia (MWRA), were used in the noise modelling.

Recommendations based on the results of the modelling and in accordance with SPP 5.4 for the site were:

- An acoustic barrier of 3m in height be constructed along the edge of the highway;
- Lots located adjacent to Forrest Highway would exceed the “Noise Targets” and would require the adoption of “Quiet House” design in the form of Package A and notification on titles; and
- Other lots within the subdivision, the noise levels would be less than the target level, therefore there are no acoustic requirements for these lots.

A copy of the full Acoustic Report is included as *Appendix D* of **Attachment 1**.

### **Proposed Acoustic Wall**

As a result of the recommendations from the Acoustic Assessment, the Applicant has proposed to modify the Treendale South Structure Plan to replace the earth (vegetation) bund with an acoustic wall.

Investigations into the acoustic properties of the proposed wall indicate no significant difference from an earth bund. Specifications, photographs and a cross-section of the acoustic wall proposed for noise mitigation along Forrest Highway is included as *Appendix D*, of **Attachment 1**.

The proposed wall will be made from a product that is a moulded patterned stone finish on both sides providing a masonry look with durable solid panels. The height of the wall will be consistent with that of the previously proposed (as part of the approved Treendale South Structure Plan) bund, being 3m vertical. The requirements of MRWA’s technical specifications in terms of safety, design and aesthetics are to be met by the proposed wall while creating an effective visual and noise screen between the residential lots and the highway.

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The wall is proposed to be located within a POS reserve, running parallel to Forrest Highway. The plan identifies a limestone track on the highway side of the wall for maintenance, with a vegetated swale, landscaping, local road carriageway, services and path on the development side of the wall. The POS reserve will be 7m wide to accommodate the maintenance track and landscape screening.

Recent designs of the Bunbury Outer Ring Road (BORR) by MRWA have also utilised acoustic walls rather than earth bunds where practical. It is expected noise attenuation in the form of an acoustic wall will be constructed adjacent to Kingston Estate to the north of Treendale South.

The Applicant has identified the following considerable advantages of an acoustic wall, in comparison to an earth bund:

- The reduced footprint – the base of the earth bund to achieve a height of 3m, with side slopes of 1:3 and 1m wide flat top is in the order of 20m and is considered an inefficient use of the land;
- The reduction of fill – each linear metre of a bund requires 30m<sup>2</sup> of sand fill;
- A wall is a vertical separation between the residential area and the Forrest Highway, creating a clear security barrier that is difficult for children and pets to cross into the highway reserve;
- The sound reflection of a vertical wall is greater than that of the sloped sides of a bund (see comparison in the “Typical Cross Section Plan” in *Appendix E* of **Attachment 1**);
- The risk of landscaping the bund becoming a bushfire hazard while the wall provides additional protection from bushfire from the east; and
- The increased cost and difficulty of on-going maintenance of landscaping and reticulation of a bund.

### ***Residential Lot Configuration***

The proposal to remove the local centre and the earth bund will require an adjustment to the residential cells to incorporate the changes in land use and reduction in area required for the acoustic mitigation along the eastern boundary of the structure plan area.

The site previously identified as a local centre has been redesigned for residential development, with a minor reconfiguration of the road network to be consistent with contemporary planning practice.

The eastern edge of the structure plan area has essentially been extended to incorporate the land made available by the narrower design requirements of the proposed acoustic wall in replacement of the earth bund as residential development.

In addition, the residential densities surrounding what was the local centre site and POS (Area B) have been reviewed and reallocated to a more appropriate density for this location.

No changes are proposed to the POS areas (with the exception of the inclusion of POS - Area G) or Foreshore Reserve as part of this redesign and no additional accesses are proposed onto The Boulevard.

### ***Subdivision and Development Requirements***

In addition to, and as a result of the above design changes to the Treendale South Structure Plan, the Applicant proposes to update the ‘*Subdivision and Development Requirements*’ contained within the Section 1.4 of **Attachment 1** as follows:

- Current Requirement 2: *A noise attenuation bund is to be constructed within the identified reserve at such a time as identified by the approved Staging Plan, so as to ensure that no lots are created which would be subject to unacceptable noise impacts. The construction of the bund and any other necessary noise mitigation measures are to be in accordance with State Planning Policy No.5.4 to the satisfaction of Main Roads WA.*

replace with: *An acoustic wall is to be constructed adjacent to Forrest Highway at such a time as identified by the approved Staging Plan, so as to ensure that no lots are created which would be subject to unacceptable noise impacts. The construction of the noise mitigation measures are to be in accordance with State Planning Policy 5.4 to the satisfaction of Main Roads WA.*

Updated to represent the modification proposed as part of this proposal.

- Current Requirement 5: *Prior to lodgement of a subdivision application within Stages 3, 4 and 5, the Bushfire Management Plan (Ref:17-064 Version C 'Planning in Bushfire prone areas May 2018) is to be modified to contain:*
  - *An updated structure plan;*
  - *An updated vegetation classification mapping showing the protection of threatened fauna habitat trees;*
  - *Written confirmation from the Shire of Harvey confirming the Shire will manage future public open space/foreshore reserves in perpetuity where vegetation classifications are identified as 'low threat';*
  - *An updated BAL Contour Plan with regard to the aforementioned; and*
  - *A letter of approval by the Department of Fire and Emergency Services.*

replace with: *An up to date BAL contour plan is to be lodged with any subdivision application.*

As part of this proposal the Applicant updated the Bushfire Management Plan to include the previous requirement and modifications proposed as part of this proposal.

- Current Requirement 9: *Change-rooms, toilets facilities and carparking are to be constructed by the subdivider in conjunction with the development of Public Open Space area 'D' to the satisfaction of the Shire of Harvey and the Department of Water and Environmental Regulation.*

is to be removed: following discussions with Officers it was recommended that this requirement related to a previous structure plan design identifying a more active use of POS area 'D' and was no longer required.

- Current Requirement 13: *A Sustainability Outcomes and Implementation Plan is to be prepared, which details the targets and method of delivery in respect to 'sustainability outcomes', inclusion of:*
  - *On-site power generation;*
  - *Efficient use of power and water;*
  - *On-site water capture and re-use;*
  - *Re-use of grey water; and*
  - *Correct housing orientation for passive heating and cooling.*

is to be removed: following discussions with Officers it was agreed this requirement was no longer required.

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- Current Requirement 14: *Lots located within the central cells of Stage 5 (refer Attachment 1) to have wider frontages to increase opportunities for solar access.*

is to be removed: Officers believe solar efficient design is considered to be appropriately covered through the Residential Design Codes.

- Current Requirements 16 to 18 are to be removed, as these relate to the local centre which is no longer proposed.

## **Advertising**

The proposal was advertised in accordance with Schedule 2, Clause 18 of the Deemed Provisions for a period of 16 days (the minimum being 14 days) concluding on 12 June 2020. The proposal was advertised on the Shire's website, the South Western Times and the Harvey Reporter newspapers for a period of 16 days.

During the advertising period, an extension of time for comment to 26 June 2020 was provided to the Department of Water and Environmental Regulation at its request.

A total of four submissions were received from government agencies with no submissions received from the public. Officer responses have been provided within the summary of submissions (refer **Attachment 4**).

## **Comment**

### **Removal of Local Centre**

Officers consider the justification and supporting documentation provided with regard to the removal of the local centre as valid, and believe that current and future retail needs may be sufficiently catered for through the existing Treendale (approximately 1.5km north of the development) and Eaton District Centres and the proposed local centre sites identified to the south of the structure plan area as part of the future expansion of Eaton.

### **Proposed Acoustic Wall**

Based on the technical reports provided, Officers recognise the comparable attributes of the earth bund and proposed acoustic wall. Additionally, Officers acknowledge that construction of a wall would increase lot yield and could therefore represent a more sustainable use of the undeveloped portion of the site. However, the construction of acoustic walls is not consistent with previous structure planning for this site and recent earth bunds constructed within our Shire, including the existing Treendale Estate development to the North.

