



SHIRE OF
HARVEY



Ordinary Council Meeting **Agenda**

Electronic Meeting

Tuesday, 26 May 2020

4pm

Shire of Harvey
Ordinary Council Meeting

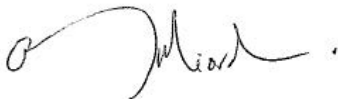
Dear Councillor,

Notice is hereby given that the next meeting of the Harvey Shire Council will be held electronically on Tuesday, 26 May 2020 commencing at 4pm.

The meeting will be live streamed via YouTube to enable access for members of the community. All details on accessing this live stream and interacting with Council can be found at www.shireofharvey.wa.gov.au

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

Yours faithfully



Annie Riordan
Chief Executive Officer

22 May 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 Shire President Paul Gillett.

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 April 2020.

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

Alcoa Harvey Sustainability Fund Committee – Wednesday, 29 April 2020

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13. Elected Members Motions of Which Previous Notice Has Been Given**13.1 – Notice of Motion by Councillor Adams**

Cr. Adams put forward the following Notice of Motion be placed in the Ordinary Council meeting Agenda for 26 May 2020.

That Council, recognising the greatly increased interest from households in the Shire in establishing a "home garden" to grow their own vegetables in the wake of the Corona virus shortages, grant tip pass holders the opportunity to trade one only pass to obtain a "scoop" (trailer load or equivalent) of compost up to 30th June 2020. This concession only to apply to the 2019 - 2020 tip passes, and will not be available beyond 30 June 2020.

Reason from Councillor Adams

In light of the increased activity in home grown vegetables, I wish to yet again make a bid to allow households to access a trailer load, "scoop" or equivalent, of compost in exchange for a tip pass. I believe this small concession will greatly improve the quality of the produce, and as a consequence, the quality of satisfaction the growers will gain from their efforts, and as a consequence of that their improved mental health.

Officer's Comments

On the 27 August 2019 an item went to Council responding to a similar notice of motion where it was agreed by Council it was both problematic and costly for the Shire to introduce exchanging one tip pass for the collection of compost from the Stanley Road, tip site.

This notice of motion differs from the previous in that it is for a limited time only and that it is in response to assisting in the emotional wellness of residents by supporting home grown gardens in this time of pandemic.

The financial implications of this notice of motion are not considered to be high due to the limited time frame specified.

Officer's Recommended motion

That Council supports the exchange of one tip pass entry for the collection of one scoop of compost from the Bunbury Harvey Regional Council's Stanley Road Tip site ending 30 June 2020.

13.2 – Notice of Motion by Councillor Adams

Cr Adams put forward the following Notice of Motion be placed in the Ordinary Council meeting Agenda for 26 May 2020.

That council, recognising the difficulties likely to face the small businesses within the shire providing food and drink to the local community, be offered shire funding to upgrade their kitchen facilities, under the following conditions:

- a) A cap of \$15000 per application;*
- b) Applications to cover kitchen upgrades only;*

-
- c) Strictly local tradespersons to be engaged to carry out the refurbishment; and
d) Funding to be acquitted before 31st December 2020*

Reason from Councillor Adams

Given all the help we have offered the Lescenault Pavillion to give them a boost to their trading opportunities in direct opposition to other outlets who have been and will be struggling in the wake of this virus, I propose to offer similar help to these eating places to upgrade their kitchens to meet increased opportunities. Strictly small business, no chains stores, applications to close on 30 June 2020. Lists for approval in the 2020/2021 Draft Budget.

Officer's Comments

The Australian Government has put in place assistance packages for small business which includes:

- JobKeeper payments for employers and employees, which includes a payment of \$1,500 per fortnight for those affected by the coronavirus.
- Temporary cash flow support to small and medium businesses that employ staff and have been affected by the economic downturn.
- Apprentice or trainee support - businesses may be eligible for a wage subsidy of 50 per cent of their wage paid from 1 January 2020 to 30 September 2020.
- Early access to superannuation - up to \$10,000 of their superannuation before 30 June 2020 and up to a further \$10,000 from 1 July 2020 until 24 September 2020.
- Instant asset write-off threshold has been increased from \$30,000 to \$150,000.
- Increased and accelerated income support - time limited Coronavirus Supplement to be paid at a rate of \$550 per fortnight.
- Relief for commercial tenants - via a mandatory code of conduct between principles and tenants and a hold on evictions for a period of 6 months where the tenant is in financial stress, and

Within the Shire there is approximately 40 small businesses which fall into the category of this notice of motion. Were the Shire to provide them all \$15,000 for kitchen renovations, it would equate to \$600,000.

The Australian Government has provided a raft of assistance to supplement incomes for individuals and small business in the way of take home cash flow. It is felt the intent of this notice of motion is to provide an economic stimulus to the local economy however it is feared that were this notice of motion to be adopted, much of the funds would be used to upgrade appliances sourced from outside of Australia rather than spending into the local trades workforce.

Officer's Recommended Motion

That Council does not support this notice of motion but rather Council supports economic stimulus on Shire owned assets where more controls can be put in place to ensure monies end up in the local community and the condition of community owned assets is improved.

Additional Comment

The Leschenault Pavilion is a Shire owned building which has been leased to the Leschenault Sporting Association Inc. Like all property owners who lease premises, there is a responsibility between both parties to the successful operating of the agreement which in this time of pandemic has been highlighted by both the Federal and State Governments. Capital spend on a Council owned facility is vastly different to providing cash grants to one sector of small business.

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 on items previously authorised by Council as follow:

<ul style="list-style-type: none">• Agreement – Bore Kingston Primary School – Minister for Education, Australian Vanguard Pty Ltd and Shire of Harvey• Licence to occupy – Reserve 47920, Rosamal Swamp – Shire of Harvey and Darren and Nerida Kelly• Application for a new balance title – Lot 151, 500 Clifton Road, Brunswick – Diagram/Plan 41809, 53016	<div>Prepared By State Solicitor's Office Commercial and Conveyancing Perth</div> <div>Shire of Harvey</div> <div>Western Australian Planning Commission</div>
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18. New Business of an Urgent Nature Introduced by Decision of Meeting**19. Matters Behind Closed Doors**

Nil.

20. Closure of Meeting

12. Officer's Reports

Chief Executive Officer

Item No.	12.1.1
Subject:	Dog Act Delegations
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Acting Manager Corporate Services
Authorising Officer:	Chief Executive Officer
File No.:	(LS/A/002)

Summary

To present Delegations from Council to the Chief Executive Officer for the Western Australian *Dog Act 1976* which assigns a statutory power or duty to local government.

It is recommended that the Delegations under the *Dog Act 1976* be adopted.

Background

There are over 170 separate pieces of legislation in Western Australian law that assign a statutory power or duty to local government. Each power or duty described in legislation will require a local government to fulfil a mandatory duty or use a discretionary power to make a decision.

Parliament recognised that it would be unreasonable and impossible for every decision and every duty to be fulfilled by Council of each local government. Processes were therefore legislated to enable local governments to pass on decision making powers and duties to others.

Delegations by Council are an effective way to reduce red tape and improve customer satisfaction through prompt decision-making processes. Using the power of delegation appropriately assists local governments to deal with a wide range of operational matters that are minor, administrative in nature and potentially time consuming.

Certain safeguards are incorporated into delegations such as limiting the use of when a delegation can be exercised.

The *Dog Act 1976* provides power under s.10AA Delegation of local government powers and duties for Council to delegate to the Chief Executive Officer. This section also provides powers for the Chief Executive Officer to sub-delegate some powers and duties.

Comment

Whilst the Shire of Harvey has in place the Dogs Local Law 2017 which covers some sections of the Act, and Rangers are gazetted as Authorised persons under the Act, it does not have any approved Delegation of powers or duties for the *Dog Act 1976*.

The following Delegations have been prepared and are attached for Council consideration:

- Appoint Authorised persons **Attachment 1**;
- Determine recoverable expenses for dangerous dog declaration **Attachment 2**;

-
- Deal with objection to notice to revoke dangerous dog declaration or destruction notice **Attachment 3**;
 - Dangerous dog declared or seized – Deal with objections and determine when to revoke **Attachment 4**;
 - Declare dangerous dog **Attachment 5**;
 - Keeping of dogs **Attachment 6**;
 - Refuse or cancel registration **Attachment 7**;
 - Recovery of monies due under this Act **Attachment 8**; and
 - Dispose of or sell dogs liable to be destroyed **Attachment 9**.

The Delegations are based on model Delegations that have been prepared by the Western Australia Local Government Association (WALGA) and with reference to Delegations made by other local governments in Western Australia. Where there has been any addition to the model Delegation, this was referred to WALGA for comment and advice. Some of the fees and charges are already covered in the Shire of Harvey Fees and Charges.

It is proposed that an application fee of \$100 be introduced for an application for exemption of an additional dog under the Delegation Keeping of dogs. Processing these applications is time consuming for Rangers and a fee would be a consideration for a person when making application. Research of neighbouring local governments is that fees range from \$45 to \$100 per application.

Statutory/Policy Environment

Local Government Act 1995:

s.5.42 – Delegation of some powers and duties to CEO

(1) A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under —

(a) this Act other than those referred to in section 5.43;

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

s.5.44 – CEO may delegate powers and duties to other employees

(1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

Dog Act 1976:

s.10AA Delegation of local government powers and duties

Strategic Framework

Within the Shire's Strategic Community Plan 2017 - 2027, Strategy 4.2.2 states:

Maintain, review and ensure relevance of Council's policies and local laws.

Risk Management

The Risk Theme Profile identified as part of this report is **Business and Community Disruption, Failure to Fulfil Compliance Requirements and Inadequate Document and Management Practices**. The Consequence could be *Financial, Service Interruption, Compliance* or *Reputational*. The risk is considered *Minor* and the likelihood *Unlikely*, given that the Delegations are based on model templates in line with legislation, and where identified, checked by qualified professionals. This results in a **Low** risk being present.

Budget Implications

There would be an increase in income as a result of the application fee of \$100 for the exemption of the Keeping of a dog. Currently there are up to four applications received per year.

Voting Requirement

Absolute Majority.

Officer's Recommendation

That Council adopts the following Delegations:

1. Appoint Authorised persons at **Attachment 1**;
2. Determine recoverable expenses for dangerous dog declaration at **Attachment 2**;
3. Deal with objection to notice to revoke dangerous dog declaration or destruction notice at **Attachment 3**;
4. Dangerous dog declared or seized – Deal with objections and determine when to revoke at **Attachment 4**;
5. Declare dangerous dog at **Attachment 5**;
6. Keeping of dogs at **Attachment 6**;
7. Refuse or cancel registration at **Attachment 7**;
8. Recovery of monies due under this Act at **Attachment 8**; and
9. Dispose of or sell dogs liable to be destroyed at **Attachment 9**.

Chief Executive Officer

Item No.	12.1.2
Subject:	Council policy: Councillor and CEO Attendance at Events
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Chief Executive Officer
Authorising Officer:	Chief Executive Officer
File No.:	(CC/P/003)

Summary

To present the Councillor and CEO Attendance at Events policy to enable Councillors and the Chief Executive Officer (CEO) to meet their statutory obligations in relation to provisions about gifts under the *Local Government Act 1995*.

It is recommended the Councillor and CEO Attendance at Events policy (***Attachment 1***) be adopted.

Background

In June 2019 the Western Australian Parliament passed the *Local Government Legislation Amendment Act 2019 (WA)* which introduced six key reforms to the *Local Government Act 1995 (WA)* (the Act). The reform came into effect immediately. The reforms provide for the treatment of gifts.

This reform includes provisions relating to gifts of event tickets. Local governments are required to have a policy that deals with attendance at events as a representative of Council.

A gift is defined under section 5.57 of the Act as a conferral of a financial benefit (including a disposition of property) made by one person in favour of another person unless adequate consideration in money or money's worth passes from the person in whose favour the conferrals are made to the person who makes the conferral. It includes any contributions to travel.

For the purposes of both disclosure of receipt and disclosing an interest when a matter comes before Council, a gift is any gift valued at over \$300 or a cumulative value of \$300 where the gifts are received from the same donor over a 12 month period.

Section 5.90A of the Act requires that local governments have an Attendance at Events policy. The purpose of the policy is for the Council to actively consider the purpose of and benefits to the community from Councillors and the CEO attending events.

The tickets should be provided to the local government and not individual Councillors. A ticket or invitation provided by a donor to an individual in their capacity as a Councillor is to be treated as a gift to that person, unless the tickets or invitation is referred to the local government to be considered in accordance with the policy.

Comment

The Councillor and CEO Attendance at Events policy (**Attachment 1**) addresses attendance at any events, including concerts, conferences, functions or sporting events, whether free of charge, part of a sponsorship agreement, or paid by the local government and to provide transparency about attendance at events by Councillors and the CEO.

The policy covers:

- Provision of tickets to events;
- Approval of attendance;
- Payments in respect of attendance;
- Donor contribution to travel;
- Excluded events; and
- Events authorised in advance register.

The policy should not be used to intentionally circumvent conflict of interests which may arise from attending events hosted by a provider who will have a significant matter before Council.

The policy was developed in line with the Department of Local Government, Sport and Cultural Industries: *Local Government Operational Guidelines Attendance at events policy*, December 2019.

Statutory/Policy Environment

Local Government Act 1995 Part 5 Division 6 – Disclosure of financial interests and gifts
s.5.57. Terms used

Local Government Act 1995 Part 5 Division 6A – Attendance at events
s.5.90A . Policy for attendance at events

Strategic Framework

Within the Shire's Strategic Community Plan 2017 – 2027 Outcome 4.3.4

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 **Business and Community Disruption, Failure to Fulfil Compliance Requirements and Inadequate Document and Management Practices**. The Consequence could be **Financial, Service Interruption, Compliance** or **Reputational**. The risk is considered **Minor** and the likelihood **Unlikely**, given that the policy is developed to meet requirements under the Act and in line with Department guidelines. This results in a **Low** risk being present.

Budget Implications

Nil.

Voting Requirement

Absolute Majority.

Officer's Recommendation

That Council adopts the Councillor and CEO Attendance at Events policy at ***Attachment 1***.

Chief Executive Officer

Item No.	12.1.3
Subject:	Council policy: Councillor Training and Professional Development
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Chief Executive Officer
Authorising Officer:	Chief Executive Officer
File No.:	(CC/P/003)

Summary

To present the Councillor Training and Professional Development policy to enable Councillors to meet their statutory obligations in relation to Councillor training and gives effect to the requirement to adopt a continuing professional development policy under the *Local Government Act 1995*.

It is recommended the Councillor Training and Professional Development policy be adopted.

Background

In June 2019 the Western Australian Parliament passed the *Local Government Legislation Amendment Act 2019 (WA)* which introduced six key reforms to the *Local Government Act 1995 (WA)* (the Act). The reform came into effect immediately. The reforms provide for universal training for Councillors.

The introduction of training requirements for Councillors acknowledges the unique and challenging role Councillors hold and aims to provide them with the skills and knowledge to be an effective Councillor.

The Council Member Essentials course has five training modules that must be completed:

- Understanding local government;
- Serving on council;
- Meeting procedures;
- Conflicts of interests; and
- Understanding financial reports and budgets.

This reform also requires local governments to report annually on Councillor training as well as develop and adopt a professional development policy for its Councillors.

All Councillors will have to complete the Council Member Essentials course unless, in the previous five years, they have passed the Diploma of Local Government 52756WA (Elected Member) or the course titled LGASS00002 Elected Member Skill Set. If required training has been completed within the five year timeframe, then it is to be undertaken every second election.

Division 10 s.5.126 (2)(d) provides for a fine not exceeding \$5,000 for contravention of this section of the Act.

The changes to the Act also provide for the continuing professional development of Councillors with the local government to prepare and adopt a policy in relation to this.

Comment

The Councillor Training and Professional Development policy (**Attachment 1**) provides for Councillors to undertake statutory training under the Act. In addition, it sets out the parameters for Councillors to undertake professional development.

The policy covers:

- Mandatory training;
- Professional development;
- Approved training providers;
- Approval for training and professional development;
- Funding;
- Allowable expenses;
- Claiming expenses;
- Travel insurance; and
- Training register.

It ensures compliance with both the *Local Government Act 1995* and Local Government (Administration) Regulations 1996 in relation to training for Councillors.

This policy replaces the corresponding corporate/seminar expenses section in Policy number 1.2.3 Councillors' travelling expenses, communication allowance, information technology allowance, meeting attendance fees, childcare and corporate/seminar expenses policy. Policy number 1.2.3 will be updated to reflect these changes.

This policy replaces Policy Number 1.2.5 Elected member training attendance policy which will be rescinded.

Statutory/Policy Environment

Local Government Act 1995 Division 10 – Training and development

s.5.126. Training for Council members

s.5.127. Report on training

s.5.128. Policy for continuing professional development

Local Government (Administration) Regulations 1996 Part 10 - Training

r.35. Training for Council members (Act s.5.126(1))

r.36. Exemption from Act s.5.126(1) requirement.

Strategic Framework

Within the Shire's Strategic Community Plan 2017 – 2027 Outcome 4.3.4

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 **Business and Community Disruption, Failure to Fulfil Compliance Requirements and Inadequate Document and Management Practices**. The Consequence could be **Financial, Service Interruption, Compliance** or **Reputational**. The risk is considered **Minor** and the likelihood **Unlikely**, given that the policy is developed to meet requirements under the Act. This results in a **Low** risk being present.

Budget Implications

An allocation for Councillor training is included in the annual budget.

Voting Requirement

Absolute Majority.

Officer's Recommendation

That Council:

1. Adopts the Councillor Training and Professional Development policy at ***Attachment 1***.
2. Deletes Policy number 1.2.5 Elected Member Training Attendance Policy.

Technical Services

Item No.	12.2.1
Subject:	Harvey War Memorial, proposed Interpretive Signage
Proponent:	Shire of Harvey
Location:	Harvey
Reporting Officer:	Manager Special Projects
Authorising Officer:	Executive Manager Technical Services
File No.:	P000004

Summary

The Harvey War Memorial was a project to commemorate the Centenary of the ANZAC landing at Gallipoli on 25 April 1915. Funded by the Shire of Harvey, Royalties for Regions, Lotterywest, RSL (WA) and RSL (Harvey), it was officially opened in February 2015 and dedicated on 15 March 2015.

The erection of an interpretive sign was planned to be completed during 2018 – 2019, however, this was not progressed due to staffing changes.

This report discusses the proposal including the funding implications to further progress and complete the project.

Background

During the opening of the Memorial, in February 2015, the Shire's former Chief Executive Officer explained the interpretation concept of the detailed planning for the memorial.

It was subsequently discussed that an interpretive sign which would include elements of the memorial interpretation concept, be erected on the site.

While some work on the matter was undertaken in late 2019, the Shire Officer involved resigned and the project did not proceed further. Recently, however, the Manager Special Projects became involved and has resurrected this project.

Comment

Interpretive signage can be defined as *"a communication process designed to reveal meanings and relationships of our cultural and natural heritage to the public. It tells a story and brings meaning and interest of a subject for the enjoyment of the visitor"*

The following process was considered in determining the interpretive signage for the Harvey War Memorial.

Planning

Effective interpretive planning is the key to cost effective use of limited resources and to producing attractive and effective signs.

Interpretation

The significance of design elements from the Memorial opening speech will be incorporated in the interpretation concept. Some of the elements may include the following (extracted from the speech).

- *The memorial seeks to recognise Australia's involvement in Wars and conflicts since Federation.*
- *The Corten wall provides a timeline of those major conflicts; it also highlights some key battles, significant places or events associated with those conflicts which hold a special place in Australian history.*
- *The choice of the roughly cut central granite rock or obelisk and the rusted steel Corten walls symbolise the harshness of war and the toughness and resilience of our soldiers.*
- *The obelisk is guarded by two Australian soldiers and it bears the original plaques relocated from the Shire Library naming the 21 local men who lost their lives in WWI and the 22 locals killed in WWII.*
- *The badges of the Australian Army, Navy and Air force are also included.*
- *The second Corten wall includes the "Ode of Remembrance", a silhouette of an Australian light horseman.*
- *The final panel includes the poem "In Flanders Field" which refers to the poppies.*
- *At each end of the Corten walls are silhouette of a Navy and Air force serviceman standing guard.*
- *These Corten Walls are curved suggesting that they are embracing the community.*
- *The large gabion wall contains basalt rocks which are found in the Harvey hills and at the Harvey Dam.*

Design

The visual elements of the sign will be arranged and chosen, including:

- Text;
- Graphics;
- Photos; and
- Sign materials.

To be effective, the sign must be able to be read and understood. It should, therefore be graphically pleasing which will give the reader an informative and enjoyable experience.

Materials and Fabrication: Sign structure / support base

The structure of the design will be in keeping with the design of the war memorial regarding finishes and fixing details and fabrication.

Installation

This needs to be carefully managed. Clear instructions will be given to ensure a successful execution of the project

Sign Location

Shire Officers recently discussed potential locations for the sign in liaison with Harvey RSL members, and the Shire's Planning and Infrastructure Services Officers.

Four locations were identified and analysed, however, two of the suggested locations were dismissed due to the detrimental effect of the bird excrement at those locations.

The following locations, as shown in **Attachment 1**, were further analysed:

A) Young Street – North-East corner of the site, facing the focal point.

There is an existing Western Power wooden pole with a street light attached at this location. The estimated indicative cost to relocate this pole further to the north is \$30,000 so this location is not recommended.

B) Uduc Road – South-West corner of the site, on the north side of the 'gabion' wall.

This location is unobtrusive and noticeable by tourists, here the sign will be easily read. Therefore, this is the recommended position.

Statutory/Policy Environment

Nil.

Strategic Framework

Within the Shire's Strategic Community Plan 2017 - 2027, Strategy 3.3.3 states:

Places of cultural significance are recognised and respected.

Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inadequate Information**. The Consequence could be Reputational depending on whether Council wishes to support the proposal or not. The Risk Consequence is considered to be **Low** and the Likelihood **Unlikely** resulting in a **Low** level of risk.

Budget Implications

The proposal as shown in **Attachment 1**, would require the following works to be undertaken:

- Signage Design – (to tie in with Shire branding);
- Signage Manufacture (quotes to be obtained); and
- Signage Installation / including making good any ground disturbance (quotes to be obtained).

The proposed signage is estimated to cost in the order of \$6,500.

Voting Requirements

Simple Majority.

Officer's Recommendation

That Council:

1. Endorses the proposed Harvey War Memorial design 'concept' interpretive sign to be located at location B, as shown in **Attachment 1** estimated to cost \$6,500;
2. Lists the proposal for consideration in the 2020-2021 draft Budget;
3. Authorises the Chief Executive Officer to:
 - (a) Finalise the design for the interpretive sign, and obtain quotes for the sign design and fabrication; and
 - (b) Pursue grant funding from Veterans' Affairs and/or other sources;
 - (c) Forward the concept design and interpretative text to the Harvey Place Advisory Committee and Harvey RSL Sub Branch for comment; and
4. Receives a further report once the information outlined in recommendation 3 has been finalised.

Technical Services

Item No	12.2.2
Subject:	Lighting at Main Roads WA intersections with Shire Roads
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Manager Infrastructure
Authorising Officer:	Executive Manager Technical Services
File No.:	(CR/L/060)

Summary

At its meeting held on 7 December 2019, Council approved the installation of a solar powered streetlight to improve safety at the intersection of Raymond Road and Ranson Drive, in Roelands. Council further requested that the Shire's Administration carry out a lighting audit of other similar intersections.

This report discusses the audit results and recommends that solar lighting be installed at a number of selected locations over two financial years.

Background

At its meeting held on 17 December 2019 Council considered the following Notice of Motion from Cr John Bromham – Raymond Road / Ranson Rive Intersection, Roelands, Installation of a Streetlight.

Following consideration of the matter the following decision was made:

"That a street light be installed at the intersection of Raymond Road and Ranson Drive to make this intersection safer for road users, and that staff carry out an audit to identify other road junctions which would benefit from lighting from a safety perspective".

In accordance with Council's decision the following actions have been undertaken.

With regards to the intersection of Raymond Road and Ranson Drive, following discussions with Main Roads WA (MRWA) it was considered that the installation of a Solar Powered LED Light fitted on a 10m high (equivalent in brightness to a 'standard' 250 watt road intersection fitting) would be required to illuminate the Raymond Road and Ranson Drive intersection. These works have been completed.

In addition, Officers undertook an audit of intersections (on Main Roads) and concluded that nine intersections should be considered for lighting. Eight intersections would benefit from a single solar light, similar to that recently installed at the Raymond Road and Ranson Drive intersection. One intersection (Forrest Highway and Harvey Myalup Road) requires further investigation for Low Voltage (LV) lighting.

Comment

A total of 98 intersections were audited on the following Main Roads:

Main Road	Number of Intersecting Roads
Forrest Highway	32
Raymond Road	10
Coalfields Highway	3
South Western Highway	53

The following criteria was used to assess and score the intersections:

- Night-time crash data;
- Intersection geometry;
- Approach Sight Distance (ASD) – from the secondary road approaching the main road (in accordance with Austroads Guidelines);
- Safe Intersection Sight Distance – based on the posted speed (in accordance with Austroads Guidelines); and
- Complaint history.

Based on the assessment scores, as mentioned above, eight intersections were shortlisted for a further detailed on-site assessment. These intersections are tabled below with a summary of the recommendations:

	Main Road	Local Side Road	Recommendation Summary
1	South Western Highway	Clifton Road	Solar lighting recommended – low priority
2	South Western Highway	Riverdale Road	Solar lighting recommended – high priority
3	South Western Highway	Honeymoon Road	Solar lighting recommended – high priority
4	South Western Highway	Heppingstone Road	Solar lighting recommended – high priority
5	South Western Highway	Kelly Road	Solar lighting recommended – low priority
6	South Western Highway	Government Road	Solar lighting recommended – high priority
7	Raymond Road	Kelly Road	Solar lighting recommended – low priority
8	Raymond Road	Treendale Road (west)	Solar lighting recommended – low priority
9	Forrest Highway	Harvey Myalup Road / Myalup Beach Road	Standard lighting (4 single outreach poles) recommended – low priority

Attachment 1 provides the on-site assessment for the nine intersections.

Solar lighting placed at eight of the locations as recommended will heighten motorists' awareness travelling on the main road that there is an intersection approaching. Where insufficient Sight Distance is available, the glow from the solar light will provide a measure of forewarning. Discussion with Main Roads WA would be required to gain approval for the solar light installations. The Shire would also be responsible for ongoing maintenance of these lights.

Solar lighting is not recommended at the Forrest Highway and Harvey Myalup Road / Myalup Beach Road intersection.

This intersection configuration is almost identical to that at the Wellesley North and Binningup Road intersection on Forrest Highway, to the south. There are four LV single outreach lights in this locality. These lights provide constant dusk to dawn illumination, to a standard that is required on a highway.

As a minimum the same standard would be required at the Harvey Myalup Road / Myalup Beach Road intersection. Further investigation is required to ascertain the cost of installing this standard of lighting and any potential grants or matching funding opportunities.

Statutory/Policy Environment

Local governments are the asset owners of local government roads.

Strategic Framework

Within the Shire's Strategic Community Plan 2017 – 2027, Outcome 3.6 and Strategy 3.6.1 state:

3.6 *A local transport network that ensures equity across the community to a safe standard*

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

Risk Management

The Risk Theme Profile identified as part of this report is **Inadequate Asset Sustainability Practices**. The Consequence could be **Property** and **Financial Impact** should the intersection not be maintained to the required standard. The Risk Consequence Rating is considered to be **Moderate** and the Likelihood **Possible**, giving a **Moderate** risk rating.

Budget Implications

At an approximate cost of \$12,000 per solar light installation, the budget implications for eight light installations is \$96,000. This could be staged over two financial years:

- \$48,000 in the 2020 - 2021 financial year fitting the four high priority intersections with lights;
- \$48,000 in the 2021 - 2022 financial year fitting the four lower priority intersections; and
- Further investigation is required to ascertain the cost of installing LV lighting for the Forrest Highway/Harvey Myalup Road intersection, as well as any potential grants or matching funding opportunities (cost to be determined).

Voting Requirement

Simple Majority.

Officer's Recommendation

That Council:

1. Notes the outcome of the recent lighting assessment at the intersections of local roads and main roads;
2. List \$48,000 for consideration in the 2020 - 2021 draft Budget for the installation of four solar lights at the intersections of South Western Highway with Riverdale, Honeymoon, Heppingstone and Government Roads;
3. Considers listing \$48,000 in the 2021 - 2022 draft Budget for the installation of four solar lights at the intersections of South Western Highway with Clifton and Kelly Roads, and Raymond Road with Kelly and Treendale (west) Roads;
4. Receives a further report on the installation of LV lighting for the Forrest Highway/Harvey Myalup Road intersection once costs have been obtained from Western Power; and
5. Advises Main Roads WA of its decision.

Technical Services

Item No	12.2.3
Subject:	Annual Bridge Maintenance - Progress Report
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Manager Infrastructure
Authorising Officer:	Executive Manager Technical Services
File No.:	W000002

Summary

Local governments are the asset owners of bridges located on local government roads and the Shire of Harvey is responsible for the preservation of 19 bridges located on its local road network.

This annual report updates Council on the progress of bridge maintenance undertaken during the 2019 - 2020 financial year as well as forward programming in this regard.

Background

Of the 19 bridge structures, 12 were originally constructed from timber, some dating back to the mid 1960s. The other seven bridges are constructed from concrete and steel. The expected design life of timber and concrete bridges are 50 years and 100 years respectively.

Bridge maintenance comprises the following components:

- Routine maintenance;
- Preventative maintenance; and
- Specific maintenance.

Routine maintenance

This is funded entirely by local government and is generally carried out on an as needed basis and includes activities such as:

- Vegetation and debris clearing;
- Repairs to guard rails;
- Repairs to signage, delineators and line marking;
- Drainage maintenance;
- Cleaning of expansion joints;
- Repairs to bridge deck surface and approaches; and
- Termite treatment.

Preventative maintenance

This is also funded entirely by local government and is carried out on a cyclic basis with the objective of reducing the rate of deterioration of the bridge. Preventative maintenance is to be carried out at a maximum recurrence period of five years. For timber bridges preventative maintenance includes:

- End-grain sealing;
- Fungicide treatment;
- Fastener tightening/maintenance;
- Stringer bolting; and
- Pile banding.

Specific Maintenance

Funding for the specific maintenance requirements, for bridges, is provided under the Main Roads WA (MRWA) Local Government Bridge Maintenance Program.

The funding is allocated in accordance with policy set by the Western Australian Local Government Grants Commission (WALGGC). The Commission's Bridge Committee (comprising members from MRWA, WALGGC and the Western Australian Local Government Association) recommends bridges to be funded on this program. The funding targets structural refurbishment and replacement of bridges.

In accordance with the policy, the Bridge Committee will not support grants if the bridge is not given the degree of routine and preventative maintenance necessary to prevent undue deterioration. Local governments therefore are required to demonstrate that they are carrying out the required level of maintenance, by way of the following:

- A program scheduling full preventative maintenance once every five years;
- An annual budget allocation supporting the preventative maintenance program; and
- Preventative maintenance being carried out in accordance with MRWA standards.

MRWA's Asset Management Team (*Structures*), undertake detailed five year inspections of bridges to confirm their integrity. The data collected is fed into the specific maintenance program in order to schedule works. MRWA is also responsible for the installation of speed limits and loads restrictions on bridges where required. The Team provides technical support and advice to local governments as required.

Council Meeting 23 April 2019

Council considered a report on bridge maintenance where it was advised that the annual budget allocation for bridge maintenance was not keeping pace with the aging infrastructure, especially on timber structures. It was mentioned that regular unscheduled 'emergency works were being funded from the maintenance budget, at the expense of very important preservation maintenance works.

Following consideration of the report, the following decision was made.

"That Council:

1. Lists for the following for consideration in the 2019/20 draft Budget:

- a) an increase in the annual routine and preventative bridge maintenance budget, from \$60,000 to \$90,000 per annum, to adequately fund the bridge maintenance program; and*
- b) an annual budget allocation of \$50,000 to the Bridge Maintenance Reserve to achieve a balance of \$500,000 in time;*

2. *Supports transferring unspent annual routine and preventative maintenance funds to the Bridge Maintenance Reserve at the end of each financial year, commencing in 2019/20; and*
3. *Receives an annual progress report on Bridge Maintenance in April/May each year."*

Comment

Routine and Preventative Maintenance

The 2019 - 2020 Budget kept the annual allocation for routine and preventative maintenance at \$60,000. It is recommended that this be increased to \$90,000 in the draft 2020 - 2021 budget for consideration by Council. The current routine and preventative maintenance budget has been expended as follows:

Action	Cost / annum	Comments
Annual routine visual inspections	\$7,000	Undertaken by accredited bridge contractor.
Routine maintenance on all 19 bridges	\$31,300	Combination of accredited contractors and in-house staff. These works included removal of a considerable backlog vegetation growth at bridge abutments, weed control, signage replacement and drainage maintenance.
Preventative maintenance	\$21,700	Undertaken by accredited bridge contractor on three bridges: 4698 Wellesley Road South; 3735 Wellesley Road North; and 5000 Marriott Road.
Total	\$60,000	

Note: A total of \$70,000 was placed in the Bridge Maintenance Reserve in 2019 - 2020.

Bridge – No 5370 Collie River Treendale

This bridge opened on 16 March 2018 and is now included in the Shire's bridge asset list for the purposes of routine and preventative maintenance. MRWA has provided an Asset Management Plan for the bridge and there is also a Memorandum of Understanding (MOU) in place with the Shire of Dardanup detailing joint maintenance responsibilities.

Funds will need to be allocated annually in accordance with the funding schedules contained in the MOU. It should be noted that 69% of the bridge structure is in the Shire of Dardanup with 31% in the Shire of Harvey. The funding requirements for each local government, as outlined in the MOU, are commensurate with the above percentages.

Statutory/Policy Environment

Local governments are the asset owners of bridges located on local government roads.

Strategic Framework

Within the Shire's Strategic Community Plan 2017 – 2027, Outcome 3.6 and Strategy 3.6.1 state:

3.6 *A local transport network that ensures equity across the community to a safe standard*

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

Risk Management

The Risk Theme Profile identified as part of this report is **Inadequate Asset Sustainability Practices**. The Consequence could be **Property** and **Financial** Impact should the bridge infrastructure not be maintained to the required standard. The Risk Consequence Rating is considered to be **Moderate** and the Likelihood **Possible**, giving a **Moderate** risk rating.

Budget Implications

Annual Bridge Maintenance Budget

Currently \$60,000 per annum is allocated for routine and preventative maintenance of bridges. It is recommended that this be increased to \$90,000 in the draft 2020 - 2021 Budget for Council consideration.

Bridge Maintenance Reserve

A Bridge Maintenance Reserve was set up to fund unscheduled and emergency repair works. \$70,000 was allocated to this Reserve in the 2019 - 2020 budget.

It is recommended that a minimum of \$50,000 per annum be allocated to the Bridge Maintenance Reserve until a balance of \$500,000 is achieved. Thereafter, the annual allocation can be reviewed to ensure this balance is maintained.

Voting Requirement

Simple Majority.

Officer's Recommendation

That Council:

1. Lists for the following for consideration in the 2020 - 2021 draft Budget:
 - (a) An increase in the annual routine and preventative bridge maintenance budget, from \$60,000 to \$90,000 per annum, to adequately fund the bridge maintenance program; and
 - (b) Transfer a minimum annual budget allocation of \$50,000 to the Bridge Maintenance Reserve to achieve a balance of \$500,000 in time;
2. Continues to receive an annual progress report on bridge maintenance in April/May each year.