Officers also consider that:

- Maintenance of an acoustic wall may be a larger burden than that of the vegetated earth bund, given the structural nature, in addition to the vegetation proposed;
- The visual impact from future residents and that of the Forrest Highway is considered high and inconsistent with the existing treatment of urban development adjoining the Forrest Highway within the Shire; and
- The Bushfire Management Plan prepared as part of the approved Treendale South Structure Plan identified appropriate planting and management measures in relation to the proposed vegetated earth bund to ensure there was no increase to bushfire risk for the area.

Reference is made by the Applicant to the proposal by MRWA for the BORR and the likely use of acoustic walls (where practical). The BORR is considered a 'Regional Road', projects within these roads are not under the control of the Shire. Nevertheless, it is understood that the consideration of acoustic walls for this portion of the BORR is a result of influencing factors including; height of the proposed works, existing development and infrastructure therefore limiting the space available and environmental factors. The development proposed as part of this Structure Plan is not considered to be impacted by any of the above factors.

In addition to the above, for consistency with past planning and current amenity, it is recommended that the vegetated earth bund is the preferred outcome. However, should Council support the acoustic wall, it is recommended that the modifications recommended as part of MRWA's submission be undertaken by the Applicant prior to Council adoption and referral to the WAPC.

### **Subdivision and Development Requirements**

Officers are supportive of the proposed changes to the Subdivision and Development Requirements with the exception of proposed '*Requirement 2*' associated with the acoustic wall.

It is recommended that the proposed Structure Plan Amendment No. 2 be supported, subject to the modifications included as part of the Officer Recommendation:

- Removal of the proposed acoustic wall with the vegetated earth bund to be reinstated.
- Reconfiguration of the residential cell to accommodate the inclusion of the recommended vegetated earth bund along the eastern boundary.
- As per the recommendations of DBCA, modification to the following subdivision and development requirements:
  - Condition 6 "... A foreshore management plan for Regional Open Space areas to be prepared and implemented to the satisfaction of the Shire of Harvey, the Department of Water and Environmental Regulation and the Department of Biodiversity, Conservation and Attraction. The foreshore management plan is to include staging of ROS ceding."
  - Condition 9 "... to the satisfaction of the Shire of Harvey, the Department of Water and Environmental Regulation and the Department of Biodiversity, Conservation and Attractions."
- Inclusion of the following proposed conditions:
  - The ceding of Regional Open Space shall be carried out in accordance with the Staging Plan at Appendix B. Subdivision will not be approved by the WAPC until such time as a management authority has been identified and has agreed to manage the open space which is to be ceded for the corresponding stage of subdivision for which approval is sought.
  - A foreshore management plan for Public Open Space areas to be prepared and implemented to the satisfaction of the Shire of Harvey and the Department of Water and Environmental Regulation and to include a staging plan for the ceding of POS areas.

### **Statutory/Policy Environment**

#### ***Planning and Development Act 2005***

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

#### **18. Advertising structure plan**

- (1) *The local government must, within 28 days of preparing a structure plan or accepting an application for a structure plan to be assessed and advertised—*

    - (a) *advertise the proposed structure plan in accordance with subclause (2); and*
    - (b) *seek comments in relation to the proposed structure plan from any public authority or utility service provider that the local government considers appropriate; and*
    - (c) *provide to the Commission —*

      - (i) *a copy of the proposed structure plan and all accompanying material; and*
      - (ii) *details of the advertising and consultation arrangements for the plan.*
  - (2) *The local government must advertise the structure plan in one or more of the following ways —*

    - (a) *by giving notice of the proposed structure plan to owners and occupiers who, in the opinion of the local government, are likely to be affected by the approval of the structure plan, including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days and not more than 28 days, or a later day approved by the Commission, from the day on which the notice is given to the person;*
    - (b) *by publishing a notice of the proposed structure plan in a newspaper circulating in the Scheme area including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days and not more than 28 days, or a later day approved by the Commission, from the day on which the notice is published;*
    - (c) *by publishing a notice of the proposed structure plan on the local government website including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days and not more than 28 days, or a later day approved by the Commission, from the day on which the notice is published;*
    - (d) *by erecting a sign or signs in a conspicuous place on the land the subject of the proposed structure plan giving notice of the proposed plan for a period of not less than 14 days and not more than 28 days from the day on which the sign is erected including on each sign a statement that submissions may be made to the local government by a specified day being a day not less than 14 days and not more than 28 days, or a later day approved by the Commission, from the day on which the sign is erected.*
  - (3) *The local government —*

    - (a) *must make a structure plan advertised under subclause (2) and the material accompanying it available for public inspection during business hours at the offices of the local government; and*
    - (b) *may publish the structure plan and the material accompanying it on the website of the local government.*
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- (4) *The local government —*
  - (a) *must make a structure plan advertised under subclause (2) and the material accompanying it available for public inspection during business hours at the offices of the local government; and*
  - (b) *may publish the structure plan and the material accompanying it on the website of the local government.*
  - (c) *If a local government fails to advertise a structure plan in accordance with this clause, the Commission may take reasonable steps to ensure that the plan is advertised.*
- (5) *All costs incurred by the Commission in the exercise of the power conferred by subclause (4) may, with the approval of the Minister, be recovered from the local government as a debt due to the Commission.*
  - (a) *If a local government fails to advertise a structure plan in accordance with this clause, the Commission may take reasonable steps to ensure that the plan is advertised.*
- (6) *All costs incurred by the Commission in the exercise of the power conferred by subclause (4) may, with the approval of the Minister, be recovered from the local government as a debt due to the Commission.*

19. *Consideration of submissions*

- (7) *The local government —*
  - (a) *must consider all submissions made to the local government within the period specified in a notice advertising the structure plan; and*
  - (b) *may consider submissions made to the local government after that time; and*
  - (c) *may request further information from a person who prepared the structure plan; and*
  - (d) *may advertise any modifications proposed to the structure plan to address issues raised in submissions.*
- (8) *If a local government makes a decision under subclause (1)(d) the local government must take any steps the local government considers appropriate to advertise the proposed modification to the structure plan.*
- (9) *Modifications to a structure plan may not be advertised on more than one occasion without the approval of the Commission.*

20. *Local government report to Commission*

- (10) *The local government must prepare a report on the proposed structure plan and provide it to the Commission no later than 60 days after the day that is the latest of —*
  - (a) *the last day for making submissions specified in a notice given or published under clause 18(2); or*
  - (b) *the last day for making submissions after a proposed modification of the structure plan is advertised under clause 19(2); or*
  - (c) *a day agreed by the Commission.*

- (11) *The report on the proposed structure plan must include the following —*
- (a) *a list of the submissions considered by the local government, including, if relevant, any submissions received on a proposed modification to the structure plan advertised under clause 19(2);*
  - (b) *any comments by the local government in respect of those submissions;*
  - (c) *a schedule of any proposed modifications to address issues raised in the submissions;*
  - (d) *the local government's assessment of the proposal based on appropriate planning principles;*
  - (e) *a recommendation by the local government on whether the proposed structure plan should be approved by the Commission, including a recommendation on any proposed modifications. “*

#### **State Planning Policy 5.4 – Road and rail noise**

The purpose of SPP 5.4 is to minimise the adverse impact of road and rail noise on noise-sensitive land-use and/or development within the specified trigger distance of strategic freight and major traffic routes and other significant freight and traffic routes.

SPP 5.4 seeks to ensure that the community is protected from unreasonable levels of transport noise, whilst also ensuring the future operations of these transport corridors.

- 6.5.2 Region and local planning scheme and amendments, structure plans and activity centre plans

*The above planning instrument's will address the impact of noise through:*

- *Identification of appropriate compatible land-use zoning that is commensurate with the function of the transport corridor;*
- *Design solutions that utilise street and lot configuration to screen and/or buffer noise;*
- *Outlining the need for additional noise mitigation measures through quiet house requirements and or noise barriers in accordance with the guidelines; and*
- *Consideration of appropriate future planning provisions to ensure more detailed planning is undertaken at the subdivision and development stage.*

The proposal is considered to address the requirements of SPP 5.4 as part of the acoustic assessment and proposes compliant noise mitigation measures.