Technical Services

Item No.	12.2.4
Subject:	Tender T072020 – Uduc and Hinge Road Upgrade
Proponent:	Various Tenderers
Location:	Shire of Harvey
Reporting Officer:	Manager of Infrastructure
Authorising Officer:	Executive Manager Technical Services
File No.:	T072020

Summary

Tender T072020 for the Uduc and Hinge Road Upgrade closed on Thursday 7 May 2020 and at the close of tender four tenders were received.

Following a detailed assessment of the tender submissions, the evaluation panel considered that one of the tenderers represented the best value for the Shire's operations. This report recommends that Council accepts the tender as per the recommendation contained in the confidential attachment (refer **Confidential Attachment 1**).

Background

Tenderers were advised that the Shire was seeking the services of suitably qualified contractors to undertake the renewal of Uduc Road between the railway line and South Western Highway and Hinge Road in Harvey with the works comprising the following:

- Minor earthworks;
- Drainage improvements;
- Kerbing renewal;
- Intersection improvements;
- Seal and asphalt works*; and
- Signage and line marking.

Note*: The seal and asphalt component of the works will be undertaken by the Shire's contractor.

Details of all tenders received are included in **Confidential Attachment 1**.

Comment**Tenders Received**

Tenders were received from the following companies:

- Carbone Brothers;
- Geographe Civil;
- Earthmac; and
- JAK Civil.

The following evaluation criteria was applied in the assessment of the tenders:

Evaluation Criteria	Weighting
1. Financial Offer: <ul style="list-style-type: none"> The price shall include all costs and disbursements to provide the required service. Represents the "best value" for money for the Shire 	35
2. Demonstrated experience, capacity and resources to undertake the requirements of this contract. <ul style="list-style-type: none"> Experience, expertise providing relevant machinery and experienced operators in the south west region Evidence of the tenderer having the required plant and equipment to undertake the requirements of the Shire 	25
3. Demonstrated ability to supply and deliver Services within the nominated timeframe <ul style="list-style-type: none"> Provide contact details for referees and include references and/or comments from referees 	20
4. OS&H <ul style="list-style-type: none"> Compliance with tender specification and OS&H requirements 	10
5. History and Viability of Company <ul style="list-style-type: none"> Detail your history, viability and experience Demonstrate the financial capacity of the organisation to provide the required service including evidence of stability and experience 	10
TOTAL	100

The Tender Evaluation panel included the Manager of Infrastructure, Executive Manager Technical Services and Manager Engineering Services. Each tender submission was assessed using the above criteria. The assessment is contained within **Confidential Attachment 1**.

Statutory/Policy Environment

Section 3.57 of the *Local Government Act 1995*, and Part 4 Local Government (Functions and General) Regulations 1996, provides a mechanism for the purchase of goods and services by Public Tender.

Regulation 18 of Local Government (Functions and General) Regulations 1996 – Choice of Tender gives Council the option to accept or decline a tender.

Shire of Harvey Policy 2.2.11 - Purchasing which provides compliance with the *Local Government Act 1995*, and the Local Government (Functions and General) Regulations 1996.

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 **Inadequate Supplier/Contract Management**. The Consequence could be **Compliance** and **Financial Impact** if due process is not followed in terms of Council's Purchasing Policy and 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

The 2019 - 2020 Budget has an allocation of \$690,309 for this project, made up as follows:

- \$310,000 Uduc Road Asphalt Reseal and Correction;
- \$70,000 Uduc Road – Reconstruction of Failed Pavement;
- \$70,309 Hinge Road Asphalt Reseal; and
- \$240,000 Hinge Road Reconstruction.

Note: All spray seal and asphalt works are to be undertaken by the Shire's term contractors (T112019 – Asphalt and T122019 – Hot Bitumen). These works total approximately \$310,000 and are not part of the tendered works. Adding the spray seal and asphalt components to the recommended tender price, brings the estimated project cost to \$622,840.20.

Voting Requirements

Simple Majority.

Officer's Recommendation

That Council award Tender T072020 – Uduc and Hinge Road Upgrade as per the recommendation contained within **Confidential Attachment 1**.

Development Services

Item No.	12.3.1
Subject:	Shire of Harvey – Townsite Boundary Modifications
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Manager Planning Services
Authorising Officer:	Chief Executive Officer
File No.:	FM/R/001

Summary

At its meeting held 8 March 2005, Council resolved to amend the Australind Townsite Boundary consistent with **Attachment 1**. Officers have undertaken a further review of that boundary and those within other townsites throughout the Shire. Not all townsites boundaries need amending and those that do, require only a minor amendment to reflect the current urban settlement pattern or development previously overlooked as needing to be within the relevant townsite boundary.

The proposed Townsite Boundary maps for each townsite (amended or not) are contained within **Attachment 2**.

It is recommended that Council supports the proposed townsite boundaries and where relevant seek comment from Government agencies prior to referral to the Department of Planning, Lands and Heritage (DPLH) for support and the subsequent approval by the Minister.

Background

Periodically, Officers review townsite boundaries to ensure they reflect the current urban settlement patterns within each townsite. No modification since March 2005 has been considered necessary, however, the preparation of the Shire's Local Planning Strategy has provided a reason to undertake a further review.

Comment

The outcome of the most recent review is that:

- Yarloop townsite: the Yarloop Locality includes the townsites of Yarloop and Wagerup. A minor modification as per **Attachment 2** is recommended.
- Cookernup townsite: no amendment to current boundaries is required.
- Warawarrup townsite: minor modification as per **Attachment 2** is recommended.
- Harvey townsite: minor modification as per **Attachment 2** is recommended.
- Wokalup townsite: minor modification as per **Attachment 2** is recommended.
- Bengier townsite: no amendment to current boundaries is required.
- Brunswick townsite: minor modification as per **Attachment 2** is recommended.
- Roelands townsite: minor modification as per **Attachment 2** is recommended.
- Australind townsite: minor modification as per **Attachment 2** is recommended.
- Binningup townsite: no amendment to current boundaries is required.
- Myalup townsite: no amendment to current boundaries is required.

Despite no amendments being proposed for some townsites, all townsite boundaries are contained within **Attachment 2**.

There is no defined process within the *Land Administration Act 1997* associated with the amendment to townsite boundaries, however, previous advice from the DPLH has been to ensure that all relevant Government agencies have been given the opportunity to provide comment on any amendments.

The Officer's recommendation reflects previous advice and seeks support to refer the amended townsite boundaries to relevant authorities. Should adverse comments be received, a further report to Council will be forthcoming.

Conclusion

Reviewing the townsite boundaries is an ongoing administrative process which generally requires no change, however, on occasion minor amendments are required. Officers consider that minor amendments are required and seeks Council support for the amendments contained within **Attachment 2**.

Statutory/Policy Environment

The *Land Administration Act 1997* section 26 (2)(b) provides the ability for the Shire to amend the town site boundaries within the Shire of Harvey, which read as:

26. Land districts and townsites, constitution etc. of

..... (b) define and redefine the boundaries of, name, rename and cancel the names of, and, subject to this section, abolish land districts and townsites;...

Strategic Framework

Within the Shire's Strategic Community Plan 2017 - 2027, Strategy 4.2.2 states:

Maintain, review and ensure relevance of Council's policies and local laws.

Risk Management

The Risk Theme Profile identified as part of this report is **Business and Community Disruption, Failure to Fulfil Compliance Requirements and Inadequate Document and Management Practices**. The Consequence could be **Compliance** with the requirement of amending town site boundaries. The risk is considered **Minor** and the likelihood **Unlikely**, given that the report has been peer reviewed, provided by a qualified Shire Officer and recommends approval of the proposed Delegation. This results in a **Low** risk being present.

Budget Implications

Nil.

Voting Requirement

Simple Majority.

Officer's Recommendation

That Council, in accordance with Section 26 (2)(b) of the *Land Administration Act 1997*, approves the proposed Townsite Boundaries for the relevant townsites within the Shire as shown within **Attachment 2** subject to favourable comments from relevant State Government agencies.

Development Services

Item No.	12.3.2
Subject:	Approval of a Shed to a Dwelling
Proponent:	Mr Andrew Paul Rodgers
Location:	Lot 64 (2) Merriedale Cres, Harvey
Reporting Officer:	Environmental Health Officer (JM)
Authorising Officer:	Principal Environmental Health Officer
File No.:	A001931
Attachment Reg. No. 20/11958	

Summary

A request has been received seeking the approval to convert an existing shed into a dwelling at Lot 64 (2) Merriedale Crescent. Section 144 of the *Health (Miscellaneous Provisions) Act 1911* (the Act), provides Council the authority to approve this conversion.

It is recommended that this application be approved subject to conditions.

Background

Lot 64 (2) Merriedale Crescent, Harvey (refer **Attachment 1**) is 1055.86m² in size and is zoned residential. It is surrounded by dwellings on all sides and the existing residence is connected to the main sewer line.

The 54m² shed is located at the rear of the property with a plastic rainwater tank connected.

Comment**Planning Comment**

The application will require approval by the Shire's Planning Department if this application is approved by Council.

Health Comment

Pursuant to Section 144 of the *Health (Miscellaneous Provisions) Act 1911*, the Local Government may give consent for the building not erected as a dwelling to be converted into a dwelling.

Council has previously approved a number of shed to dwelling conversions subject to conditions.

Health (Miscellaneous Provisions) Act 1911, Section 144

"144. Building not erected as dwelling not to be converted into one:

No person shall convert into or adapt or use a dwelling any building not originally constructed or erected as a dwelling-house, and no person shall let, or lease, or sublet, or sublease, or otherwise permit, whether for any consideration or gratuitously, the use of, the building as a dwelling, without having first obtained the consent of the Local Government of the district in which the building is situated, and complied (in case a conditional consent is given) with such conditions as the Local Government has seen fit to impose."

The structure consists of:

- Habitable room;
- Kitchenette;
- Bathroom/water closet; and
- Water supply from rainwater with reticulated backup if required.

The amenities within this proposed shed conversion comply with the minimum requirements for a dwelling under the *Health (Miscellaneous Provisions) Act 1911*.

The ventilation of the building is to comply with Sewerage (Lighting, Ventilation and Construction) Regulations 1971, and the Building Code of Australia.

Building Comment

The Shire's Building Department advises the following works would be required to convert the shed into a Class 1 habitable building:

- Damp proof reinforced floor construction;
- Walls and ceilings are insulated to a minimum standard and lined;
- Light and ventilation requirements;
- Compliance with energy efficient provisions; and
- Minimum ceiling height of 2.4m.

An application for a Building Permit has been submitted that satisfies the aforementioned requirements of the Building Code of Australia.

General Comment

It is to be noted that the *Health (Miscellaneous Provisions) Act 1911* can only address health related matters. The shed conversion could be made to comply with conditions required to make the building a Class 1 structure pursuant to the Building Code of Australia and *Health Act 1911*.

Statutory/Policy Environment

Health (Miscellaneous Provisions) Act 1911, Section 144 and subsidiary regulations gives Council the authority to approve the conversion of a shed to a dwelling subject to appropriate conditions.

Sewerage (Lighting, Ventilation and Construction) Regulations 1971

Shire of Harvey Health Local Law 2016 – Part 3—Housing and General – Division 3 – Water Supply – Rainwater Tanks requires that water which is used for human consumption must be maintained in a clean condition.

Building Code of Australia sets the requirements for a Class 1 building.

Strategic Framework

Within the Shire's Strategic Community Plan 2017 – 2027, Strategies 2.3.1 (in part) and 4.3.4 state:

- 2.3.1 *Continue to implement integrated environmental, social and land use planning which will:*
- *minimise land use conflict.*
- 4.3.4 *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 an incorrect approval is given or a condition is missed. The risk is mitigated by the report being thoroughly researched, 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 approves the conversion of the shed at Lot 64 (2) Merriedale Cres, Harvey to a dwelling pursuant to Section 144 of the *Health (Miscellaneous Provisions) Act 1911*, subject to:

1. A Building Permit being obtained that satisfies the following requirements of the Building Code of Australia:
 - a. The floor being reinforced and damp proofed;
 - b. Walls and ceilings being insulated to the minimum standard and lined;
 - c. Compliance with lighting and ventilation requirements;
 - d. Compliance with energy efficient provisions; and
 - e. A minimum ceiling height of 2.4m being achieved.

Corporate Services

Item No.	12.4.1
Subject	Listing of Accounts Paid – March 2020
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Accountant
Authorising Officer:	Acting Executive Manager Finance and Corporate
File No.:	FMS006

Summary

Presented by way of attachment is a listing of payments for goods and services for March 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 March 2020 is presented as an attachment to this report, as summarised below.

<u>Voucher</u>	<u>Amount</u>
Schedule of Accounts	
Trust	EFT 48875 & EFT49038 \$21,824.74
Municipal	EFT 48874 - EFT 49537 \$4,177,984.35
	116955 - 116981 \$28,995.76
	DD20239.1 - DD20317.18 \$137,638.53
CBA Credit Card	\$4,314.33
Electronic Funds Submitted	\$1,256,647.58
Total	<u>\$5,627,405.29</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 March 2020 totalling \$5,627,405.29.

Corporate Services

Item No.	12.4.2
Subject:	Financial Statements as at 31 March 2020
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Accountant
Authorising Officer:	Acting Executive Manager Finance and Corporate
File No.:	CC/C/062

Summary

Presented by way of attachment are the Financial Statements as at 31 March 2020.

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

	ACTUAL	BUDGET	VARIANCE
	31 March 2020	2019 - 2020	
Statement of Financial Performance			
Ordinary Revenue	\$36,730,397	\$36,124,398	-\$606,000
Ordinary Expenditure	\$30,597,684	\$44,313,168	\$13,715,484
Capital Revenue	\$5,447,118	\$12,396,656	\$6,949,538
Capital Expenditure	\$8,414,693	\$17,526,329	\$9,111,636
End of Period Profit / (Loss)	\$14,252,342		
Statement of Financial Position			
Current Assets	\$50,621,454		
Net Assets	\$487,960,703		

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 (as attached).

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 31 March 2020.

Corporate Services

Item No.	12.4.3
Subject:	Community Budget Submissions 2020 - 2021
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Accountant
Authorising Officer:	Acting Executive Manager Finance and Corporate
File No.:	FM/B/003

Summary

The Shire receives each year, as part of the Budget process, Community Budget Submissions requesting funds for activities and projects within the Shire. 35 submissions are presented for consideration as part of the Shire's 2020 – 2021 Budget process.

Background

Each year the Shire of Harvey invites Community Budget Submissions from local community groups and organisations for activities and projects that meet the needs of the community. The aim of the Shire Budget Submissions is to strengthen and celebrate the diverse communities within the Shire of Harvey. Each submission is considered on its own merits.

Submissions are assessed against the following criteria:

- Demonstrated need for the project or activity;
- Long term benefit to the community;
- Number of groups and individuals who will benefit;
- Commitment from the applicant for the provision of a financial and/or in-kind contribution; and
- Provide long term sustainable outcomes where applicable.

Submissions may be ineligible if:

- Projects have already commenced;
- Projects cannot demonstrate support from the owners of the facility;
- Projects that are restricted to private or exclusive participation, which shall include restricting access on the basis of gender, race, religion, politics, culture, ability, age, or marital status;
- Projects of a commercial nature located on private land solely for generating profit where there is no charitable purpose;
- Funds sought for an individual; and
- Projects submitted by groups/organisations that are not incorporated. However, such groups may seek to be auspiced by an incorporated group.

Comment

In line with prior years, the 2020 - 2021 funding round was advertised in local newspapers and on the Shires website. Applications closed on 31 March 2020, and 37 submissions were received. This report looks at 35 of those submissions; the two for Harvey Visitors Centre and Australind Visitors Centre will be addressed in a separate report at the next scheduled Council meeting.

Basic details of the grant applications are as follows with a more detailed summary provided as Attachment 1. All amounts are exclusive of GST and projects with a zero balance in the Amount Proposed column indicates the submission is not supported. Those that are not supported state the reasons for this in the Comments section of **Attachment 1**.

#	Group/organisation	Project	Est. Total Project Cost	Amount requested	Amount Proposed
1	Australind Baptist Church	Australind Family Christmas Carols	\$12,875	\$1,500	\$1,500
2	Brunswick Districts Bowling Club	Convert "B" green to Synthetic surface	\$213,000	\$59,000	\$59,000
3	Brunswick Junction Community Resource Centre	Brunswick Junction Community Library Operating Costs	\$10,191	\$6,500	\$6,500
4	Brunswick Junction Community Resource Centre	Brunswick Town Hall Upgrade - audio/visual system	\$34,231	\$32,731	\$0
5	Brunswick Junction Community Resource Centre	Brunswick Youth Programs	\$26,460	\$19,360	\$19,360
6	Brunswick Junction Community Resource Centre	Brunswick in Bloom - Planters	\$4,544	\$2,760	\$2,760
7	BSW connect	2021 South West Business Excellence Awards	\$98,300	\$5,000	\$0
8	Bunbury Regional Entertainment Centre (trading as BREC)	Regional Audience Development	\$856,824	\$20,000	\$20,000
9	City of Bunbury	Skyfest 2021	\$175,000	\$5,000	\$5,000
10	Harvey Bowling Club	Bowling Green Light Poles (5) & Lights (2)	\$64,450	\$42,950	\$42,950
11	Harvey Community Radio 96.5fm (Auspice Harvey Mainstreet)	Operating Costs -	\$80,000	\$10,000	\$10,000
12	Harvey Community Resource Centre	Nature Playground - equipment purchase	\$7,946	\$4,020	\$0
13	Harvey Community Resource Centre	Equipment Purchase - Movie night projector/screen & phone line	\$1,377	\$933	\$933
14	Harvey Districts Historical Society	Museum Operating Costs 20/21 & improvements to display conservation & promotion	\$27,050	\$1,600	\$1,600
15	Harvey Bulls Football Club	Upgrade & Extension of Change Rooms at Harvey Rec Ground	\$204,000	\$52,000	\$0
16	Harvey Golf Inc	Irrigation Water Supply & System Upgrade	\$58,331	\$22,000	\$22,000
17	Harvey Italian Club	Harvey Italian Sausage Saga	\$11,700	\$2,500	\$2,500
18	Harvey Local Drug Action Group	Harvey Safe Space Project for Youth	\$86,000	\$2,000	\$2,000
19	Harvey Mainstreet (Inc)	Drinking Fountain & bottle refilling station (Uduc rd, next to Town Hall)	\$6,981	\$2,981	\$2,981
20	Harvey Mainstreet	Harvey Harvest Festival - co-ordinator & contribute to Insurance	\$83,631	\$21,000	\$19,000
21	Harvey Naidoc Committee (auspice Harvey Mainstreet)	Community Naidoc Celebration July 2021	\$25,980	\$5,000	\$5,000
22	Harvey Senior Citizens Centre Committee Inc	Extension of Harvey Senior Citizens Centre Building	\$610,810	\$125,000	\$125,000

#	Group/organisation	Project	Est. Total Project Cost	Amount requested	Amount Proposed
23	Leschenault Progress Association Inc	Settlers Hall Colourbond Shelter over Outdoor seating	\$6,787	\$4,787	\$4,787
24	Lot 208 Youth Inc	Youth Program Operating Costs	\$106,533	\$83,893	\$81,000
25	Myalup Community Association	Myalup Easter Fair	\$9,000	\$2,000	\$2,000
26	Morrissey Homestead Inc	Shade Sail installation over playground	\$8,000	\$5,500	\$0
27	Rotary Club of Harvey	Drink Container Regatta	\$65,500	\$17,250	\$10,000
28	Rotary Club of Harvey	Harvey Gala Night	\$13,500	\$5,000	\$3,000
29	Seniors Xmas Dinner Committee (Auspice Harvey Mainstreet)	2020 Seniors Christmas Dinner	\$12,800	\$1,000	\$1,000
30	South West Academy of Sport	SWAS Support Programs	\$323,000	\$9,000	\$9,000
31	South West Opera Company	Gibbs Pool Concert	\$13,220	\$1,500	\$1,500
32	Swimming WA	2021 Open Water Swimming Series Harvey Dam	\$21,000	\$5,000	\$5,000
33	Uduc Progress Association	Storage Shed	\$10,882	\$5,500	\$5,500
34	Yarloop Community Resource Centre	Yarloop Kids Connect	\$34,100	\$12,000	\$7,500
35	Yarloop Workshops	Operating Costs	\$19,000	\$5,000	\$0
				\$601,265	\$478,371

Statutory/Policy Environment

Section 6.2 of the *Local Government Act 1995*, prescribes preparation of annual budget.

Strategic Framework

Within the Shire's Strategic Community Plan 2017 – 2027, Strategies 3.1.2 and 3.1.3 state:

- 3.1.2 *Continue to actively engage local community groups to understand needs, improve facilities and source grant funding.*
- 3.1.3 *Continue to provide facilities and services to support local community organisations.*

Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The Consequence could be **Reputational** and **Financial** should Council not adopt the recommendation to support the grant applications. The Consequence rating is considered **Minor** and the likelihood **Unlikely**, therefore it is deemed that there is a **Low** risk present.

Budget Implications

This report recommends total expenditure of \$478,371 to be paid from Municipal Funds in the 2020 – 2021 draft Budget.

Voting Requirement

Simple Majority.

Officer's Recommendation

That Council lists for consideration of funding in its 2020 – 2021 draft Budget the following allocations for Community groups and organisations, for a total of \$478,371.

#	Group/organisation	Project	Amount Proposed
1	Australind Baptist Church	Australind Family Christmas Carols	\$1,500
2	Brunswick Districts Bowling Club	Convert "B" green to Synthetic surface	\$59,000
3	Brunswick Junction Community Resource Centre	Brunswick Junction Community Library Operating Costs	\$6,500
4	Brunswick Junction Community Resource Centre	Brunswick Town Hall Upgrade - audio/visual system	\$0
5	Brunswick Junction Community Resource Centre	Brunswick Youth Programs	\$19,360
6	Brunswick Junction Community Resource Centre	Brunswick in Bloom - Planters	\$2,760
7	BSW connect	2021 South West Business Excellence Awards	\$0
8	Bunbury Regional Entertainment Centre (trading as BREC)	Regional Audience Development	\$20,000
9	City of Bunbury	Skyfest 2021	\$5,000
10	Harvey Bowling Club	Bowling Green Light Poles (5) & Lights (2)	\$42,950
11	Harvey Community Radio 96.5fm (Auspice Harvey Mainstreet)	Operating Costs -	\$10,000
12	Harvey Community Resource Centre	Nature Playground - equipment purchase	\$0
13	Harvey Community Resource Centre	Equipment Purchase - Movie night projector/screen & phone line	\$933
14	Harvey Districts Historical Society	Museum Operating Costs 20/21 & improvements to display conservation & promotion	\$1,600
15	Harvey Bulls Football Club	Upgrade & Extension of Change Rooms at Harvey Rec Ground	\$0
16	Harvey Golf Inc	Irrigation Water Supply & System Upgrade	\$22,000
17	Harvey Italian Club	Harvey Italian Sausage Saga	\$2,500
18	Harvey Local Drug Action Group	Harvey Safe Space Project for Youth	\$2,000
19	Harvey Mainstreet (Inc)	Drinking Fountain & bottle refilling station (Uduc rd, next to Town Hall)	\$2,981
20	Harvey Mainstreet	Harvey Harvest Festival - co-ordinator & contribute to Insurance	\$19,000

#	Group/organisation	Project	Amount Proposed
21	Harvey Naidoc Committee (auspice Harvey Mainstreet)	Community Naidoc Celebration July 2021	\$5,000
22	Harvey Senior Citizens Centre Committee Inc	Extension of Harvey Senior Citizens Centre Building	\$125,000
23	Leschenault Progress Association Inc	Settlers Hall Colourbond Shelter over Outdoor seating	\$4,787
24	Lot 208 Youth Inc	Youth Program Operating Costs	\$81,000
25	Myalup Community Association	Myalup Easter Fair	\$2,000
26	Morrissey Homestead Inc	Shade Sail installation over playground	\$0
27	Rotary Club of Harvey	Drink Container Regatta	\$10,000
28	Rotary Club of Harvey	Harvey Gala Night	\$3,000
29	Seniors Xmas Dinner Committee (Auspice Harvey Mainstreet)	2020 Seniors Christmas Dinner	\$1,000
30	South West Academy of Sport	SWAS Support Programs	\$9,000
31	South West Opera Company	Gibbs Pool Concert	\$1,500
32	Swimming WA	2021 Open Water Swimming Series Harvey Dam	\$5,000
33	Uduc Progress Association	Storage Shed	\$5,500
34	Yarloop Community Resource Centre	Yarloop Kids Connect	\$7,500
35	Yarloop Workshops	Operating Costs	\$0
			\$478,371

Corporate Services

Item No.	12.4.4
Subject:	Covid-19 Response Local Economic Stimulus Stage 2
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Acting Executive Manager Finance and Corporate
Authorising Officer:	Chief Executive Officer
File No.:	SMB0006

Summary

Recognising the significant economic impact caused by the COVID-19 crisis and following a review of its Forward Capital Works Plan and Long Term Financial Plan, Council agreed that the Shire would inject funds back into the local community via bringing forward works and projects originally listed for future years.

Council subsequently adopted at its April 2020 meeting that \$727,000 of major maintenance works identified for the Leschenault Leisure Centre and the Harvey Recreation and Cultural Centre be bought forward and commenced immediately. These works form stage one of its economic stimulus.

This report identifies a second stage of local economic stimulus on works incorporating different trades and industries which are situated throughout the different localities in the Shire.

It is recommended that Council adopts the list of projects identified in this report along with their funding streams as stage two of its local economic stimulus and that Council authorises these works to commence immediately.

Background

The Premier, the Hon Mark McGowan MLA in his letter addressed to the President of the Western Australian Local Government Association (WALGA) and titled COVID-19, stated, *"During this period local governments and local government leaders will have an important role to play, not only fulfilling responsibilities under the Plan, but also providing leadership in their communities to help people through this difficult time."*

Local Governments have been called upon to do what they can to stimulate their local economies. To aid in this endeavour, the State Government has amended the Local Government (Financial Management) Regulations 1996, for the purpose of responding to this emergency. These amendments have removed some of the red tape associated with the quick implementation of budgeted and unbudgeted works. These amendments include the removal of the requirement to give public notice during a state of emergency for;

- Repurposing financial reserves;
- Borrowing money; and
- Changing the use of borrowed money.

Amendments have also been made to the Local Government (Functions and General) Regulations 1996, increasing the tender threshold to \$250,000 in line with State Government Agencies and removing the requirement to publicly invite tenders during a state of emergency where the supply of the goods or services is associated with the state of emergency.

At its meeting in April 2020, Council adopted to spend \$727,000 of previously identified major maintenance works on the Leschenault Leisure Centre and the Harvey Recreation and Cultural Centre. These being funded from the Shire's Municipal Account as well as \$495,000 from Shire Reserves.

At this same meeting it was reported that a second list of previously identified major maintenance or capital works be presented to the May 2020 Meeting. This would enable Council to consider these works as a second stage of local economic stimulus to be commenced immediately.

Comment

As previously reported at the April 2020 Council Meeting, the Shire's Long Term Financial Plan (LTFP) has been remodelled incorporating a zero percent increase in fees and charges as well as a zero percent increase to the Shire rates, 'rate in the dollar' for all household and business rates. This means that a household's rates for 2020 - 2021 will not increase unless they have made significant improvements to their home.

In remodelling the LTFP, an assessment has been made as to what capacity the Shire has to respond with a local economic stimulus. It is proposed that the attached list of projects with their corresponding funding stream can responsibly be undertaken by the Shire.

The list of proposed projects and works are as follows;

Project Name	Total Capital Expense	Funding Source		Reserves
		General Revenue	Reserves	
Australind Depot - Toilet Area	(5,000)	5,000		
Brunswick Town Hall - Façade	(5,890)	5,890		
Brunswick War Memorial - Concrete Slab/Wall	(6,000)	6,000		
Brunswick Recreation Centre - Tiles in Change rooms	(9,680)	9,680		
Brunswick Depot - Deluge Shower	(6,000)	6,000		
Benger Hall - Electrical Upgrade	(30,000)	30,000		
Harvey Pool - Painting Change room & First Aid Room	(5,200)	5,200		
Cookernup Hall - Verandah Upgrade	(40,000)	15,000	25,000	Building Reserve
Binningup Country Club - External Painting	(10,000)	10,000		
Binningup Hall and Library - External Painting	(10,000)	10,000		
Brunswick Recreation Ground - Perimeter Fence	(70,000)	70,000		
Stirling Cottage Bridge Over River - New Timbers	(7,500)	7,500		
Stirling Cottage - Access to Pumps	(19,500)	19,500		
Cookernup Cemetery - Niche Wall/Shelter	(25,000)	25,000		
Settlers Park - Retic Extension	(10,000)	10,000		
Harvey Shrine - Fencing	(7,500)	7,500		
Yarloop Garden at Train Station	(15,000)	15,000		
Ridley Place 4 X BBQ	(50,000)	50,000		
Constellation Drive Traffic Improvement	(25,000)	25,000		
Uduc Rd / Young St/ Anthony - Asphalt Overlay	(26,000)	26,000		
Australind Road - Asphalt Overlay	(30,000)	30,000		
Melville Road - Asphalt Overlay	(56,000)	56,000		
Footpath - Uduc Rd Hinge Rd to SW Hwy	(60,000)	60,000		

Footpath - Talbot Road	(30,000)	30,000		
Footpath - Old Coast Rd Cemetery to Travers Drive	(98,000)	98,000		
Footpath Renewal - Binningup Road	(36,000)	36,000		
Footpath Renewal - Coronation Drive	(20,000)	20,000		
RV Friendly Facilities	(35,000)	35,000		
Total Cost	(748,270)	723,270	25,000	

Statutory/Policy Environment

Local Government Act 1995

Section 6.8(1)(b) Unbudgeted Expenditure to be authorised in advance by Absolute Majority.

Strategic Framework

Within the Shire's Strategic Community Plan 2017 - 2027, the following strategies 1.1.6, 3.4.1 state:

Support and promote diverse and small-medium businesses

Continue to monitor the needs of the community, to ensure access to appropriate services and facilities

Risk Management

The Risk Theme Profile identified as part of this report is **Business and Community Disruption**. The Consequence could be **Financial Impact** and **Reputational**. As the impacts to the Shire and its community are not fully known at this time the risk could be considered **Catastrophic** and the likelihood **Almost Certain**. This results in an **Extreme** risk being present.

Budget Implications

The Long Term Financial Plan demonstrates the Shire's capacity to respond to this emergency situation caused by COVID-19. The measures recommended in this report result in a material impact to the Shire's finances however the LTFP demonstrates the Shire can return to its current financial health within a few years.

The additional unbudgeted expenditure totalling \$748,270 is recommended to be funded \$25,000 from the Shire's Building Reserves and \$723,270 from the Shire's Municipal Fund.

Voting Requirement

Absolute Majority.

Officer's Recommendation

That Council:

1. Authorises unbudgeted expenditure of \$748,270 for the purpose of local economic stimulus as a result of the COVID-19 declared emergency, for the listed projects within this report;
2. Authorises the utilisation of \$25,000 from the Shire Building Reserve to help fund the projects listed within this report; and
3. Utilise the budgeted transfer to the Cashflow Reserve to fund the end of year financial impact resulting from the COVID-19 virus.

Absolute Majority Required

Community Development

Item No.	12.5.1
Subject:	Southern Seawater Desalination Coastal Communities Fund – Budget Submissions
Proponent:	Coastal Community Groups
Location:	Shire of Harvey
Reporting Officer:	Community Development Officer (SJ)
Authorising Officer:	Manager Community and Economic Development
File No.:	F000283

Summary

The Shire received funding from the Water Corporation that is to be used for the benefit of the Shire's coastal communities in and around the town sites of Binningup and Myalup. The funds have been placed into a specific Reserve Account for that purpose and are managed by the Shire. Two funding submissions have been received and are presented for consideration as part of the Shire's 2020 - 2021 Budget process.

It is recommended that neither project be funded in this year's funding round.

Background

The Coastal Communities Fund was provided by the Water Corporation, as a result of the Southern Seawater Desalination Plant project. It has been set up as a long term reserve fund, managed and operated by the Shire of Harvey for the benefit of the residents in and around the towns of Binningup and Myalup. In accordance with an agreement between the Shire of Harvey and the Water Corporation the funds are not to be used for normal operational or maintenance activities.

Incorporated community groups within Binningup and Myalup have been invited to apply for funding through the Coastal Communities Fund for projects that provide a benefit to their local communities. In line with previous practice, the 2020 funding round was advertised in local papers and on the Shire's website. Applications closed on 31 March 2020 and two submissions were received.

When considering potential Community Benefits Package funding allocations Council should be mindful that the fund is intended to be sustainable in the long term and provide a potential source of funds for worthwhile community projects in the years to come.

Comment

A summary of the grant applications received is provided in the table below. All amounts are exclusive of GST.

Applicant	Project Description	Project Budget	Applicant Request	Amount Recommended
Binningup Community Association	Playground - East side of the Country Club	\$67,980	\$42,980	\$0
Myalup Community Association	Ottrey Park Play/ Exercise Equipment	\$15,998	\$10,000	\$0
Totals		\$83,978	\$52,980	

The following comments are made with regard to each application:

Binningup Community Association

The Binningup Community Association (BCA) is seeking a grant of \$42,980 (63%) towards the cost of installing a playground on the eastern side of the Country Club building. This would attract younger members with children and provide a family friendly environment. Given that the proposed playground would only be available to members of the BCA, and until the Shire of Harvey's Playground Strategy is finalised, this proposal is not considered to be a priority at this time. The main playground in Binningup is located at the Binningup Beach foreshore which requires major maintenance to ensure it remains in a safe and functional condition. Maintaining this existing facility is considered to be a higher priority than installing a new playground for members of the BCA.

The BCA has previously received grants totalling \$297,707 from the Community Benefits Package since 2010 for various projects including a major grant of \$110,380 for the Binningup Foreshore and playground in 2011-2012 and \$75,000 for the upgrade and extensions to the Country Club building in 2019.

Myalup Community Association

Myalup Community Association (MCA) is seeking a grant of \$15,998 to:

- Purchase and install additional playground equipment — Merry Go Round; and
- Purchase and install adult basic exercise equipment — 2 x Sit Up Benches

The MCA has received requests for additional playground equipment and exercise equipment for Ottrey Park. A new nature play playground was installed at Ottrey Park in 2014 and the provision of additional play and exercise equipment is not considered to be a priority at this time.

MCA has previously received grants totalling \$101,300 from the Community Benefits Package since 2010 for various projects including a grant of \$50,000 for the Myalup Foreshore Plan in 2010 - 2011 and \$45,000 for a nature playground in 2013 - 2014.

Statutory/Policy Environment

Southern Seawater Desalination Plant Community Benefits Package Agreement 2009 provides guidelines in allocating and managing the Coastal Communities Reserve Account.

Strategic Framework

Within the Shire's Strategic Community Plan 2017 – 2027, Strategies 3.1.2 and 3.1.3 state:

- 3.1.2 *Continue to actively engage local community groups to understand needs, improve facilities and source grant funding.*
- 3.1.3 *Continue to provide facilities and services to support local community organisations.*

Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/information**. The Consequence could be **Reputational** should Council adopt the recommendation not to support the grant applications. The Consequence rating is considered **Minor** and the likelihood **Unlikely**, therefore the Risk is deemed to be **Low**.