#### **Shire of Harvey District Planning Scheme No.1**

- Part V – Additional Development Requirements in Residential Zones
  - 5.6 Resident Development Zone

*“5.6.1 it is intended that land in this zone be progressively developed for residential purposes, and for commercial and other uses normally associated with residential development.*

*5.6.2 Prior to any subdivision or development in the ‘Residential Development’ zone, a Structure Plan is required to be prepared and approved in accordance with Part 4 of the Deemed Provisions.”*

- Tables 4 to 6 – Zoning and Development Standards for the Residential Development Zone

## Strategic Framework

Within the Shire's Strategic Community Plan 2017 - 2027, Strategy 2.3.1 states:

*Continue to implement integrated environmental, social and land use planning which will:*

- *minimise land use conflict.*

## Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information and inadequate Engagement Practices**. The Consequence could be **Compliance** and **Reputational** if the advertising and adoption process required by the Planning and Development (Local Planning Schemes) Regulations 2015 is not adhered too. The risk is considered **Minor** and the likelihood **Unlikely**, given that the report has been thoroughly researched, peer reviewed and provided by a qualified Shire officer, resulting in **Low** Risk being present.

## Budget Implications

Nil.

## Voting Requirement

Simple Majority.

## Officer's Recommendation

That Council:

1. Pursuant to Schedule 2, Clause 19 of the Planning and Development (Local Planning Schemes) Regulations 2015, acknowledges the submissions received during the advertising period as provided in the Table of Submissions at **Attachment 4**.
2. Pursuant to Schedule 2, Clause 20(2) of the Planning and Development (Local Planning Schemes) Regulations 2015, recommends that the Western Australian Planning Commission approves the proposed amended Structure Plan dated 02/04/2020 (Plan No. 17-001886P-SP-03) for Lot 9501 Jupiter Drive, Australind (Treendale South), subject to the following modifications:

No.	Modification	Reason
1	Removal of the proposed acoustic wall and reinstatement of the vegetated earth bund.	Not supported by Officers, due to the reasons included in the report.
2	Reconfiguration of the residential cells along the eastern boundary of the Structure Plan area to accommodate the change proposed as part of Modification No.1.	Update the Structure Plan to represent the Officer recommendation to remove the acoustic wall and reinstate the vegetated earth bund.

3	<p>Modifications to the following subdivision and development requirements:</p> <ul style="list-style-type: none"> <li>• Condition 6 “... A foreshore management plan for Regional Open Space areas to be prepared and implemented to the satisfaction of the Shire of Harvey, the Department of Water and Environmental Regulation and the Department of Biodiversity, Conservation and Attraction. The foreshore management plan is to include staging of ROS ceding.”</li> <li>• Condition 9 “... to the satisfaction of the Shire of Harvey, the Department of Water and Environmental Regulation and the Department of Biodiversity, Conservation and Attractions.”</li> </ul>	<p>As per the comments received during advertising from DBCA.</p>
4	<p>Inclusion of the following proposed conditions:</p> <ul style="list-style-type: none"> <li>• The ceding of Regional Open Space shall be carried out in accordance with the Staging Plan at Appendix B. Subdivision will not be approved by the WAPC until such time as a management authority has been identified and has agreed to manage the open space which is to be ceded for the corresponding stage of subdivision for which approval is sought</li> <li>• A foreshore management plan for Public Open Space areas to be prepared and implemented to the satisfaction of the Shire of Harvey and the Department of Water and Environmental Regulation and to include a staging plan for the ceding of POS areas.</li> </ul>	<p>As per the comments received during advertising from DBCA.</p>

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**Sustainable Development**

<b>Item No.</b>	<b>12.3.3</b>
<b>Subject:</b>	<b>Request for Road Naming</b>
<b>Proponent:</b>	<b>Mr and Mrs Dewar</b>
<b>Location:</b>	<b>Lots 2 and 3 South Western Highway, Brunswick</b>
<b>Reporting Officer:</b>	<b>Planning Officer (AR)</b>
<b>Authorising Officer:</b>	<b>Director Sustainable Development</b>
<b>File No.:</b>	<b>P001124 Attachment Reg. No. 19/46911 and 20/10844</b>

**Summary**

The Shire has received a request from Mr and Mrs Dewar (the applicants) for the approval of a road name associated with the Western Australian Planning Commission (WAPC) approval (boundary realignment) of Lots 2 and 3 South Western Highway, Brunswick and Lot 14 Victoria Road, Roelands (refer **Attachment 1**).

The request is referred to Council as Officers do not have delegation to approve the use of road names that do not appear on the Shire of Harvey Reserved Road Names Register. It is recommended that Council approves the request and forwards its support to Geographic Names Team (GNT) for final approval.

**Background**

The WAPC granted subdivision approval for Lots 2 and 3 South Western Highway, Brunswick and Lot 14 Victoria Road, Roelands on 11 August 2017 (refer **Attachment 2**). The approval sought to realign the boundaries between Lots 2 and 3 to conform with the drain that runs between the properties and to rationalise the properties to ensure road access is available for all lots. A small portion of Lot 14 is required to provide for the extension of the unnamed road reserve that adjoins Kelly Road to the south. The proposed constructed road will provide access to proposed Lots 2 and 3 (refer **Attachment 2**). The site is located approximately 1,000m north west of the Roelands town site.

Prior to seeking subdivision clearance for the proposed lots, the Applicant is seeking approval of the proposed road name. A resolution of Council is required as the proposed road name is not on the Shire's Reserved Road Names Register. Once approved by Council, the road name will then need the approval of Landgate's Geographic Names Team.

When naming new roads as a result of subdivision, the developer/applicant may propose names they have selected themselves, subject to compliance the 'Policies and Standards for Geographical Naming in Western Australia' (2017). The Applicant has provided a list of four proposed road names, listed in order of preference, in the event the Applicant's preferred road name is not approved.

**Proposal**

The Applicant has provided a list of preferred road names with background information which includes the following:



*Proposed Road Name, Theme and Origin:*

Preference	Road Name	Origin	Source
1	Moondyne	Moondyne Joe and the Kelly Gang, in reference to the connection with Kelly Road.	Wikipedia
2	Kelly Spur North	The road is a spur off of the existing Kelly Road.	Google Maps
3	Escapade	Ned Kelly was subject to many adventures (escapades) during his time, in reference to the connection with Kelly Road.	Wikipedia
4	Artillery	Reference made to the Glenrowan shootout, associated with the Kelly Gang, in reference to the connection with Kelly Road.	Wikipedia

**Comment**

The proposed road names have been through a 'preliminary validation' process using the GNT's online road name query via the Landgate website. Part of this online system allows proposed road names to be queried for their availability first. Names that do not pass the preliminary validation process are not automatically ruled out, however if they are included in the proposed list then further research is required to demonstrate that they comply with the Policy standards.

Of the Applicant's proposed four names in the list, two names failed preliminary validation as detailed in the below Table.

*Preliminary Validation Results from Online Tool*

Preference	Road Name	Preliminary Validation	Reason
1	Moondyne Road	Failed	Similar road names exist within 50km (Moondar Parade, Dalyellup)
2	Kelly Spur North	Failed	Can only be a single name
3	Escapade Lane	Passed	
4	Artillery Lane	Passed	

The Applicant has advised that they would like to proceed with the two names that passed the preliminary validation process as identified below and have provided their order of preference as follows:

1. ARTILLERY Lane; and
2. ESCAPADE Lane;

The following name from the Shire's Reserved Road Names Register is recommended as an alternative name should the proposed names not be approved by GNT:

- TERN Lane

Consultation with the community was not considered necessary by Officers as the road reserve is likely to only service the subject lots and only a minor extension of the road reserve is proposed.