Budget Implications

Funding for these applications can be made from the Coastal Communities Reserve Account, which has a projected year end closing balance of \$1,399,922. This report recommends that neither application is supported.

Voting Requirement

Simple Majority.

Officer's Recommendation

That Council, for the reasons outlined in this report, does not support any funding allocation from the Coastal Communities Reserve Fund being included in its 2020 - 2021 draft Budget.

Community Development

Item No.	12.5.2
Subject	Harvey Recreation Ground – Needs Assessment and Master Plan
Proponent:	Shire of Harvey
Location:	Harvey Recreation Ground
Reporting Officer:	Manager Harvey Recreation and Cultural Centre
Authorising Officer:	Manager Community and Economic Development
File No.:	B000322

Summary

This report presents the draft Harvey Recreation Ground Needs Assessment report and recommends that Council receives the report and the report be used to inform the development of a Master Plan for the Harvey Recreation Ground (HRG).

The Needs Assessment is an essential part of the process and has enabled all current user groups as well as casual users to identify their needs and priorities, and have input to the study. It is also a requirement for any funding submissions that the Shire may wish to make in the future for upgraded or expanded facilities at the HRG.

Background

The proposal to undertake a Needs Assessment study and develop a Master Plan for the Harvey Recreation Ground was put forward by the Harvey Recreation Ground Advisory Committee (HRGAC) and the Committee's recommendation to support the proposal was adopted by Council at its meeting held on 26 March 2019.

Funding for the proposed study was included in the Shire's 2019 - 2020 Budget and a consultant's brief was considered by the HRGAC on 3 October 2019 and subsequently approved by Council at its meeting held on 8 October 2019.

Quotations were then invited and consulting firm *A Balanced View Leisure Consultancy Services* was appointed to undertake the study.

Following a thorough consultation process, the draft Needs Assessment report has been completed and is presented for Council's consideration (refer **Attachment 1**). Due to COVID-19 restrictions the Harvey Place Advisory Group (HPAG) has not been able to meet and formally consider the draft Needs Assessment report however the report has been circulated to the members of HPAG inviting their comments. At the time of preparing this report no comments had been received.

Comment

The Executive Summary of the Needs Assessment report provides an overview of the project methodology, the consultation process that was followed and the key themes identified through the consultation process. A demand analysis and needs assessment was then undertaken that provides options and potential solutions for consideration within the Master Plan.

It is recommended that Council receives the draft HRG Needs Assessment report and requests the consultant to proceed with the development of a draft Master Plan for the HRG.

Statutory/Policy Environment

Nil.

Strategic Framework

Within the Shires Strategic Community Plan 2017 – 2027, Strategy 3.4.6 states:

Continue to maintain and enhance recreation centres to service a wide range of the community.

Risk management

The Risk Theme Profile identified as part of this report is **Inadequate Engagement Practices**. The Consequence could be **Reputational** if the local community and sporting clubs did not have the opportunity to have input to the Harvey Recreation Ground Needs Assessment and Master Plan. The risk is mitigated by local residents having input via the HRG Advisory Committee and a public consultation process being built into the planning process. The Risk Consequence is considered to be **Moderate** and the likelihood **Unlikely**, resulting in a **Moderate** Risk being present.

Budget Implications

Sufficient funds were allocated in the Shire's 2019-20 Budget for the Harvey Recreation Ground Needs Assessment and Master Plan.

Voting Requirement

Simple Majority.

Officer's Recommendation

That Council:

1. Receives the draft Harvey Recreation Ground Needs Assessment report and the report be used to inform the development of a Master Plan for the Harvey Recreation Ground; and
2. Requests the consultant to proceed with the development of the draft Harvey Recreation Ground Master Plan.

Community Development

Item No.	12.5.3
Subject:	Economic Development Strategy
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Manager Community and Economic Development/CEO
Authorising Officer:	Chief Executive Officer
File No.:	B000273

Summary

This report presents a draft plan to implement the Shire's Economic Development Strategy (refer **Attachment 1**) and recommends that Council endorse the plan subject to the availability of funding and lists for consideration of funding in its 2020 - 2021 draft Budget an allocation of \$49,000 for economic development activities as described in this report.

Background

The development and implementation of an Economic Development Strategy (EDS) is a strategic priority for the Shire and is included as a "Flagship" strategy in the Shire's Community Strategic Plan 2017 - 2027.

The draft EDS was presented to the Council Meeting held on 28 January 2020 and with the inclusion of a number of changes, Council resolved to advertise the draft EDS for a three-week public comment period prior to final consideration by Council.

Following the public comment period, the draft EDS was adopted by Council at its meeting held on 24 March 2020. This report outlines a proposal for staged implementation of the Strategy

Comment

The Shire's EDS is built around the following four focus areas and includes a total of 60 Actions:

1. Strategic Industries (9 Actions);
2. Business Support (14 Actions);
3. Tourism (23 Actions); and
4. Towns and Infrastructure (14 Actions).

Of the 60 Actions, 34 are identified as short term (1-3 years), 7 medium term (4-6 years) and 19 ongoing.

A draft plan has been prepared to implement the Shire's EDS and is presented for Council's consideration and endorsement. The draft plan includes each Action contained in the EDS, a proposed timeframe for implementation, the Shire directorate(s) responsible for implementation and a cost estimate.

The cost estimates included in the draft plan are in some cases based on existing budget allocations or estimates included the Shire's Forward Capital Works Plan. Other cost estimates are indicative and may be subject to change following further investigation, and a number of the Actions are nominated to be completed "in-house" using staff resources.

The Actions that are not currently included in the Shire's Annual Budget or Forward Capital Works Plan and would require an additional budget allocation are highlighted in yellow in the draft plan. The following table provides a summary of the Actions proposed to be implemented over the next five-year period, noting that some of the Actions will be progressively implemented over more than one year:

Year	Actions	Additional Cost
2019-20	1 Action	In-house
2020-21	19 Actions; plus 19 Ongoing Actions	\$49,000
2021-22	18 Actions; plus 19 Ongoing Actions	\$145,000
2022-23	12 Actions; plus 19 Ongoing Actions	\$75,000
2023-24	4 Actions; plus 19 Ongoing Actions	To be advised
2024-25	4 Actions; plus 19 Ongoing Actions	To be advised

The Actions that are proposed to be implemented in 2020-21 that would require an additional Budget allocation include:

No.	Action	Cost
1.3	Support food bowl marketing of the Shire and the Region.	\$5,000
2.2	Promote and support a 'Buy Local' campaign.	\$5,000
2.3	Upgrade the Shire's website to facilitate online lodgement of applications and payments.	\$6,000
2.4	In partnership with Community Resource Centres, host regular sundowners for local businesses to provide opportunities for networking and building collaborative relationships between local businesses.	\$3,000
2.12	Continue to support Business South West and/or other agencies that provide professional support and advice to small business.	\$10,000
3.8	Provide free Wi-Fi at strategic locations within the Shire.	\$10,000
3.23	Support tourism along the South Western Highway in conjunction with Tourism WA and other Local Governments	\$10,000
	Total	\$49,000

Funding for the other Actions proposed to be implemented in 2020 - 2021 is already included in the Shire's Forward Capital Works Plan and/or the Annual Budget.

One of the important priorities to be implemented in 2020 - 2021 is Action 3.2, "Develop a strategy for tourist information bays and signage." An allocation of \$20,000 is included in the Shire's 2019 - 2020 budget and will be carried forward to 2020 - 2021 for this project. A report is scheduled to be presented to the June Council meeting that outlines the proposed scope for the study, and subject to Council's approval, quotations will then be invited from suitable consultants.

The implementation of the Shire's EDS is an important strategic priority for the Shire and will require a dedicated officer to coordinate the delivery of the strategy in a timely fashion. It is therefore recommended that as part of its forthcoming budget deliberations, Council consider the appointment of an Economic Development Officer to enable this to occur.

Given the significant impact of COVID-19 on the local economy, it is considered important for the Shire to be supporting local business as much as possible during this period. The implementation of the Shire's EDS would be a positive initiative that would help stimulate the local economy and assist with recovery from COVID-19 over the next two to three years.

In summary, the draft plan for implementing the Shire's EDS is heavily weighted to the years one to three and will require a "whole of organisation" commitment to complete the various Actions. It is noted that the majority of the Ongoing Actions would not require a major resource commitment and in a number of cases, already form part of the Shire's approach to facilitating and promoting economic development within our Shire and the region.

Statutory/Policy Environment

Nil.

Strategic Framework

Within the Shire's Strategic Community Plan 2017 – 2027, Strategy 1.1.7 states:

Develop and implement an Economic Development Strategy, which covers tourism, industrial development, retail/hospitality and investment attractions.

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 regarding the preparation of an Economic Development Strategy for the Shire. The Risk has been mitigated by undertaking consultation with the local community in developing the draft Strategy and seeking public comment prior to adoption of the EDS. The Risk Consequence is considered to be **Moderate** and the Likelihood **Unlikely** resulting in a **Moderate** level of risk.

Budget Implications

There are no Budget implications for the current financial year however the draft EDS will require both staffing and in some cases financial resources to implement over the next four to five years. This report recommends that an allocation of \$49,000 for Economic Development activities and funding for the appointment of an Economic Development Officer be listed for consideration of funding in the Shire's 2020 - 2021 draft Budget.

Voting Requirement

Simple Majority.

Officer's Recommendation

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 - 2021 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.

Community Development

Item No.	12.5.4
Subject:	Proposal to develop a Youth Strategy
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Community Development Officer (AP)
Authorising Officer:	Manager Community and Economic Development
File No.:	CR/L/085

Summary

This report recommends that Council supports a proposal to develop a Youth Strategy for the Shire of Harvey in order to meet the needs of youth across all of the Shire's distinct localities, as well as to provide a framework for, and to build upon, the Shire's investment in youth services, facilities and programs.

Background

Shire of Harvey youth and their needs are recognised in both the Shire's Strategic Community Plan 2017 - 2027 and Community Safety and Crime Prevention Plan 2017 - 2019, and are supported by the Shire through the delivery and funding of youth related services, facilities and programs.

The Strategic Community Plan 2017 - 2027 identifies youth under both the Social and Civic Leadership key objectives. The aspirations and strategies relating to youth in this plan can be summarised as: provision and access to services, facilities and programs; youth engagement; and youth leadership.

The Community Safety and Crime Prevention Plan 2017 - 2019 recognises the need to provide support to youth through: provision and access to services and facilities; delivery of activities and events; and a focus on the reduction of youth crime.

Youth services, facilities and programs receive Shire funding via three potential avenues: projects delivered through the Shire's Community Safety and Crime Prevention budget; the Shire's support of the Leeuwin Sail Training program administered through the Community Sail Training Trust; and through the Community Budget Submission process.

A breakdown of these allocations is listed in the tables below in order to provide background that illustrates the investment that has been made towards youth over the last three financial years and since the Strategic Community Plan 2017 - 2027 was adopted. All amounts are exclusive of GST.

The table below outlines youth related projects delivered through the Shire's Community Safety and Crime Prevention budget.

Project	Financial Year		
	2017-2018	2018-2019	2019-2020
Slow Down, Consider our Kids Stickers	\$2,170		
Choose Respect Resources	\$250		
Australind Skate Park events		\$2,730	
Choose Respect Resources		\$1,005	
Totals	\$2,420	\$3,735	N/A

The table below outlines the Shire's financial commitment to the Community Sail Training Trust and also highlights the valued contribution of partnering service clubs who support the program.

Contributing Partner	Financial Year		
	2017-2018	2018-2019	2019-2020
Shire of Harvey	\$6,000	\$6,000	\$6,000
Service Clubs	\$3,200	\$3,200	\$3,200
Totals	\$9,200	\$9,200	\$9,200

The table below outlines the Shire's investment in youth services, facilities and programs through the Community Budget Submissions process.

Community Group or Organisation	Financial Year		
	2017-2018	2018-2019	2019-2020
Lot 208 Youth Inc.	\$66,300	\$68,000	\$80,490
Brunswick Junction Community Resource Centre	\$9,000	\$17,000	\$17,000
Harvey Local Drug Action Group	\$500	\$500	
Yarloop Community Resource Centre			\$5,000
Totals	\$75,800	\$85,500	\$102,490

Additional Shire investment in youth services, facilities and programs includes the construction of the \$950,000 skate park in Australind; the provision of facilities and programs at recreation centres, grounds and pools; and the administration of the Department of Local Government, Sport and Cultural Industries' Kid Sport program.

Comment

While the Shire of Harvey recognises the importance of, and is investing significant and growing funds towards the Shire's youth, a more formal and measured approach is required.

Population data profiles from the 2016 Census show that youth aged 12 to 24 make up 16 per cent of the Shire's population which is above the average in regional Western Australia. This is a significant portion of the Shire's population who are at a critical point in their lives.

The development of a Youth Strategy for the Shire will provide a clearly defined framework of outcomes to be achieved based on current and future needs. It will also provide a matrix upon which Shire funding and service delivery can be decided. Ultimately, it will make the Shire accountable for achieving a vision and desired outcomes for youth.

At present, the Shire requests community groups and organisations who receive funding to submit acquittals and reports that provide data and information on the delivery of youth services, facilities and programs. No clear framework exists, however, upon which these outcomes can be measured or indeed determined in the first place.

This is not to suggest that these community groups and organisations, or Shire officers, are not actively seeking to support youth or cognisant of current youth issues and trends. Notwithstanding this, the benefit of developing and implementing a Youth Strategy for the Shire would be to ensure best practice and that any funds allocated are done so in a deliberate and measured manner across all of the Shire's distinct localities.

The development of a Youth Strategy will also ensure meaningful engagement with the Shire's youth. While the Strategic Community Plan 2017 - 2027 seeks to investigate opportunities to better engage youth, currently much of this engagement stems indirectly from the relationships established between the community groups and organisations the Shire funds and the youth who access the services, facilities and programs they provide.

Further, a Youth Strategy will have benefits in developing the future leaders of the Shire's community.

In this regard, it must be acknowledged that the Shire has a 30-year history of supporting youth leadership through the Leeuwin Sail Training program. Indeed, this program is testament to the Shire's effective partnership with local service groups to support the development of leadership skills in scholarship recipients.

A Youth Strategy would however offer more opportunities for civic leadership and consequently, youth engagement. While this report does not seek comment on this arrangement, it should be noted that youth from the Shire of Harvey are past and present members of the City of Bunbury's Youth Advisory Council (YAC). Also, Harvey Local Drug Action Group is currently planning to establish a YAC and in the past, Lot 208 Youth Inc. has supported such a committee.

Finally, an added benefit of developing a Youth Strategy is that the state government's Department of Communities, which is identified as a key partner within the Shire's Strategic Community Plan 2017 - 2027 with regard to youth, plans to release a WA Youth Strategy during 2020. As such, the development of a Youth Strategy for the Shire of Harvey would be timely in terms of potential funding opportunities that may arise.

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 Council 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

The development of a Youth Strategy for the Shire of Harvey will require the engagement of an external consultant to work with Shire officers to complete the project.

As such, this report recommends that Council lists for consideration of funding in its 2020 - 2021 draft Budget an allocation of \$30,000 for this purpose.

Voting Requirement

Simple Majority.

Officer's Recommendation

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 2020-21 Budget, the Youth Strategy is developed for presentation to Council by February 2021.

Community Development

Item No.	12.5.5
Subject:	National Redress Scheme for Institutional Child Sexual Abuse
Proponent:	Department of Local Government, Sport and Cultural Industries
Location:	Shire of Harvey
Reporting Officer:	Manager Community and Economic Development
Authorising Officer:	Chief Executive Officer
File No.:	CR/L/083

Summary

This report provides background information on the National Redress Scheme for Institutional Child Sexual Abuse and recommends that Council approves the participation of the Shire of Harvey in the Scheme as a State Government institution and included as part of the State Government's declaration.

Background

The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) was established in 2013 to investigate failures of public and private institutions to protect children from sexual abuse. The Royal Commission released three reports throughout the inquiry:

- Working with Children Checks (August 2015);
- Redress and Civil Litigation (September 2015); and
- Criminal Justice (August 2017).

The Royal Commission's Final Report (15 December 2017) incorporated findings and recommendations of the three previous reports and contained a total of 409 recommendations, of which 310 are applicable to the Western Australian Government and the broader WA community.

The implications of the Royal Commission's recommendations are twofold: the first is accountability for historical breaches in the duty of care that occurred before 1 July 2018 within any institution; the second is future-facing, ensuring better child safe approaches are implemented holistically moving forward.

National Redress Scheme

The Royal Commission's *Redress and Civil Litigation (September 2015)* Report recommended the establishment of a single National Redress Scheme (the Scheme) to recognise the harm suffered by survivors of institutional child sexual abuse.

The Scheme acknowledges that children were sexually abused, recognises the suffering endured, holds institutions accountable and helps those who have been abused access counselling, psychological services, an apology and a redress payment.

The Scheme commenced on 1 July 2018, will run for 10 years and offers eligible applicants three elements of Redress:

- A direct personal response (apology) from the responsible institution, if requested;
- Funds to access counselling and psychological care; and
- A monetary payment of up to \$150,000.

All State and Territory Governments and many major non-government organisations and church groups have joined the Scheme.

The WA Parliament has passed the legislation for the Government and WA based non-government organisations to participate in the National Redress Scheme. The Western Australian Government (the State) started participating in the Scheme from 1 January 2019.

Under the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth), local governments may be considered a State Government institution.¹

A decision was made at the time of joining the Scheme to exclude WA local governments from the State Government's participation declaration. This was to allow consultation to occur with the sector about the Scheme, and for fuller consideration of how the WA local government sector could best participate.

Following extensive consultation, the State Government in December 2019:

- Noted the consultations undertaken to date with the WA local government sector about the National Redress Scheme;
- Noted the options for WA local government participation in the Scheme;
- Agreed to local governments participating in the Scheme as State Government institutions, with the State Government covering payments to the survivor; and
- Agreed to the Department of Local Government, Sport and Cultural Industries (DLGSC) leading further negotiations with the WA local government sector regarding local government funding costs, other than payments to the survivor including counselling, legal and administrative costs.

The following will be covered for local governments participating in the Scheme as a State Government institution and part of the State's declaration:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination of requests for information and record keeping in accordance with the *State Records Act 2000*); and
- Trained staff to coordinate and facilitate a Direct Personal Response (DPR – Apology) to the survivor if requested (on a fee for service basis with costs to be covered by the individual local government – see below for further explanation).

State Government financial support for local government participation in the Scheme will ensure that Redress is available to as many WA survivors of institutional child sexual abuse as possible.

Individual local governments participating in the Scheme as a State Government institution, will be responsible for:

- Providing the State with the necessary (facilities and services) information to participate in the Scheme;
- Resources and costs associated with gathering their own (internal) information and providing that information (Request for Information) to the State (if they receive a Redress application); and

- Costs associated with the delivery of a DPR (apology), if requested (based on a standard service fee, plus travel and accommodation depending on the survivor's circumstance). The State's decision includes that all requested DPRs will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice, on every occasion.

The State and WALGA will sign a Memorandum of Understanding to reflect the principles of WA local governments participating in the Scheme as State Government institutions and being part of the State's declaration.

State agencies (led by DLGSC), WALGA and Local Government Professionals WA will support all local governments to prepare to participate in the Scheme from 1 July 2020, or earlier, subject to completing the necessary arrangements.

Comment

The State's decision allows for the WA Government's Scheme participation declaration to be amended to include local governments and this report seeks Council's approval for the Shire of Harvey's participation in the Scheme.

As an independent entity it is essential that the Shire formally indicates via a decision of Council, the intention to be considered a State Government institution (for the purposes on the National Redress Scheme) and be included in the WA Government's amended participation declaration.

The Shire will not be included in the State's amended declaration, unless it formally decides to be included.

The option also exists for the Shire to formally decide not to participate in the Scheme (either individually or as part of the State's declaration). Should the Shire of Harvey formally decide (via a resolution of Council) not to participate with the State or in the Scheme altogether, considerations for the Shire include:

- Divergence from the Commonwealth, State, WALGA and the broader local government sector's position on the Scheme (noting the Commonwealth's preparedness to name-and-shame non-participating organisations);
- Potential reputational damage at a State, sector and community level;
- Complete removal of the State's coverage of costs and administrative support, with the Shire having full responsibility and liability for any potential claim; and
- Acknowledgement that the only remaining method of redress for a victim and survivor would be through civil litigation, with no upper limit, posing a significant financial risk to the Shire.

Considerations for the Participation in the Scheme

Detailed below is a list of considerations for the Shire of Harvey to participate in the Scheme:

1. Executing a Service Agreement

All Royal Commission information is confidential, and it is not known if the Shire will receive a Redress application. A Service Agreement will only be executed if the Shire receives a Redress application.

The Shire needs to give authority to an appropriate position / officer to execute a service agreement with the State, if a Redress application is received. Timeframes for responding to a Request for Information are three weeks for priority applications and seven weeks for non-priority applications. A priority application timeframe (three weeks) will be outside most Council meeting cycles and therefore it is necessary to provide the authorisation to execute an agreement in advance.

2. Reporting to Council if / when an application is received

Council will receive a confidential report, notifying when a Redress application has been received. All information in the report will be de-identified but will make Council aware that an application has been received.

3. Application Processing / Staffing and Confidentiality

Administratively the Shire will determine:

- Which position(s) will be responsible for receiving applications and responding to Requests for Information;
- Support mechanisms for staff members processing Requests for Information.

The appointed person(s) will have a level of seniority in order to understand the magnitude of the undertaking and to manage the potential conflicts of interest and confidentiality requirements

4. Record Keeping

The State Records Office advised (April 2019) all relevant agencies, including Local Governments, of a 'disposal freeze' initiated under the *State Records Act 2000* (the Act) to protect past and current records that may be relevant to actual and alleged incidents of child sexual abuse. The Shire's record keeping practices as a result, have been modified to ensure the secure protection and retention of relevant records. These records (or part thereof) may be required to be provided to the State's Redress Coordination Unit in relation to a Redress application.

The Redress Coordination Unit (Department of Justice) is the state record holder for Redress and will keep copies of all documentation and RFI responses. Local Governments will be required to keep their own records regarding a Redress application in a confidential and secure manner, and in line with all requirements in *The Act*.

In summary, for the reasons outlined in this report it is strongly recommended that Council approves the participation of the Shire in the National Redress Scheme as a State Government institution and included as part of the State Government's declaration

Statutory/Policy Environment

The Shire of Harvey in agreeing to join the Scheme, is required to adhere to legislative requirements set out in the *National Redress Scheme for Institutional Child Sexual Abuse Act 2018* (Cth).

Authorisation of an appropriately appointed person to execute a service agreement with the State, if a Redress application is received, will be in accordance with s.9.49A(4) of the *Local Government Act 1995*.

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 Consequences could be **Reputational** and **Financial** should Council elect not to adopt the recommendation to approve the participation of the Shire of Harvey in the National Redress Scheme as a State Government institution. The Consequence rating is considered **Moderate** and the likelihood **Unlikely**, therefore the Risk is deemed to be **Low**.

Budget Implications

The State's decision will cover the following financial costs for local governments:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination or requests for information and record keeping); and
- Trained staff to coordinate and facilitate a Direct Personal Response (DPR – Apology) to the survivor if requested (on a fee for service basis with costs to be covered by the individual local government – see below).

The only financial cost the Shire may incur would be the payment of the DPRs, which is on an 'as requested' basis by the survivor. This will be based on the standard service fee of \$3,000 plus travel and accommodation depending on the survivor's circumstances. All requested DPRs will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice.

The State's decision also mitigates a significant financial risk to the Shire in terms of waiving rights to future claims. Accepting an offer of redress has the effect of releasing the responsible participating organisation and their officials (other than the abuser/s) from civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme. This means that the person who receives redress through the Scheme, agrees to not bring or continue any civil claims against the responsible participating organisation in relation to any abuse within the scope of the Scheme.

Voting Requirement

Simple Majority.

Officer's Recommendation

That Council:

1. Approves the participation of the Shire of Harvey in the National Redress Scheme as a State Government institution and included as part of the State Government's declaration;
2. Grants authority to the Chief Executive Officer to execute a service agreement with the State, if a Redress application is received; and
3. Notes that a confidential report will be provided to Council if a Redress application is received.



SHIRE OF
HARVEY



Ordinary Council Meeting **Minutes**

Electronic Meeting
Tuesday, 28 April 2020
4pm

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Shire of Harvey Council Minutes

Minutes of the Ordinary Council Meeting of the Harvey Shire Council, held electronically on Tuesday, 28 April 2020, commencing at 4pm.

Electronic Attendance

Shire President	Cr.	P.	Gillett	
	Cr.	B.	Adams	(4.00pm – 6.15pm)
				(6.17pm – 6.18pm)
	Cr.	P.	Beech	
	Cr.	M.	Boylan	
	Cr.	J.	Bromham	
	Cr.	F.	Burgoyne	(4.00pm – 5.15pm)
				(5.18pm – 6.18pm)
	Cr.	M.	Campbell	
	Cr.	C.	Carbone	(4.00pm – 5.15pm)
				(5.18pm – 6.18pm)
	Cr.	R.	Coleman	
	Cr.	W.	Dickinson	
	Cr.	T.	Jackson	
	Cr.	A.	Lovitt	
	Cr.	D.	Simpson	

Staff

Chief Executive Officer	Ms.	A.	Riordan	
Acting Executive Manager Finance and Corporate	Mr.	D.	Winter	
Executive Manager Technical Services	Mr.	R.	Lotznicker	(4.05pm – 6.18pm)
Principal Building Surveyor	Mr.	M.	Stewart	
Manager Planning Services	Mr.	S.	Hall	
Acting Manager Community and Economic Development	Mr.	R.	Duke	
Manager Special Projects	Ms.	P.	Pietersen	
Agenda and Minutes Officer	Ms.	K.	Hough	

Minutes

1. Official Opening

The meeting was declared open at 4.04pm.

The Shire President welcomed Councillors, staff and members of the public receiving the broadcast of this electronic meeting, which is conducted in accordance with the Local Government (Administration) Regulations 1996.

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.

Mr Rick Lotznicker entered the meeting at 4.05pm.

Suspension of Shire of Harvey Standing Orders

The Shire President advised that the Shire's meeting procedures will be modified to ensure Council Members and the public can follow and participate in the meeting as it progresses.

Therefore, the operation of clauses 6.7(1)(8), 6.9(3)(a)(b)(c) and 13.4(1a)(1c) of the Shire of Harvey Meeting Procedures Local Law 2017 will be suspended for the duration of this electronic meeting.

2. Record of Apologies and Leave of Absence

Attendance

The Shire President asked Councillors and staff to raise their hands on screen and to confirm that they are connected and in attendance with the following attendees confirmed:

Councillor Paul Gillett

Councillor Bill Adams

Councillor Paul Beech

Councillor Michelle Boylan

Councillor John Bromham

Councillor Francis Burgoyne

Councillor Michelle Campbell

Councillor Craig Carbone

Councillor Robyn Coleman

Councillor Wendy Dickinson

Councillor Tania Jackson

Councillor Amanda Lovitt

Councillor Derrick Simpson

Chief Executive Officer Annie Riordan

Executive Manager Technical Services Rick Lotznicker

Acting Executive Manager Finance and Corporate Dean Winter

Principal Building Surveyor Merv Stewart
Manager Planning Services Simon Hall
Acting Manager Community and Economic Development Richard Duke
Manager Special Projects Pauline Pietersen

Apologies

Nil.

Leave of Absence

Nil.

3. Applications for Leave of Absence

Nil.

4. Reading from a Book of Learning and Wisdom

Read by Councillor Boylan.

5. Declarations of Members' and Officers' Personal Interest

Cr. Lovitt declared an Impartiality Interest in Item 12.5.2 - Leschenault Leisure Centre - Tender for Cleaning Services - Various Tenderers (T032020). Cr. Lovitt advised that she is a member of the Leschenault Leisure Centre gym and the Councillor representative on the Leschenault Leisure Centre Advisory Group. Cr Lovitt declared that she would deal with the matter on its merits and stay in the meeting for the duration of the item.

Cr. Carbone declared a Financial Interest in Item 12.2.4 - Tender T042020 - Leisure Drive Carpark and Drainage - Various Tenderers - Shire of Harvey (T042020). Cr Carbone declared that he has a financial relationship with one of the tenderers and declared that he would leave the meeting for the duration of the item.

Cr. Burgoyne declared a Financial Interest in Item 12.2.4 - Tender T042020 - Leisure Drive Carpark and Drainage - Various Tenderers - Shire of Harvey (T042020). Cr. Burgoyne advised that one of the tenderers is a business owned by his employer and declared that he would leave the meeting for the duration of the item.

Cr. Jackson declared an Impartiality Interest in Item 12.3.2 – Peron Naturaliste Partnership - Memorandum of Understanding - Peron Naturaliste Partnership and City of Mandurah (as Host Council) Cape Peron – Point Naturaliste (B000136). Cr Jackson advised that she is the Council delegate on the Peron Naturaliste Partnership. Cr Jackson declared that she would deal with the matter on its merits and stay in the meeting for the duration of the item.

Cr. Jackson declared an Impartiality Interest in Item 12.3.3 – Consent to Apply for Funding - Capel - Leschenault Coastal Hazard Risk Management and Adaptation Plan - Shire of Harvey Capel – Leschenault (B000183). Cr Jackson advised that she is the Council delegate on the Peron Naturaliste Partnership. Cr Jackson declared that she would deal with the matter on its merits and stay in the meeting for the duration of the item.

Cr. Adams declared an Impartiality Interest in Item 12.2.3 – Proposed Harvey Information Bay - Shire of Harvey - South Western Highway, Harvey (R000002). Cr Adams advised that he is a Council representative on the Mainstreet Committee. Cr Adams declared that he would deal with the matter on its merits and stay in the meeting for the duration of the item.

Cr. Dickinson declared an Impartiality Interest in Item 12.1.2 – Yarloop Workshops Redevelopment – Master Plan Amendment - Shire of Harvey - Yarloop (B000296). Cr Dickinson advised that she is the Council Delegate on the Yarloop Place Advisory Group. Cr Dickinson declared that she would deal with the matter on its merits and stay in the meeting for the duration of the item.

6. Response to Previous Questions Taken on Notice

Nil.

7. Public Question Time

The Shire President advised that the Shire of Harvey has implemented the following procedures for members of the public to submit questions and receive responses during electronic meetings:

- Public Questions are to be in writing and to be received by the Shire of Harvey no later than 10.00am on the day of the meeting;
- Each question will be read in turn by the Shire President and responded to by Councillors or Shire Officers as appropriate; and
- All questions and answers will be included in the Minutes.

No Public Questions were submitted.

8. Petitions/Deputations/Presentations

The Shire President advised that the Shire of Harvey has implemented the following procedures for members of the public to submit Deputations during electronic meetings:

- Deputations are to be in writing and to be received by the Shire of Harvey no later than 10.00am on the day of the meeting;
- That all Deputations are classed as public documents under the *Privacy Act 1988*;
- The CEO will ensure Deputations are emailed to Councillors prior to the commencement of the eMeeting;
- A list of Deputations will be tabled at the eMeeting;
- Where a matter is contentious and it can be deferred it will be subject to a report to Council for Council to make a decision on a deferral until an appropriate time the community can participate; or
- Where a matter is contentious and it cannot be deferred, the Shire President may elect, prior to the commencement of the meeting, to have one speaker for the matter and one speaker against the matter address the eMeeting for a period no longer than 10 minutes each;
- All Deputations will be included in the Minutes and uploaded to the Shire of Harvey website; and
- All Deputations received are classed as public documents under the *Privacy Act 1988*.

The Shire President tabled the List of Deputations from the following people; which will be minuted.

- David Marshall
- Les Peacock
- Jeff Gale
- Michelle Robins
- Carol Sadler
- Seana Sloan
- Christine Mogg
- Aimee Baker
- Leanne Pettersson and Peter McGlew
- Chirag Shah
- Jessica Pedder
- Lee-Anne Ketteringham
- Kristi Elrick
- Steph Hasard
- Ms Rebecca
- Anonymous
- Allan and Jennifer Dunkley
- Alicia Hitchcock

9. Announcements by Presiding Member or CEO Without Discussion

Chief Executive Officer

The Chief Executive Officer advised that the Department of Planning Lands and Heritage signed the completed Shire of Harvey Planning Strategy and put forward her thanks to all staff involved.

10. Confirmation of Minutes

Ordinary Council Meeting – Tuesday, 24 March 2020.

Recommendation

That the Minutes of the Council Meeting held on Tuesday, 24 March 2020, as printed be confirmed as a true and correct record.

Moved: Cr Lovitt

Seconded: Cr Boylan

That the Minutes of the Council Meeting held on Tuesday, 24 March 2020, as printed be confirmed as a true and correct record.

Carried 13-0 20/083.

11. Receipt of Minutes and Recommendations from Committees

Nil.

12. Officer's Reports

Shire of Harvey Standing Orders Local Law 2017 permits Council to adopt recommendations by exception resolution (en-bloc).

Pursuant to Clause 5.5 of the Shire of Harvey Standing Orders Council adopt, by exception resolution, Items 12.1.2 12.2.1, 12.2.5, 12.2.6, 12.3.1, 12.3.2, 12.3.3, 12.3.4, 12.4.1, 12.4.2, 12.5.2.

Items 12.1.1, 12.2.2, 12.2.3, 12.2.4, 12.3.5, 12.5.1, 12.5.3 were discussed and voted on individually.

Council Recommendation

That items 12.1.2 12.2.1, 12.2.5, 12.2.6, 12.3.1, 12.3.2, 12.3.3, 12.3.4, 12.4.1, 12.4.2, 12.5.2 be received and the recommendations contained therein be adopted by Council.

Moved: Cr. Beech

Seconder: Cr. Bromham

That items 12.1.2 12.2.1, 12.2.5, 12.2.6, 12.3.1, 12.3.2, 12.3.3, 12.3.4, 12.4.1, 12.4.2, 12.5.2 be received and the recommendations contained therein be adopted by Council.

Carried 13-0

20/084.

Chief Executive Officer

Item No.	12.1.2
Subject:	Yarloop Workshops Redevelopment – Master Plan Amendment
Proponent:	Shire of Harvey
Location:	Yarloop
Reporting Officer:	Manager Special Projects
Authorising Officer:	Chief Executive Officer
File No.:	B000296

Summary

The Shire of Harvey commenced the redevelopment of the Yarloop Workshops site in 2018. The intention was that the development become an interpretation of the original buildings in new structures that detail the site and town's history in terms of the Workshops, the South West Timber Industry and the destructive fires of 2016.

The appointed Architectural firm, Gresley Abas held extensive community consultation in a series of workshops. The Master Plan for the redevelopment of the Yarloop Workshop site was presented to Council at the Concept Forum in February 2020. Following the Concept Forum, the Consultants were informed to amend the Master Plan to ensure that the essence of the design was maintained, but the extent of development and budget substantially reduced. The Consultants completed the Master Plan accordingly.

This report is a presentation of the amended Master Plan and recommends proceeding with the detailed design, documentation and construction of Stage 1 of the development.

Background

Since the devastating fires of January 2016, the Shire has been involved in various initiatives to redevelop the town of Yarloop. The redevelopment of the Museum at the Timber Mill and Rail Workshops site was identified as a key priority. Based on the Yarloop Town Development Plan prepared by Taylor Burrell Barnett in September 2017, a tender inviting consultants to prepare a Master Plan for the redevelopment of the Yarloop Workshop site was let. The Architectural firm, Gresley Abas was appointed and a Master Plan prepared and completed in March 2019. Extensive community consultation workshops were held and comments noted.