Once approved by Council, Officers will submit a formal request for road naming to Landgate.

## **Statutory/Policy Environment**

### **Policies and Standards for Geographical Naming in Western Australia (2017)**

This Policy outlines the criteria for the naming of geographic features, such as roads. Proposals submitted to GNT need to include a plan showing the extent of the proposed road to be named and details of the origin of the names. Relevant sections of the Policy include:

#### **1.8.1 Consulting with the Community**

*Any proposal requesting the renaming or an approved name or any new naming proposal considered to be of significance to the immediate or extended community must include evidence of consultation with the community. Local governments must ensure that the level and form of consultation undertaken reflects the significance of the naming proposal.*

### **Section 2: Roads**

#### **Road Name Submission Process**

*Landgate accepts applications for new names relating to roads, localities, administrative boundaries and topographic features. Such applications should be directed to the relevant local government for their endorsement and submission to Landgate.*

## **Strategic Framework**

Within the Shire's Strategic Community Plan 2017 - 2027, Strategy 4.3.4 states:

*Monitor and ensure compliance with the regulatory framework for local government business.*

## **Risk Management**

The Risk Theme Profile identified as part of this report is **Providing Inadequate Advice/Information**. The Consequence could be **Financial** or **Reputational** if incorrect advice or information is provided or **Compliance** if process required by the GNT is not adhered to. The risk is considered **Minor** and the likelihood **Unlikely**, given that the report has been thoroughly researched, peer reviewed and provided by a qualified Council Officer. This results in a **Low** risk being present.

## **Budget Implications**

Nil.

## **Voting Requirement**

Simple Majority.

### **Officer's Recommendation**

That Council:

1. Approves the use of the following names for the unnamed road reserve off Kelly Road, Roelands providing access to proposed Lots Lot 2 and 3 (refer ***Attachment 3***):
  - ARTILLERY Lane
  - ESCAPADE Lane (alternative)
  - TERN Lane (alternative)
2. Forwards the request to Landgate's Geographic Names Team for final approval.

## Corporate Services

<b>Item No.</b>	<b>12.4.1</b>
<b>Subject</b>	<b>Listing of Accounts Paid – June 2020</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Manager Finance</b>
<b>Authorising Officer:</b>	<b>Director Corporate Services</b>
<b>File No.:</b>	<b>FMS006</b>

## Summary

Presented by way of attachment is a listing of payments for goods and services for June 2020. It is recommended that Council note the attached payments.

## Background

Pursuant to Section 5.42 of the *Local Government Act 1995* (Delegation of some powers and duties to CEO), Council has resolved to delegate to the Chief Executive Officer (Delegation No: 2.2.1) the exercise of its powers to make payments from the municipal and trust funds.

As a result of this delegation there is a requirement under the Local Government (Financial Management) Regulations 1996, Regulation 13(3) for a list of payments to be prepared and presented to Council.

## Comment

The list of accounts paid for the period of June 2020 is presented as an attachment to this report, as summarised below.

<u>Voucher</u>		<u>Amount</u>
Schedule of Accounts		
	Trust	EFT 50295, 50296, 50367 & 50460
		\$24,657.69
	Municipal	EFT 50298 - EFT 50661
		117020 - 117037
		\$5,225,405.29
		\$16,646.98
		DD20714.1 - DD20785.1
		\$129,779.03
CBA Credit Card		\$10,719.44
Electronic Funds Submitted		\$1,098,446.27
Total		<u>\$6,505,654.70</u>

## Statutory/Policy Environment

Local Government (Financial Management) Regulation 1996, Regulation 13 prescribes the reporting of payments to Council.

**Strategic Framework**

Within the Shire's Strategic Community Plan 2017 – 2027, Strategy 4.3.4 states:

*Monitor and ensure compliance with the regulatory framework for Local Government Business.*

**Risk Management**

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. There is no Consequence associated as Council is receiving financial information only with no recommendation on action or intervention.

**Budget Implications**

The payments listed above have been budgeted for in the Shire's 2019 – 2020 Budget.

**Voting Requirement**

Simple Majority.

**Officer's Recommendation**

That Council notes the above list of accounts paid for the period of June 2020 totalling \$6,505,654.70.

## Corporate Services

<b>Item No.</b>	<b>12.4.2</b>
<b>Subject:</b>	<b>Financial Statements as at 30 June 2020</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Manager Finance</b>
<b>Authorising Officer:</b>	<b>Director Corporate Services</b>
<b>File No.:</b>	<b>CC/C/062</b>

## Summary

Presented by way of attachment are the Financial Statements as at 30 June 2020.

The following key balances are provided to assist in reporting the Shire's financial performance.

	<b>ACTUAL</b> 30 June 2020	<b>BUDGET</b> 2019 - 2020	<b>VARIANCE</b>
<b>Statement of Financial Performance</b>			
Ordinary Revenue	\$38,860,493	\$36,124,398	<b>-\$2,736,095</b>
Ordinary Expenditure	\$43,820,490	\$44,313,168	\$492,679
Capital Revenue	\$9,647,087	\$12,396,656	\$2,749,569
Capital Expenditure	\$14,261,672	\$17,526,329	\$3,264,657
End of Period Profit / (Loss)	\$3,500,000		
<b>Statement of Financial Position</b>			
Current Assets	\$43,337,186		
Net Assets	\$544,343,036		

It is recommended Council receive the Financial Statements (refer **Attachment 1**).

## Background

In accordance with the provisions of Section 6.4 of the *Local Government Act 1995*, and Regulation 34(1) of the Local Government (Financial Management) Regulations 1996, a Local Government is to prepare each month a Statement of Financial Activity (refer **Attachment 1**) reporting on the revenue and expenditure as set out in the Annual Budget under Regulations 22 (1)(d) for the month.

## Comment

Any material variances are highlighted in the Statement of Financial Performance and included by way of Notes to the Statement of Financial Performance (refer **Attachment 1**).

Attached to the Agenda is a copy of:

- Statement of Financial Performance
- Statement of Financial Position
- Notes to the Statement of Financial Performance and Financial Position
- Total Municipal Revenue and Expenditure - graph

- Statement of Cash at Bank – Loans
- Statement of Cash at Bank – Reserves
- Statement of Cash at Bank – Bonds and Deposits
- Statement of Cash at Bank – Trust
- Current Ratio – graph
- Outstanding Rates – graph
- Aged Debtors Summary - graph
- Current Account Coverage – graph
- Statement of Investments
- Detailed Quarterly Accounts

### **Statutory/Policy Environment**

Section 6.4 of the *Local Government Act 1995*, requires financial reports to be prepared as prescribed.

Local Government (Financial Management) Regulation 1996, Regulation 34 prescribes the monthly financial reporting requirements of Council.

### **Strategic Framework**

Within the Shire's Strategic Community Plan 2017 – 2027, Strategy 4.3.4 states:

*Monitor and ensure compliance with the regulatory framework for Local Government Business.*

### **Risk Management**

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The Consequence could be **Financial**, **Reputational** or **Compliance** if the financial statements are not reported accurately, timely or in the required format. The risk is mitigated by Council receiving financial statements on a monthly basis and in a form that is in accordance with the *Local Government Act 1995* and associated Regulations, resulting in a **Low** risk being present.

### **Budget Implications**

Review of the monthly accounts aids in ensuring works and services are undertaken and the Shire operates within its adopted Budget.

### **Voting Requirement**

Simple Majority.

### **Officer's Recommendation**

That Council receives the Financial Statements as at 30 June 2020.

## Corporate Services

<b>Item No.</b>	<b>12.4.3</b>
<b>Subject</b>	<b>Write-off – Sundry Debtors</b>
<b>Proponent:</b>	<b>Various Debtors</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Manager Finance</b>
<b>Authorising Officer:</b>	<b>Director Corporate Services</b>
<b>File No.:</b>	<b>FMR001</b>

## Summary

Approval is sought to write-off the below accounts which are considered by Officers to be bad debts.