That Master Plan was presented to Council in February 2020 with preliminary costings for the development. After discussion, the Consultants were informed to amend the Master Plan to ensure that the essence of the design was maintained, but the scope and budget were to be reduced. The Consultants have completed the Master Plan with an altered Stage 1 scope which includes site investigation and service infrastructure installation.

Comment**The Proposed Redesign:**

As presented at the Concept Forum of February 2020, Stage 1 comprises:

A. Building Works:

- Steam Workshop;
- Working Facilities – Toilet, Kitchenette, Tool store;
- Men's Shed; and
- Vault Protection, Viewing Deck and Interpretive Scaffolding – Phase 1.

B. Site Works and Infrastructure:

- Site Preparation and Earthworks;
- Walkway to existing Memorial Garden and walls;
- Landscaping;
- Stormwater control;
- Sewer and Water Services;
- Fire Services;
- External Electrical and Lighting Services;
- Telstra Services; and
- Authority Approvals, Communication and Charges.

Discussion

While it is acknowledged that the interpretive scaffolding and deck might not be a tourism priority, the State Heritage Council has control and authority over the site. It is therefore considered that, to gain approval for the Stage 1 Development, this element, as part of the heritage vault protection, be implemented as indicated on the Master Plans (refer **Attachment 1**).

It is further considered that:

- The current lease, still in place between the Shire of Harvey and Yarloop Workshop Inc. notes that, in the event of a fire, the Shire shall have insurance in place to cover the reinstatement of the Complex.
- Prior to the fires of 2016, the Rail Workshops, Timbervard Complex and War Monument was visited by many tourists, local, national and international – approximate figures supplied by Curator at the time:

Daily (average)	3,000 p.a.
Weekend Bus visitors	5,000 p.a.
Special small bus trips – Lunch or tea catered by the Workshop Café	+1,000 p.a.
International War Monument visitors	20 p.a.

It is noted that the tourism figures provided by the Harvey Visitor's Centre averages approximately 1,200 visitors p.a.

Statutory/Policy Environment

Nil.

Strategic Framework

Within the Shire's Strategic Community Plan 2017 – 2027, Strategy 2.1.1 states:

“Encourage the preservation of significant heritage properties and precincts within the Shire.”

Risk Management

The Risk Theme Profile identified as part of this report is **Inadequate Project/Change Management**, The Consequence could be **Reputational** if the insurance moneys are not seen to be expended as anticipated by the community, or **Failure to fulfil Compliance Requirement** according to the Heritage Council expectation. The risk is mitigated by

1. Extensive community consultation, already completed in 2019; and
2. The involvement of the Heritage Architect, Phil Griffiths, in the facility assessment before the fire and as a heritage consultant on the redesign after the fire.

The risk is considered **Minor** and the likelihood **Unlikely**, given that the further development of the Master Plan has included feedback from both community and Council. This results in a **Low** risk being present.

Budget Implications

Funds of \$700,000 have been included in the 2019-20 Budget for consultation and Initial Stage 1 works on the site. The Quantity Surveyor's estimated cost to undertake the Stage 1 works on the Site, Consultation and associated costs, is \$3.45 million. This amount is under 50% of the Insurance monies paid out to the Shire for the destroyed buildings on the site. Refer Concept Estimate (refer **Attachment 2**).

Voting Requirements

Simple Majority.

Officer's Recommendation

That Council:

1. Endorses the Yarloop Workshop Redevelopment as shown in **Attachment 1**;
2. List an amount of \$2,750,000 for consideration in the 2020 - 2021 draft Budget to undertake the continuation of the design, documentation and construction of Stage 1 of the Yarloop Workshop Redevelopment; and notes that the Shire and the Consultant will actively engage and inform the community as part of this process;
3. Notes that the Shire will actively pursue additional grant funding for the Stages 2 and 3 of the Master Plan Redevelopment; and
4. Notes that, at this stage of the process, there will be no commitment to proceed with the Stages 2 and 3 of the Master Plan development without Council's further consideration and determination of the extent of the development, and the extent of grant monies to be received.

Moved: Cr Beech Seconded: Cr Bromham

That Council:

1. **Endorses the Yarloop Workshop Redevelopment as shown in Attachment 1;**
2. **List an amount of \$2,750,000 for consideration in the 2020 - 2021 draft Budget to undertake the continuation of the design, documentation and construction of Stage 1 of the Yarloop Workshop Redevelopment; and notes that the Shire and the Consultant will actively engage and inform the community as part of this process;**

-
3. Notes that the Shire will actively pursue additional grant funding for the Stages 2 and 3 of the Master Plan Redevelopment; and
 4. Notes that, at this stage of the process, there will be no commitment to proceed with the Stages 2 and 3 of the Master Plan development without Council's further consideration and determination of the extent of the development, and the extent of grant monies to be received.

Carried 13-0 20/085.

Technical Services

Item No.	12.2.1
Subject:	Constellation Drive, Treendale, Proposed Traffic Safety Improvement between Grand Entrance and The Boulevard – Further Report
Proponent:	Shire of Harvey
Location:	Australind
Reporting Officer:	Executive Manager Technical Services
Authorising Officer:	Chief Executive Officer
File No.:	R000005

Summary

At its meeting held on 25 February 2020, Council considered a report regarding Constellation Drive being used as a 'rat run' between Grand Entrance and The Boulevard and that this was creating a number of traffic and safety issues.

Following consideration of the matter, Council endorsed a draft Traffic Management proposal for the street as shown on plans A to C in **Attachment 1**, and requested that community consultation be undertaken before further considering the matter.

Council was also advised that a concept design and costings for the reconfiguration of The Promenade would also be undertaken including the reconfiguration of The Boulevard and The Promenade intersection.

This report outlines the outcome of the community feedback and recommends a possible way forward.

Background

As previously reported to Council, traffic modelling at the subdivision development stage indicated that Constellation Drive would carry up to 6,300 vehicles per day (vpd) and that The Promenade would carry up to 13,600vpd. Currently, however, Constellation Drive is carrying greater volumes of traffic than The Promenade due mainly to the following reasons:

- The Promenade has been designed as a parking area with roadside and centre of road angle parking and has a posted speed of 40kph with traffic calming; and
- Constellation Drive has a posted speed of 50kph, no traffic calming and its geographic layout in the road network allows convenient access between The Boulevard and Grand Entrance.

To address this anomaly Council endorsed a Traffic Management proposal for Constellation Drive and requested that the community be requested to provide their comments on the proposal as shown in **Attachment 1**.

Comment

On 3 March 2020, 74 consultation packs were distributed to owner/occupiers along Constellation Drive and the request for feedback was posted on the Shire's website. The consultation pack included: background details of Council's decision, funding details, plans and a feedback form where residents were encouraged to indicate whether they supported, objected, or neither supported or objected to the proposal, with an opportunity to provide comments.

At the close of consultation on 20 March 2020 only four responses were received with three in favour and one who neither supported or objected to the proposal.

In Favour

Respondent	Respondent Comments	Officer Comments
1	Request speed humps to be closer to corner Jupiter Drive – reversing out of driveway onto speed hump would be dangerous. Traffic leaving Jupiter, this will also slow them down. With Tavern opening in near future – traffic is going to increase dramatically. Extension of Kingston will place a huge amount of traffic on Constellation Drive. Would like larger and wider speed humps.	<ul style="list-style-type: none"> Plan can be modified to suit this request
2	No additional comments	<ul style="list-style-type: none"> Noted
3	I support the proposal	<ul style="list-style-type: none"> Noted

Neither Support nor Object

Respondent	Respondent Comments	Staff Comments
4	Only objection I have is that the 2 centre islands will facilitate more crossing points over Constellation Drive i.e. they will cross at many points using the islands as a safety zone. In doing so, they will be trampling over my lawn area – I take pride in my lawn area, this will cause wear and tear. The other factor of concern is the noise going over speed humps. Being on a corner of T-Junction, I do get a fair bit of noise be accelerating vehicles which are obviously decibels over the legal limit. Maybe “peace & quiet” should be a Council issue.	<ul style="list-style-type: none"> Comments noted however it is intended that the footpath be extended to join up with the crossing point. There will be no need to walk on the lawn. The other proposed island is designed to channel traffic only. The speed cushions are designed to allow larger vehicles to straddle them. Also should they be installed, it is envisaged that the traffic volumes will decrease.

The Promenade proposed reconfiguration

As previously reported to Council, the extension of Kingston Drive from Ditchingham Place to Paris Road, will generate more north south traffic. As per the traffic modelling undertaken, this traffic would be expected to use The Promenade to access The Boulevard.

The concern expressed by a few residents prior to the community consultation, was that unless some measures were implemented in Constellation Drive to regulate traffic, the future Kingston Drive traffic would use Constellation Drive thus further exacerbating the current traffic issues.

Reconfiguring The Promenade, including improving The Boulevard/The Promenade Intersection (possible future Roundabout), would facilitate better north south traffic movement on roads intended for this purpose and reduce the dependence on Constellation Drive.

A detailed proposal for the reconfiguration of The Promenade has been prepared and includes the following (refer **Attachment 2**).

- 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 angle parking, clock tower etc.

Discussion

Given the very low response to the community consultation for the proposed Constellation Drive Traffic Management proposal, i.e. less than a 5% response, it is considered that the issue of traffic may not be a factor for the majority of residents in the street.

The speed cushions proposed by Shire officers were proposed to act as a deterrent for motorists using the street rather than as a measure for reducing vehicle speeds, as the 85% speed is currently around 50kph. Also the current traffic volumes are just over 4,000 vehicles per day where the maximum design traffic volumes are 6,300 vehicles per day.

While it is acknowledged that The Promenade is currently carrying fewer vehicles than Constellation Drive, it is considered that the reconfiguration of The Promenade, as proposed, would reverse this trend.

It is therefore, considered that to improve traffic safety and amenity that only line marking and traffic island be implemented at this stage as shown on Plans D and E at **Attachment 3** and that this be monitored.

It is further considered that the proposed changes to The Promenade, when implemented, would more than likely resolve any Constellation Drive traffic issues and if not, the speed cushion proposal could be revisited at that time.

Statutory/Policy Environment

Nil.

Strategic Framework

Within the Shire's Strategic Community Plan 2017 – 2027, Strategies 3.6.1 states:

"Provide a safe standard of roads and ancillary infrastructure."

Risk Management

The Risk Theme Profile identified as part of this report is **Inadequate Engagement Practices**. The Consequence could be **Reputational** if the community is not supportive of the projects, however stakeholders have been consulted. The Risk Consequence is considered to be **Moderate** and the likelihood **Unlikely** resulting in a **Low** risk being present.

Budget Implications

No funds have been included in the 2019 - 2021 Budget for works on either Constellation Drive or The Promenade. The estimated cost to undertake the intersection improvement works in Constellation Drive is \$25,000 and The Promenade reconfiguration has been estimated to cost in the order of \$180,000.

Voting Requirements

Simple Majority.

Officer's Recommendation

That Council:

1. Notes the feedback received from the community with regards to the proposed Constellation Drive Traffic Management proposal shown in **Attachment 1**;
2. List an amount of \$25,000 for consideration in the 2020 - 2021 draft Budget to undertake line marking and intersection improvements along Constellation Drive, excluding the installation of speed cushions, as shown in **Attachment 3**;
3. Endorses The Promenade reconfiguration, as shown in **Attachment 2** estimated to cost in the order of \$180,000 and notes that the Shire will actively pursue Regional Road Group grant funding for the proposal whereby the Shire's contribution would be 33% of the cost or \$60,000; and
4. Advises the respondents of its decision.

Moved: Cr Beech Seconded: Cr Bromham

That Council:

1. **Notes the feedback received from the community with regards to the proposed Constellation Drive Traffic Management proposal shown in Attachment 1;**
2. **List an amount of \$25,000 for consideration in the 2020 - 2021 draft Budget to undertake line marking and intersection improvements along Constellation Drive, excluding the installation of speed cushions, as shown in Attachment 3;**
3. **Endorses The Promenade reconfiguration, as shown in Attachment 2 estimated to cost in the order of \$180,000 and notes that the Shire will actively pursue Regional Road Group grant funding for the proposal whereby the Shire's contribution would be 33% of the cost or \$60,000; and**
4. **Advises the respondents of its decision.**

Carried 13-0

20/086.

Technical Services

Item No.	12.2.5
Subject:	Tender T062020 – Supply and Delivery of One Vibrating Smooth Drum Steel Roller
Proponent:	Shire of Harvey
Location:	Various
Reporting Officer:	Manager Engineering Services
Authorising Officer:	Executive Manager Technical Services
File No.:	T062020

Summary

Tender T062020 for the Supply and Delivery of one vibrating smooth drum Steel roller closed on Thursday, 9 April 2020 and at the close of tender six submissions were received.

Following a detailed assessment of the tender submissions, the evaluation panel considered that one of the tenderers represented the best value for the Shire's operations. This report recommends that Council awards the tender as per the recommendation contained in **Confidential Attachment 1**.

Background

In the 2019 - 20 Budget, Council included the purchase of one new vibrating smooth drum steel roller to replace the existing vibrating roller which reached the optimum time for replacement.

Details of the conforming tenders received including tender assessments are included in **Confidential Attachment 1**.

Comment

Tenders Received:

Tenders were received from the following companies:

- Tutt Bryant Equipment.
- Wirtgen Group.
- GCM Agencies Pty Ltd.
- Porter Equipment Australia.
- Construction Equipment Australia.
- Complant Pty Ltd.

The following evaluation criteria was applied in the assessment of the tenders:

Evaluation Criteria		Weighting
Price Tender	<ul style="list-style-type: none"> • The total cost of one Vibrating Smooth Drum Steel Roller 	30%
Product Features	<ul style="list-style-type: none"> • Product features to undertake required works. • Conformance with specification. • Noise levels. 	25%

Special Facilities	<ul style="list-style-type: none"> • Ease of vehicle servicing location of service facility/s. • Availability of spare parts. • Number of technical support staff. 	25%
Life Cycle Costs	<ul style="list-style-type: none"> • Operate/service/maintain costs to be stated. • Warranty period to be stated. 	10%
Operators Ergonomics	<ul style="list-style-type: none"> • Ease of operation/controls. • Operator comfort. 	5%
Delivery	<ul style="list-style-type: none"> • Tenderer to state time frame of delivery of new vehicle. Timeframe stated will be evaluated based on timeframes submitted. 	5%
TOTAL		100%

The Tender Evaluation panel included the Manager Engineering Services, HR Officer and Supervisor Engineering Services. Each tender submission was assessed using the above criteria. The assessment is contained within ***Confidential Attachment 1***.

Statutory/Policy Environment

Section 3.57 of the *Local Government Act 1995*, and Part 4 Local Government (Functions and General) Regulations 1996, provides a mechanism for the purchase of goods and services by Public Tender.

Regulation 18 of Local Government (Functions and General) Regulations 1996 – Choice of Tender gives Council the option to accept or decline a tender.

Shire of Harvey Policy 2.211 - Purchasing which provides compliance with the *Local Government Act 1995*, and the Local Government (Functions and General) Regulations 1996.

Strategic Framework

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

“Ensure compliance with relevant financial management and audit legislation”.

Risk Management

The Risk Theme Profile identified as part of this report is **Inadequate Supplier/Contract Management**. The Consequence could be **Compliance** and **Financial Impact** if due process is not followed in terms of the Shire's Purchasing Policy and *the Local Government Act 1995*. The Risk Consequence is considered to be **Moderate** and the likelihood **Unlikely** resulting in a **Low** risk being present.

Budget Implications

The 2019-20 Budget includes a capital Budget allocation of \$160,000 for the acquisition of a vibrating smooth drum steel roller.

Voting Requirement

Simple Majority.

Officer's Recommendation

That Council awards Tender T062020 for the Supply and Delivery of one vibrating smooth drum steel roller as per the recommendation contained within ***Confidential Attachment 1***.

Moved: Cr Beech Seconded: Cr Bromham

That Council:

- 1. Awards Tender No. T062020 to Tutt Bryant Equipment (Bomag) for the tender price of \$159,950 (excluding GST); and**
- 2. Authorises the Chief Executive Officer to prepare and sign the required contract documentation.**

Carried 13-0 20/087.

Technical Services

Item No.	12.2.6
Subject:	Tender T052020 – Supply and Delivery of One 6x4 Tip Truck
Proponent:	Shire of Harvey
Location:	Various
Reporting Officer:	Manager Engineering Services
Authorising Officer:	Executive Manager Technical Services
File No:	T052020

Summary

Tender T052020 for the Supply and Delivery of one 6 x 4 Tip Truck closed on Thursday, 9 April 2020 and at the close of tender four submissions were received.

Following a detailed assessment of the tender submissions, the evaluation panel considered that one of the tenderers represented the best value for the Shire's operations. This report recommends that Council accepts the tender as per the recommendation contained in **Confidential Attachment 1**.

Background

In the 2019 - 2020 Budget, Council included the purchase of one new 6 x 4 Tip Truck to replace the existing UD Quon Tip Truck which reached the optimum time for replacement.

Details of the conforming tenders received including tender assessments are included in **Confidential Attachment 1**.

Comment

Tenders Received:

Tenders were received from the following companies:

- Truck Centre WA Pty Ltd (UD).
- Automotive Holdings Group (Hino).
- Daimler Trucks, Perth (Mitsubishi Fuso).
- Daimler Trucks, Perth (Mercedes Benz).
- South West Isuzu (Isuzu).