## Background

The following Sundry Debtors had invoices raised against them through the normal course of business. When payment had not been received by the due date of the invoice, Shire Officers made attempts to contact the Debtors, to organise payment. Once all internal attempts to contact the Debtors failed, the debts were forwarded to the Shire's debt collector, AMPAC. At the point AMPAC exhausted their avenues to collect payment, they notified Shire Officers that they would close the account, as any costs incurred in further legal proceedings would be greater than the amount of the debt itself. AMPAC recommended that the Shire write off the following accounts:

<b>Debtor No.</b>	<b>Amount</b>	<b>Type of Debt</b>	<b>Invoice Issue Date</b>	<b>AMPAC close date</b>
72405	\$ 312.18	Removal of abandoned vehicle	15-Aug-19	14-Jan-20
72465	\$ 323.07	Removal of abandoned vehicle	04-Mar-20	21-May-20
72436	\$ 326.70	Removal of abandoned vehicle	06-Nov-19	19-Jun-20
72470	\$ 286.77	Removal of abandoned vehicle	24-Feb-20	08-Jul-20
72485	\$ 315.81	Removal of abandoned vehicle	25-Mar-20	15-Jul-20

## Comment

It is considered by Officers that these debts be written off, as any costs involved with pursuing these debts through legal proceedings, would outweigh the amounts that are outstanding. It is considered that further legal action would be unlikely to result in collection of the debt.

## Statutory/Policy Environment

*Local Government Act 1995*, Section 6.12(1)(c) – Provides Council with authority to write-off debts.



## Strategic Framework

Within the Shire's Strategic Community Plan 2017 - 2027, Strategy 4.3.4 states:

*Monitor and ensure compliance with the regulatory framework for Local Government business.*

## Risk Management

The Risk Theme Profile identified as part of this report is **Failure to fulfil Compliance Requirements** and the Consequence is **Financial** Impact. The controls in place have determined that the Risk Consequence Rating for this matter is **Insignificant** therefore there is no treatment proposed.

## Budget Implications

Reduction of income already reported totalling \$1,566.97.

## Voting Requirement

Simple Majority.

## Officer's Recommendation

That Council writes off the following debtors:

Debtor No.	Amount	Type of Debt
72405	\$ 312.18	Removal of abandoned vehicle
72465	\$ 323.07	Removal of abandoned vehicle
72436	\$ 326.70	Removal of abandoned vehicle
72470	\$ 286.77	Removal of abandoned vehicle
72485	\$ 315.81	Removal of abandoned vehicle

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**Corporate Services**

<b>Item No.</b>	<b>12.4.4</b>
<b>Subject:</b>	<b>Request for Rates Exemption</b>
<b>Proponent:</b>	<b>Southern Aboriginal Corporation</b>
<b>Location:</b>	<b>A004627 and A006417</b>
<b>Reporting Officer:</b>	<b>Coordinator Rates</b>
<b>Authorising Officer:</b>	<b>Director Corporate Services</b>
<b>File No.:</b>	<b>A004627, A006417</b>

**Summary**

In February 2020 Southern Aboriginal Corporation (SAC) made written application for a Rates exemption for the 2019 - 2020 financial year for the properties with rate assessments A4627 and A6417.

It is recommended that rates exemption be approved from the 2020 - 2021 rating period for both properties.

**Background**

The properties listed above are owned by SAC and leased long term to Aboriginal families. The general objective of SAC is a charitable organisation, incorporated as a Not for Profit Aboriginal Corporation under the Commonwealth *Aboriginal and Torres Strait Islander Act 2006*.

SAC are a registered Community Housing Organisation and manages its housing program in accordance with the national standards that apply to registered Not for Profit Community Housing Organisations.

The Government has progressively reduced funding support for Aboriginal Housing Organisations. From July 2014 the SAC no longer receives funding support to assist in providing affordable community housing to Aboriginal people. This has resulted in financial pressure on the organisation to continue providing quality and affordable housing to their tenants.

The tenants of the property are charged rent every week. The rent is calculated on a 25% of the household income or 75% of the market rent rate. The land is used by SAC to provide low cost rental housing for economically disadvantaged Indigenous people. The proceeds are used by SAC to pay bills, cover administrative costs and general objectives of the organisation, but not in order to generate profit. A number of Not for Profit projects were also undertaken on the land, which aimed to improve the living conditions, keep people occupied, discouraged excessive alcohol consumption, create self-respect and income to further SAC's objectives.

**Comment**

There are currently no clear criteria available to determine applications for rates exemption on land used exclusively for charitable purposes. The *Local Government Act 1995*, section 6.26 (2)(g) provides rate exemption for land used exclusively for charitable purposes but does not provide any legal definition to the term 'charitable purposes'.

On reviewing prior determinations by the State Administrative Tribunal relating to such applications, it is felt that this application is similar in that it, like those, provides benefit to the community and the advancement of social and community welfare.

As this application was made in the latter part of the 2019 - 2020 rating year, it is recommended any exemption given commence from the beginning of the next year. The Shire of Harvey has previously approved similar applications for rates exemption.

## **Statutory/Policy Environment**

### ***Local Government Act 1995***

#### Section 6.26 – Rateable Land

- (2) The following land is not rateable land —  
(g) land used exclusively for charitable purposes

## **Strategic Framework**

Within the Shire's Strategic Community Plan 2017 – 2027, Strategy 4.3.4 and 4.5.3 state:

4.3.4 *Monitor and ensure compliance with the regulatory framework for local government.*

4.5.3 *Review rating strategies.*

## **Risk Management**

The Risk Theme Profile identified as part of this report is **Failure to fulfil Compliance Requirements** and the Consequence is ***Financial Impact***. The controls in place have determined that the Risk Rating for this matter is ***Insignificant***.

## **Budget Implications**

General Rates for 2020 - 2021 on the above listed lots is estimated to be;

General Rates A4627	\$ 1,223.14
General Rates A6417	<u>\$ 1,289.85</u>
Total	\$ 2,512.99

Irrespective of exemptions, SAC will still be required to pay rubbish removal charges levied for the property and the Emergency Services Levy (ESL) which is forwarded to the Department of Fire and Emergency Services.

## **Voting Requirement**

Simple Majority.

**Officer's Recommendation**

That Council;

1. Grants Southern Aboriginal Corporation rates exemption under Section 6.26 of the *Local Government Act 1995* for the 2020 - 2021 financial year the following assessments;
  - Assessment A4627; and
  - Assessment A6417
2. Alters the Rates book for these properties to note 'Non Rateable' while being used by Southern Aboriginal Corporation for the purpose stated above.

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**Community and Lifestyle**

<b>Item No.</b>	<b>12.5.1</b>
<b>Subject:</b>	<b>Community Sporting and Recreation Facilities Fund – Grant Application</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Harvey Recreation Ground</b>
<b>Reporting Officer:</b>	<b>Manager Place</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>A001861</b>

**Summary**

This report recommends that Council supports a Community, Sporting and Recreation Facilities Fund (CSRFF) grant application for a proposed upgrade of oval drainage at the Harvey Recreation Ground and the application be forwarded to the Department of Local Government, Sport and Cultural Industries (DLGSCI) by the closing date of 14 September 2020.

**Background**

Each year CSRFF grant applications are invited from local governments and community groups for projects that provide facilities and infrastructure for sport and recreation. The program aims to increase participation in sport and recreation through rational development of good quality, well designed and well utilised facilities.

Two grant categories are offered with CSRFF small grant funding rounds in March and August each year for smaller scale projects, and CSRFF annual grants available in September each year for projects with a budget over \$300,000. Grant applications may request up to one third of the cost of eligible projects with the balance of the funds to be provided by the local government and/or the community group.

This report provides details of a grant application for the proposed upgrade of oval drainage at the Harvey Recreation Ground.

**Comment**

The Harvey Recreation Ground (HRG) is one of the Shire's main recreation facilities and caters for a number of sporting and recreation activities throughout the year.

Following consideration of a report to the Harvey Recreation Ground Advisory Committee Meeting held on 18 March 2019, the Committee made the following recommendation to Council:

*"That Council:*

- 1. Lists for consideration of funding in the Shire's 2019/20 draft budget an allocation of \$150,000 for the proposed upgrade of the oval drainage at the Harvey Recreation Ground.*
- 2. Requests Staff to investigate potential grant funding opportunities for the proposed upgrade of oval drainage of the Harvey Recreation Ground.*

The above recommendation was adopted by Council at its meeting held on 26 March 2019 and an allocation of \$150,000 was included in the Shire's 2019 - 2020 Budget as a contribution to this project. This allocation has been carried forward to the 2020 - 2021 Budget.

A CSRFF application was submitted to the DLGSCI in August 2019 for this project however the application was unsuccessful. Feedback received indicated that more planning was required. Since this time, a Needs Assessment has been completed which is being used to inform the development of the Master Plan for the HRG. This information will be used in the grant application to indicate the level of planning that has been undertaken for the project.

Further, with the construction of the new Harvey and Community and Sporting Facility now completed, there is strong interest from the Harvey Hawks Soccer Club to relocate to the Harvey Recreation Ground and use the new facilities adjacent to the northern oval. There is currently no drainage on the northern oval which makes it unusable during the winter season.

The proposed funding arrangement for the project (ex GST) is as follows:

Shire of Harvey (2020 - 2021 Budget allocation)	\$150,000
Shire of Harvey (2021 - 2022 Budget allocation)	\$ 70,000
CSRFF grant application	<u>\$110,000</u>
<b>Total</b>	<b>\$330,000</b>

The Shire's Infrastructure Services have undertaken a preliminary drainage design for the site. The design includes upgrading existing and installing new main line drainage lines on the site which is prone to flooding due to the existing surface levels, impervious nature of the soil, and inadequate exiting drainage outlet points.

In addition, once the mainline drainage has been upgraded, the existing subsoil drainage will need to be modified and extended on both the northern and southern playing areas. The estimated cost of the drainage improvements is \$330,000.

This project is considered to be a high priority for the Shire and as this is the only application the Shire will be submitting, for this funding round, it is recommended that the application be allocated a number 1 priority rating.

### **Statutory/Policy Environment**

Policy 3.1.3 Financial Assistance to Clubs and Organisations relates to financial assistance by the Shire to clubs and organisations for new or upgraded facilities and identifies eligibility and assessment criteria for consideration of funding requests. This project meets the criteria set out in the Council's policy.

### **Strategic Framework**

Within the Shire's Strategic Community Plan 2017 – 2027, Strategies 3.1.2 and 4.5.1 state:

3.1.2 *Continue to engage local community groups to understand needs, improve facilities and source grant funding.*

4.5.1 *Maximise Shire grant funding*

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## Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The Consequence could be **Reputational** if Council decided not to support the application. The risk is considered **Moderate** and the likelihood **Unlikely**, resulting in a **Low** level of risk.

## Budget Implications

The initial allocation of \$150,000 for this project has been included in the Shire's 2020 - 2021 Budget.

Should the grant application be successful, an additional allocation of \$70,000 would be included for consideration in the Shire's 2021 - 2022 draft Budget to enable the project to proceed.

## Voting Requirement

Simple Majority.

## Officer's Recommendation

That Council requests the Chief Executive Officer to submit the following Community Sporting and Recreation Facilities Fund grant application to the Department of Local Government, Sport and Cultural Industries for the 2020 Annual and Forward Planning funding round:

Priority	Description	CSRFF	Shire	Club/ Other	Total
1	Harvey Recreation Ground – Upgrade Oval Drainage	\$110,000	\$220,000	Nil	\$330,000

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**Community and Lifestyle**

<b>Item No.</b>	<b>12.5.2</b>
<b>Subject:</b>	<b>Proposed Local Tourism Development Strategy</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Manager Place</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>B000348</b>

**Summary**

This report recommends that Council endorses the scope for the Shire of Harvey's Local Tourism Development Strategy (LTDS) and requests the Chief Executive Officer to prepare a draft LTDS to be presented to Council at its meeting in February 2021.

**Background**

A report to the Council Meeting held on 26 May 2020 put forward a draft plan to implement the Shire's Economic Development Strategy (EDS) and Council resolved as follows:

*That Council:*

- 1. Subject to the availability of funding, endorses the draft plan as attached to implement the Shire's Economic Development Strategy;*
- 2. Lists for consideration of funding in its 2020-21 draft Budget an allocation of \$49,000 for Economic Development activities described in this report;*
- 3. Receives a further report at the June 2020 Council Meeting on the proposal to develop a strategy for tourist information bays and signage;*
- 4. As part of its forthcoming budget deliberations considers the appointment of an Economic Development Officer to facilitate the delivery of the Shire's Economic Development Strategy; and*
- 5. Requests the Chief Executive Officer to provide an annual review and status report on the implementation of the Shire's Economic Development Strategy.*

One of the important priorities included in the Shire's EDS is Action 3.1, "Develop a local Tourism Development Plan that builds on and leverages regional tourism development strategies." This Action was initially proposed to be undertaken in 2021 – 2022 however at the Council Meeting held on 23 June 2020 Council decided to bring forward this study and it was resolved (20/149) in part as follows:

*That Council:*

- 1. Lists for consideration of funding in its 2020 - 2021 draft Budget an allocation of \$40,000 for Action 3.1 of the Shire's Economic Development Strategy to "Develop a local Tourism Development Plan" to be completed by 28 February 2021 and include a review of the Harvey Visitors Centre.*

Following the adoption of the Shire's 2020 - 2021 Budget at the Council Meeting held on 28 July 2020, this report responds to Council's resolution to develop a LTDS.



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**Comment**

Subject to further input from Council, the scope for LTDS will include the following:

- Review all relevant literature including existing reports and plans that relate to tourism development within the Shire;
  - Provide an overview of the tourism sector in Western Australia and the South West, and provide a summary of current trends that may impact tourism development within the Shire.
  - In conjunction with the Working Group, establish the objectives of the LTDS and define the Shire's role in supporting and promoting tourism within the Shire.
  - Identify comparative advantages and barriers to tourism development within the Shire.
  - Conducting an audit of existing tourist attractions and operators within the Shire.
  - Consulting with the relevant Shire of Harvey Officers, Harvey District Tourist Bureau, the Bunbury–Geographe Tourism Partnership, Australia's South West and local tourist operators to identify opportunities to support tourism development within the Shire. The type of techniques to be used include:
    - Conduct a minimum of two Stakeholder workshops in Australind and Harvey (the Shire will provide a venue and catering for the workshops);
    - Develop a survey questionnaire to be placed on the Shire's website that invites input from all sectors of the community;
    - Direct consultation with key stakeholders and major employers within the Shire; and
    - Prepare a summary report of the outcomes of the consultation process and any implications or recommendations for the Economic Development Strategy.
  - Conduct an operational review of the Harvey and Australind Visitor Information Centres and provide recommendations relating to the future role of Visitor Centres and opportunities for improving the provision of tourism services.
  - Prepare a five-year Local Tourism Development Plan that complements existing State and Regional tourism strategies, and identifies a range of actions and initiatives to support tourism development within the Shire. In preparing the LTDS the consultant is to give consideration to:
    - Prioritising short, medium and long term strategies that are realistic and achievable for the Shire to implement;
    - Responding to the challenges and opportunities presented within the local, national and international context;
    - Identifying gaps in infrastructure that restrict tourism development within the Shire;
    - Reviewing current Shire processes to identify any opportunities for providing additional support for existing and potential new tourism related businesses;
    - Continuing to provide good quality facilities and services relevant to the needs of the Shire's towns and communities in order to improve liveability and make the Shire an attractive and enjoyable place to visit;
    - Identify State and Federal grants and programs for existing and potential new tourism businesses within the Shire;
    - Strategies that promote and facilitate Economic Development within the Shire's main town sites;
    - The Shire's Tourism Signage Strategy which is currently being developed;
    - Nature based tourism opportunities such as the Harvey Dam, walking and mountain bike trails;
    - Heritage walk and drive trails;
    - Commercial tourism related opportunities e.g. proposed Café/Restaurant at the Ridley Place Foreshore; and
    - Event related tourism.
  - Presenting the draft strategy to Council and incorporating any required changes prior to final adoption of the strategy.
-

In order to progress the preparation of the LTDS, a Working Group will be established to oversee the study and will function under the following Terms of Reference:

**Name**

Local Tourism Development Strategy Working Group.

**Role**

To oversee the preparation of a LTDS for the Shire of Harvey.

**Terms of Reference**

1. To prepare a Consultant's Brief in line with the scope endorsed by Council that describes the requirements of the project.
2. To invite quotations from suitable consultants, to assess the submissions and quotations that are received and to select a consultant to undertake the project.
3. To approve the methodology and project plan for completion of the study.
4. To work with the appointed consultant and provide guidance and direction where required to ensure that all aspects of the project brief are fully addressed.
5. To review the draft strategy and liaise with the consultant regarding any changes that may be required.
6. To present the draft strategy to Council at a Concept Forum prior to final adoption of the strategy.

**Membership**

- Two Shire Councillors;
- Chief Executive Officer or delegate;
- Director Sustainable Development or delegate;
- Director Community and Lifestyle;
- Manager Place;
- Manager Special Projects;
- Marketing and Communications Officer;
- One representative from the Harvey District Tourist Bureau;
- Two representatives from the local tourism industry; and
- One representative from the Bunbury-Geographe Tourism Partnership.

**Meetings**

To be held as required.

In order to keep Council informed throughout this process, all minutes of the LTDS Working Group meetings will be supplied as an attachment to Concept Forum Agendas.

## Statutory/Policy Environment

Policy 3.2.1 Tourism – Objectives and Policy Document Guidelines identifies tourism policy objectives and activities to support tourism within the Shire. This proposal to develop a LTDS would complement Council's policy.

## Strategic Framework

Within the Shire's Economic Development Strategy, Action 3.1 states:

*Develop a local Tourism Development Plan that builds on and leverages regional tourism development strategies.*

## Risk Management

The Risk Theme Profile identified in relation to this item is **Inadequate Engagement Practices**. The Consequence could be **Reputational** if there is inadequate consultation with relevant stakeholders regarding the preparation the proposed LTDS. The Risk has been mitigated by including a requirement for consultation with stakeholders in developing the draft Strategy and seeking public comment prior to adoption. The Risk Consequence is considered to be **Moderate** and the Likelihood **Unlikely** resulting in a **Moderate** level of risk.

## Budget Implications

An allocation of \$40,000 is included in the Shire's 2020 – 2021 Budget for the proposed LTDS.

## Voting Requirement

Simple Majority.

## Officer's Recommendation

That Council:

1. Endorses the scope for the Shire of Harvey's Local Tourism Development Strategy.
2. Appoints the following persons onto the Local Tourism Development Strategy Working Group:
  - Cr. \_\_\_\_\_;
  - Cr. \_\_\_\_\_;
  - Chief Executive Officer or delegate;
  - Director Sustainable Development or delegate;
  - Director Community and Lifestyle;
  - Manager Place;
  - Manager Special Projects; and
  - Marketing and Communications Officer.
3. Invites nominations to serve on the Working Group from:
  - One representative from the Harvey District Tourist Bureau;
  - Two representatives from the local tourism industry; and
  - One representatives from the Bunbury-Geographe Tourism Partnership.
4. Requests the Chief Executive Officer to prepare a draft Local Tourism Development Strategy to be presented to Council at its meeting in February 2021.

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**Community and Lifestyle**

<b>Item No.</b>	<b>12.5.3</b>
<b>Subject:</b>	<b>Youth Strategy</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Acting Manager Place</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>B000349</b>

**Summary**

This report recommends that Council endorses the scope for the development of a Youth Strategy for the Shire of Harvey and requests the Chief Executive Officer to prepare a draft Youth Strategy to be presented to Council at its meeting in February 2021.

**Background**

A report to the Council Meeting held on 26 May 2020 put forward a proposal to develop a Youth Strategy for the Shire of Harvey and Council resolved as follows:

*That Council:*

- 1. Supports the proposal to develop a Youth Strategy for the Shire of Harvey;*
- 2. Lists for consideration of funding in its 2020-2021 Draft Budget an allocation of \$30,000 for the purpose of developing a Youth Strategy for the Shire of Harvey; and*
- 3. Requests that, subject to funding being approved in the Shire's 2020-2021 Budget, the Youth Strategy is developed for presentation to Council by February 2021.*

Following the adoption of the Shire's 2020 - 2021 Budget at the Council Meeting held on 28 July 2020, this report responds to Council's resolution to develop a Youth Strategy for the Shire of Harvey.

**Comment**

Subject to further input from Council, the scope for the development of a Youth Strategy for the Shire of Harvey will include the following:

- Provide an overview of the youth sector in a local, state and national context, and a summary of current trends that may impact youth within the Shire.
- Review all relevant literature including existing reports and plans that relate to youth services, facilities and programs within the Shire.
- Conduct an audit and operational review of existing youth services, facilities and programs within the Shire.
- In conjunction with the Working Group, establish the objectives of the Youth Strategy and define the Shire's role in supporting youth development within the Shire.
- Identify the needs of youth and opportunities to support youth development within the Shire by consulting with relevant stakeholders including youth and community groups and organisations that deliver youth services, programs and facilities within the Shire. The type of engagement techniques used are to be recommended by the appointed consultant and agreed upon by the Working Group.

- Prepare a five-year Youth Strategy that identifies a range of actions and initiatives to support youth development within the Shire. In preparing the Youth Strategy the consultant is to give consideration to:
  - Prioritising short, medium and long term strategies that are realistic and achievable for the Shire to implement;
  - Identifying resources and costings required to undertake these short, medium and long term strategies;
  - Providing best practices services, facilities and programs relevant the needs of youth and opportunities to support youth development with the Shire;
  - Identifying gaps in youth services, facilities and programs within the Shire;
  - Identifying grant opportunities and programs for existing and potential new youth services, facilities and programs within the Shire; and
  - Investigating strategies that promote and facilitate youth leadership opportunities within the Shire.
- Present the draft strategy to Council at a Concept Forum prior to final adoption of the strategy.

In order to progress the preparation of the Youth Strategy, a Working Group will be established to oversee the study and will function under the following Terms of Reference:

**Name**

Youth Strategy Working Group.

**Role**

To oversee the preparation of a Youth Strategy for the Shire of Harvey.

**Terms of Reference**

1. To prepare a Consultant's Brief in line with the scope endorsed by Council that describes the requirements of the project.
2. To invite quotations from suitable consultants, to assess the submissions and quotations that are received and to select a consultant to undertake the project.
3. To approve the methodology and project plan for completion of the study.
4. To work with the appointed consultant and provide guidance and direction where required to ensure that all aspects of the project brief are fully addressed.
5. To review the draft strategy and liaise with the consultant regarding any changes that may be required.
6. To present the draft strategy to Council at a Concept Forum prior to final adoption of the strategy.

**Membership**

- Two Shire Councillors;
- Chief Executive Officer or delegate;
- Director Community and Lifestyle;
- Manager Place;
- Corporate and Community Engagement Officer;

- Projects Officer – Community Development;
- One representative from Lot 208 Youth Inc.;
- One representative from Harvey Local Drug Action Group;
- One representative from Brunswick Community Resource Centre;
- One representative from Yarloop Community Resource Centre; and
- One youth delegate with Youth Advisory Council experience.

### Meetings

To be held as required.

In order to keep Council informed throughout this process, all minutes of the Youth Strategy Working Group meetings will be supplied as an attachment to Concept Forum Agendas.

### Statutory/Policy Environment

N/A.

### Strategic Framework

Within the Shire's Strategic Community Plan 2017-2027, Strategy 3.4.2 and Objective 4 state respectively:

*Investigate opportunities to better engage our youth, through improved access to services, facilities and programs.*

*Strong civic leadership representing the whole of the Shire which engages in effective partnerships and reflects the aspirations of an engaged community.*

Within the Shire's Community Safety and Crime Prevention Plan 2017-2019, Objective 3 and Strategy 3.2.1, 3.2.2 and 3.2.3 state respectively:

*Support for families, children and young people.*

*Support children and youth activities and events.*

*Continue to provide facilities and services for families, children and young people.*

*Continue to promote and administer the Leeuwin Sail Training and Department of Sport Kidsport Programs.*

### Risk Management

The Risk Theme Profile identified as part of this report is **Inadequate Engagement Practices**. The Consequence could be **Reputational** if the Shire does not adequately involve and engage youth, community groups and organisations focussed on youth services, facilities and programs and the broader community. The Risk Consequence is considered to be **Minor** and the likelihood **Possible** resulting in a **Moderate** level of risk.

**Budget Implications**

An allocation of \$30,000 is included in the Shire's 2020 - 2021 Budget for the development of a Youth Strategy for the Shire of Harvey.

**Voting Requirement**

Simple Majority.

**Officer's Recommendation**

That Council:

1. Endorses the scope for the development of a Youth Strategy for the Shire of Harvey.
2. Appoints the following persons onto the Youth Strategy Working Group:
  - Cr. \_\_\_\_\_;
  - Cr. \_\_\_\_\_;
  - Chief Executive Officer or delegate;
  - Director Community and Lifestyle;
  - Manager Place;
  - Corporate and Community Engagement Officer; and
  - Projects Officer – Community Development;
3. Invites nominations to serve on the Working Group from:
  - One representative from Lot 208 Youth Inc.;
  - One representative from Harvey Local Drug Action Group;
  - One representative from Brunswick Community Resource Centre;
  - One representative from Yarloop Community Resource Centre; and
  - One youth delegate with Youth Advisory Council experience.
4. Requests the Chief Executive Officer to prepare a draft Youth Strategy to be presented to Council at its meeting in February 2021.

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**Community and Lifestyle**

<b>Item No.</b>	<b>12.5.4</b>
<b>Subject:</b>	<b>Tourist Information Bays and Signage Strategy</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Project Officer – Community Development</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>B000348</b>

**Summary**

This report recommends the establishment of a Working Group to oversee the preparation of a draft Tourist Information Bays and Signage Strategy (TIBSS) to be presented to Council at its meeting in January 2021.

**Background**

A report to the Council Meeting held on 23 June 2020 put forward a proposal to develop a TIBSS for the Shire of Harvey and Council resolved as follows:

*That Council, subject to any proposed changes to the scope of the study as outlined in this report, requests the Chief Executive Officer to invite quotations and select a consultant to develop a strategy for tourist information bays and signage within the Shire.*

The scope detailed in the report will inform the Consultant's Brief and includes:

- *Conducting an audit of existing tourist related signage across the Shire.*
- *Consulting with the relevant Shire of Harvey staff, Harvey District Tourist Bureau, the Bunbury–Geographe Tourism Partnership, Australia's South West, local tourist operators and Place Advisory Groups.*
- *Providing examples of effective and eye catching Information Bays and tourist signage in other locations.*
- *Developing a draft strategy that includes:*
  - *Consideration of existing regional branding and signage for the Bunbury-Geographe region, and proposed marketing of the South Western Highway tourism drive;*
  - *Recommended locations, design guidelines and cost estimates for Information Bays and "Iconic" signage on South Western Highway and Forrest Highway that promote the Shire as a tourist destination;*
  - *Proposed style guide for tourist attraction directional signage, way-finding and heritage walk trail signage.;*
  - *Recommended locations and proposed design guidelines for "Coming Events" signage;*
  - *Recommendations for any other tourist relate signage within the Shire.*
  - *Recommendations for removal of existing signage that is obsolete or not in keeping with the proposed strategy; and*
  - *Cost estimates for any recommended new signage.*
- *Presenting the draft strategy to Council and incorporating any required changes prior to final adoption of the strategy.*



Following the adoption of the Shire's 2020 - 2021 Budget at the Council Meeting held on 28 July 2020, this report responds to Council's resolution to develop a TIBSS for the Shire of Harvey.

**Comment**

In order to progress the preparation of the TIBSS, a Working Group will be established to oversee the study and will function under the following Terms of Reference:

**Name**

Tourism Information Bay and Signage Strategy Working Group.

**Role**

To oversee the preparation of a TIBSS for the Shire of Harvey.

**Terms of Reference**

1. To prepare a Consultant's Brief in line with the scope endorsed by Council that describes the requirements of the project.
2. To invite quotations from suitable consultants, to assess the submissions and quotations that are received and to select a consultant to undertake the project.
3. To approve the methodology and project plan for completion of the study.
4. To work with the appointed consultant and provide guidance and direction where required to ensure that all aspects of the project brief are fully addressed.
5. To review the draft strategy and liaise with the consultant regarding any changes that may be required.
6. To present the draft strategy to Council at a Concept Forum prior to final adoption of the strategy.

**Membership**

- Two Shire Councillors;
- Chief Executive Officer or delegate;
- Director Infrastructure Services or delegate;
- Director Sustainable Development or delegate;
- Director Community and Lifestyle or delegate;
- Manager Special Projects;
- Marketing and Communications Officer;
- Corporate and Community Engagement Officer;
- Projects Officer – Community Development;
- One representative from the Harvey District Tourist Bureau;
- Two representatives from the local tourism industry; and
- One representative from the Bunbury-Geopraphe Tourism Partnership.

## Meetings

To be held as required.

In order to keep Council informed throughout this process, all minutes of the TIBSS Working Group meetings will be supplied as an attachment to Concept Forum Agendas.

## Statutory/Policy Environment

Any proposed new signage on Forrest Highway and South Western Highway would require approval from Main Roads WA.

Any other proposed signage would need to comply with the Shire's Signs policy.

## Strategic Framework

Within the Shire's Strategic Community Plan 2017 – 2027, Strategy 1.2.2 states:

*Develop a signage, information and way-finding strategy for the whole of the Shire which is tourist friendly.*

## Risk Management

The Risk Theme Profile identified in relation to this item is **Inadequate Engagement Practices**. The Consequence could be **Reputational** if there is inadequate consultation with relevant stakeholders regarding the preparation of the proposed TIBSS. The Risk has been mitigated by including a requirement for consultation with stakeholders in developing the draft Strategy and seeking public comment prior to adoption. The Risk Consequence is considered to be **Moderate** and the Likelihood **Unlikely** resulting in a **Moderate** level of risk.

## Budget Implications

An allocation of \$20,000 is included in the Shire's 2020 - 2021 Budget for the development of a TIBSS for the Shire of Harvey.

## Voting Requirement

Simple Majority.

## Officer's Recommendation

That Council:

1. Appoints the following persons onto the Tourist Information Bay and Signage Strategy Working Group:
  - Cr. \_\_\_\_\_;
  - Cr. \_\_\_\_\_;
  - Chief Executive Officer or delegate;
  - Director Infrastructure Services or delegate;
  - Director Sustainable Development or delegate;
  - Director Community and Lifestyle or delegate;
  - Manager Special Projects;

- Marketing and Communications Officer;
  - Corporate and Community Engagement Officer; and
  - Projects Officer – Community Development.
2. Invites nominations to serve on the Working Group from:
- One representative from the Harvey District Tourist Bureau;
  - Two representatives from the local tourism industry; and
  - One representative from the Bunbury-Geographe Tourism Partnership.
3. Requests the Chief Executive Officer to prepare a draft Tourist Information Bay and Signage Strategy to be presented to Council at its meeting in January 2021.