The following evaluation criteria was applied in the assessment of the tenders:

Evaluation Criteria		Weighting
Price Tender	<ul style="list-style-type: none"> • The total cost of one 6x4 Tip Truck. 	30%
Product Features	<ul style="list-style-type: none"> • Product features to undertake required works. • Conformance with specification. • Noise levels. 	25%
Special Facilities	<ul style="list-style-type: none"> • Ease of vehicle servicing location of service facility/s. • Availability of spare parts. • Number of technical support staff. 	25%

Life Cycle Costs	<ul style="list-style-type: none"> • Operate/service/maintain costs to be stated. • Warranty period to be stated. 	10%
Operators Ergonomics	<ul style="list-style-type: none"> • Ease of operation/controls. • Operator comfort. 	5%
Delivery	<ul style="list-style-type: none"> • Tenderer to state time frame of delivery of new vehicle. Timeframe stated will be evaluated based on timeframes submitted. 	5%
TOTAL		100%

The Tender Evaluation panel included the Manager Engineering Services, HR Officer, and Supervisor Engineering Services. Each tender submission was assessed using the above criteria. The assessment is contained within ***Confidential Attachment 1***.

Statutory/Policy Environment

Section 3.57 of the *Local Government Act 1995*, and Part 4 Local Government (Functions and General) Regulations 1996, provides a mechanism for the purchase of goods and services by Public Tender.

Regulation 18 of Local Government (Functions and General) Regulations 1996 – Choice of Tender gives Council the option to accept or decline a tender.

Shire of Harvey Policy 2.211 - Purchasing which provides compliance with the *Local Government Act 1995*, and the Local Government (Functions and General) Regulations 1996.

Strategic Framework

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

“Ensure compliance with relevant financial management and audit legislation”.

Risk Management

The Risk Theme Profile identified as part of this report is **Inadequate Supplier/Contract Management**. The Consequence could be **Compliance** and **Financial Impact** if due process is not followed in terms of the Shire's Purchasing Policy and *the Local Government Act 1995*. The Risk Consequence is considered to be **Moderate** and the likelihood **Unlikely** resulting in a **Low** risk being present.

Budget Implications

The 2019-20 Budget includes a capital Budget allocation of \$260,000 for the acquisition of a 6x4 Tip Truck.

Voting Requirement

Simple Majority.

Officer's Recommendation

That Council awards Tender T052020 for the Supply and Delivery of one 6 x 4 Tip Truck as per the recommendation within the ***Confidential Attachment 1***.

Moved: Cr Beech Seconded: Cr Bromham

That Council:

- 1. Awards Tender T052020, Supply and Delivery of one 6 x 4 Tip Truck to Truck Centre WA Pty Ltd for the tender price of \$198,670 (excluding GST); and**
- 2. Authorises the Chief Executive Officer to prepare and sign the required contract documentation.**

Carried 13-0

20/088.

Development Services

Item No.	12.3.1
Subject:	Leschenault Regional Park – Endorsement of Draft Management Plan, Naming and Memorandum of Understanding
Proponent:	Department of Biodiversity, Conservation and Attractions
Location:	Capel – Leschenault
Reporting Officer:	Manager Planning Services
Authorising Officer:	Chief Executive Officer
File No.:	B000186
	Attachment Reg. 20/13508

Summary

The Department of Biodiversity, Conservation and Attractions (DBCA) has been coordinating the preparation of a draft Management Plan for the proposed Greater Bunbury Regional Park (the Park), comprising the Preston River to Ocean Regional Park and the Leschenault Regional Park (refer **Attachment 1**), with assistance and input from relevant State and local government agencies, including the Shire of Harvey.

The Shire has been represented on an inter-agency Working Group, assisting with the preparation of the draft Management Plan and as evidenced by **Attachment 2**, has been requested by DBCA to formally endorse the attached *Greater Bunbury Regional Park Draft Management Plan 2020*, prior to it being released for public comment.

Within the Park is land owned freehold by the Shire, proposed to be transferred to DBCA for its long term management. Prior to that land being formally transferred, it is recommended that a Memorandum of Understanding (MoU) be entered into between the Shire and DBCA to establish the roles, responsibilities, governance and working arrangements associated with these land parcels. A copy of the Draft MoU is contained within **Attachment 3**.

Through the preparation of the draft Management Plan, the Community Advisory Committee recommended that the two parks (Preston River to Ocean Regional Park and the Leschenault Regional Park) be combined under one Noongar name, the outcome of which is “*Kalgulup Regional Park*”, with Kalgulup meaning place of fire or place of burning campfires. Endorsement for the proposed name is also being sought from DBCA, refer **Attachment 4**.

It is recommended that Council endorses the draft Management Plan for advertising, authorises the Chief Executive Officer to sign the Memorandum of Understanding and endorses the name Kalgulup Regional Park.

Background

Management Plan

The creation of two Regional Parks (Preston River to Ocean Regional Park and Leschenault Regional Park) was an election commitment of the State Government and is a key part of “Plan For Our Parks”, which aims to create five million hectares of new national and marine parks and reserves across Western Australia.

The regional parks consist of lands that have been identified as Regional Open Space under the Greater Bunbury Region Scheme and managed by a range of agencies, local governments and private landholders including the Shire of Harvey.

The DBCA, in conjunction with a Community Advisory Group and inter-Agency Working Group, has been coordinating the preparation of a draft Management Plan for the proposed Greater Bunbury Regional Park under the *Conservation and Land Management Act 1984*. Shire Officers have had significant input in the preparation of this plan as it will provide strategic guidance to all local and State government agencies managing lands in the Parks.

Memorandum of Understanding

The proposed Park includes a number of Crown Reserves vested with, or freehold owned and managed by, the Shire of Harvey (the Shire). This MoU aims to provide an interim management agreement for the DBCA to access and undertake defined management activities on Crown Reserves vested with, and freehold owned and managed by, the Shire to compliment the Shire's current management activities.

The intention is that this MoU will be in place until the land tenure arrangements have been identified through the management planning process and the agreed Crown Reserves and freehold are formally vested in the Conservation and Parks Commission.

Naming of the Park

The Regional Park Community Advisory Committee identified a preference for:

- A single name being identified for the Greater Bunbury Regional Parks;
- A Noongar name be identified for the park; and
- Consideration be given to linking the park branding (colour and motif for signage) to the park name.

DBCA held a series workshops with representatives from the Gnaala Karla Booja (GKB) Native Title Working Party (nominated by South West Aboriginal Land and Sea Council SWALSC), focussing on the park name, branding and vision statement for the Park. The name identified is Kalgulup Regional Park, with Kalgulup meaning place of fire or place of burning campfires.

The significance of Kalgulup is that fire:

- Is at the heart of Aboriginal culture;
- Symbolises importance/role of fire in supporting life (warmth, cooking, healing);
- Stories were told around campfires;
- Fire was utilised for land management and shaped the landscape; and
- Fire was carried along pathways from camp to camp.

Comment

Management Plan

The preparation of draft Management Plan has involved a considerable amount of Officer input and appropriately reflects the role and responsibilities between relevant State and local government agencies and does not result in a level of management which exceeds the Shire's current obligations.

It is recommended that Council endorses the *Greater Bunbury Regional Park Draft Management Plan 2020*, as detailed within **Attachment 1**, to progress it being released for public comment.

Memorandum of Understanding

The MOU is an administrative document that seeks to ensure mutually beneficial working arrangements, within the resources available to both agencies. The document also provides interim arrangements for DBCA to commence the management activities on the Shire's land referred to in the MOU.

It is recommended that the Chief Executive Officer be authorised to sign the Memorandum of Understanding associated with the *Management of and access to lands vested in the Shire of Harvey within the proposed Leschenault Regional Park*.

Naming of the Park

As evidenced above, the process associated with the naming of the Park has been extensive and included all relevant parties.

It is recommended that Council endorse the name *Kalgulup Regional Park*.

Statutory/Policy Environment

The proposed name of the Park is considered consistent with Landgate's Policies and Standards for Geographical Naming in Western Australia (2017) in that it is easy to pronounce, spell and write, is meaningful and appropriate and doesn't duplicate existing names in the area.

The draft Management Plan for the proposed Park has been prepared under the *Conservation and Land Management Act 1984*.

Strategic Framework

Within the Shire's Strategic Community Plan 2017 - 2027, Strategies 1.2.11 and 2.4.3 state:

- 1.2.11 Increase the range and accessibility of amenities and infrastructure at strategic points along our waterways, whilst protecting the environment.*
- 2.4.3 Progress opportunities to increase accessibility and improve the range of amenities and infrastructure at the Leschenault Estuary.*

Risk Management

The Risk Theme Profile identified as part of this report relates to the adoption of management obligations contained within the Management Plan and the transferring of land to DBCA and is **Inadequate Engagement Practices**. The Consequence is **Compliance** should the DBCA not undertake adequate community engagement. The consequence rating is **Moderate** and the likelihood is **Rare** resulting in a **Low** risk being present.

Budget Implications

Nil.

Voting Requirement

Simple Majority.

Officer's Recommendation

That Council:

1. Advises the Department of Biodiversity, Conservation and Attraction that it endorses the *Greater Bunbury Regional Park Draft Management Plan 2020*, as detailed within **Attachment 1**, to progress it being released for public comment;
2. Authorises the Chief Executive Officer to sign the Memorandum of Understanding associated with the *Management of and access to lands vested in the Shire of Harvey within the proposed Leschenault Regional Park* as detailed within **Attachment 3**; and
3. Advises the Department of Biodiversity, Conservation and Attraction that it endorses the singular name Kalgulup Regional Park for the currently named *Greater Bunbury Regional Park* comprising of the Preston River to Ocean Regional Park and the Leschenault Regional Park.

Moved: Cr Beech Seconded: Cr Bromham

That Council:

1. **Advises the Department of Biodiversity, Conservation and Attraction that it endorses the *Greater Bunbury Regional Park Draft Management Plan 2020*, as detailed within *Attachment 1*, to progress it being released for public comment;**
2. **Authorises the Chief Executive Officer to sign the Memorandum of Understanding associated with the *Management of and access to lands vested in the Shire of Harvey within the proposed Leschenault Regional Park* as detailed within *Attachment 3*; and**
3. **Advises the Department of Biodiversity, Conservation and Attraction that it endorses the singular name Kalgulup Regional Park for the currently named *Greater Bunbury Regional Park* comprising of the Preston River to Ocean Regional Park and the Leschenault Regional Park.**

Carried 13-0

20/089.

Development Services

Item No.	12.3.2
Subject:	Peron Naturaliste Partnership – Memorandum of Understanding
Proponent:	Peron Naturaliste Partnership and City of Mandurah (as Host Council)
Location:	Cape Peron – Point Naturaliste
Reporting Officer:	Manager Planning Services
Authorising Officer:	Chief Executive Officer
File No.:	B000136
	Attachment Reg. No. 20/07506

Summary

At its meeting held 31 October 2017, Council resolved to endorse the 2017 Memorandum of Understanding (MoU) with the Peron Naturaliste Partnership (PNP). That MoU has expired and Council is requested to endorse the 2019 MoU (**Attachment 1**).

The 2019 MoU details the roles, responsibilities, governance and working arrangements of the Executive Officers of the PNP and Board and is presented to Council for endorsement.

Background

The PNP includes the local governments of Bunbury, Busselton, Capel, Dardanup, Harvey, Mandurah, Murray, Rockingham and Waroona. The vision of the PNP is to empower a resilient regional community to reduce risks and optimise opportunities presented by climate change.

The primary objective of the PNP is to provide a regional mechanism to facilitate effective and timely adaptation responses to climate change. Specific objectives to achieve the vision and primary objective are to:

- Demonstrate regional leadership to support effective advocacy at all levels of government;
- Facilitate access to data and information relevant to the Peron Naturaliste coastal (including estuarine) areas;
- Adopt a regional approach to the preparation of applications for grants and other submissions to support timely adaptation responses to climate change;
- Promote consistent information to coastal communities and decision-makers about vulnerability and risk and adaptation strategies;
- Share local knowledge and experience to support and inform effective and innovative adaptation responses;
- Collaborate over the management implications of the risk to life and property caused by climate change; and
- Identify and address current and potential coastal (including estuarine) hazards through research and project development.

The above local governments entered into a MoU in March 2011, re-signed a further MoU (2013 – 2015) in February 2013, again in September 2015 and 31 October 2017. On 25 March 2015, the PNP became an incorporated association.

Comment

The Shire recognises the issue of climate change and the potential for sea level increases as identified under State Planning Policy 2.6 *State Coastal Planning*. In this regard, the Shire is committed to working with the PNP with a goal of establishing an appropriate planning framework to adequately deal with these matters into the future.

Since the incorporation of the PNP in September 2015, it has been recognised that in addition to a Constitution there should remain a MoU between the PNP and each local government. The original MoU was endorsed in 2011 and was amended to include consistent multi-level numbering throughout, with particular attention to Section 4.

Officers advise that the MoU is an agreement between the PNP and each member of local government. It provides on a non-legally binding basis, an outline of the expectations of the parties, their respective roles and responsibilities and details the governance and working arrangements to achieve the agreed objectives. The MoU includes an outline of the general operating approach and expenses of the host local government, currently the City of Mandurah.

Statutory/Policy Environment

Section 1.3 (3) of the *Local Government Act 1995* states:

“In carrying out its functions a local government is to use its best endeavours to meet the needs of current and future generations through integration of environmental protection, social advancement, and economic prosperity”.

In order to “*meet the needs of current and future generations*”, the PNP has been formed to address regional issues associated with climate change impacts on its community.

Regulation 32 Local Government (Functions and General) Regulations 1996 states:

“32. Local government permitted to form incorporated association (Act s. 3.60)

(1) A local government may form or take part in forming an association that is to be incorporated under the *Associations Incorporation Act 1987* and may do things for the purpose of the incorporation of the association under that Act.”

Strategic Framework

Within the Shire’s Strategic Community Plan 2017 - 2027, Strategy 2.8.2 states:

“Maintain the Shire’s involvement with the Peron Naturaliste partnership, in relation to risk management of coastline impacts.”

Risk Management

The Risk Theme Profile identified as part of this report is **Inadequate Engagement Practices**. The Consequence is **Governance** should Council not follow the requirements of Regulation 32 Local Government (Functions and General) Regulations 1996. The signing of the MoU provides an appropriate governance framework thereby resulting in a consequence rating as **Moderate** and the likelihood is **Rare** resulting in a **Low** risk being present.

Budget Implications

The Shire's 2019-2020 Budget includes an allocation of \$20,572 as a contribution towards operational costs of the PNP, to allow for the continuation of the Shire of Harvey within the Peron Naturaliste Partnership and its implementation.

Voting Requirement

Simple Majority.

Officer's Recommendation

That Council authorises the Chief Executive Officer to sign the 2019 Memorandum of Understanding with the Peron Naturaliste Partnership as contained within ***Attachment 1***.

Moved: Cr Beech Seconded: Cr Bromham

That Council authorises the Chief Executive Officer to sign the 2019 Memorandum of Understanding with the Peron Naturaliste Partnership as contained within *Attachment 1*.

Carried 13-0

20/090.

Development Services

Item No.	12.3.3
Subject:	Consent to Apply for Funding – Capel – Leschenault Coastal Hazard Risk Management and Adaptation Plan
Proponent:	Shire of Harvey
Location:	Capel – Leschenault
Reporting Officer:	Manager Planning Services
Authorising Officer:	Chief Executive Officer
File No.:	B000183
Attachment Reg. 20/04857	

Summary

The Shire adopted its Coastal Hazard Risk Mapping and Adaptation Plan (CHRMAP) for the open coastline in February 2017. That CHRMAP did not include the Leschenault Estuary, Collie or Brunswick Rivers as they were not defined as 'coastline' at the time.

Officers from adjoining Shires, Peron Naturaliste Partnership (PNP), relevant State Agencies and the Southern Port Authority have established an informal Steering Group for the preparation of an application for funding (**Confidential Attachment 1**) from the Department of Planning Land and Heritage (DPLH) for a Capel – Leschenault Coastal Hazard Risk Management and Adaptation Plan (CL/CHRMAP) which includes the coastal, estuarine and riverine systems as detailed within that attached plan (**Attachment 1**).

The draft copy of the funding application includes reference to budget implications for each party (**Confidential Attachment 2**) and the requirement for a Memorandum of Understanding (MoU) to guide the roles, responsibilities and governance of the Steering Group. A copy of the Draft MoU is contained within **Attachment 2**.

It is recommended that Council endorses the submission of the funding application, approves the inclusion of \$31,972 within the 2020 - 2021 Budget and authorises the Chief Executive Officer to sign the Memorandum of Understanding.

Background

In 2014, the Shire received a grant allocation of \$50,000 from the "Coastal Management Plan Assistance Program" (CMPAP) and an additional \$50,000 from the Peron Naturaliste Partnership (PNP) resulting in a total project budget of \$100,000 to undertake the 2017 CHRMAP. That CHRMAP has been approved and the grant acquitted.

In 2016, the Shire received a Coastal Adaptation and Protection (CAP) grant of \$50,000 from the Department of Transport to undertake a Geophysical Assessment in Binningup. That work has been completed and acquitted for \$44,560.

A consultant was appointed in October 2019 to prepare a CHRMAP specific for the construction of the new café/restaurant at Ridley Place. No external funding was sought and the draft CHRMAP has only recently been received and will be referred to Council for endorsement in May 2020.

Comment

The preparation of a CL/CHRMAP for the City of Bunbury and the Shires of Capel, Dardanup and Harvey, that aims to improve our understanding of coastal, estuarine and riverine features, processes, hazards and vulnerability is considered a necessary body of work to further compliment the previous CHRMAPs and biophysical assessments within the Shire.

As evidenced in the report, the Shire has been successful in the past in obtaining external funding for coastal planning works and Officers are confident this combined application with adjoining local authorities and land managers will also be successful. Officers recommend that a funding allocation from the Shire of \$31,972 be supported as it represents minimal expenditure to obtain a significant amount of information to inform future proposals and coastal management in general.

Should the funding allocation be approved, the preparation of the CL/CHRMAP is understood to require two years to complete. To this effect, the establishment of a Steering Group is considered appropriate and its functioning to be carried out in accord with the MoU contained within **Attachment 2** necessary.

Consistent with the MoU, the Steering Group will be the approving entity in regard to the engagement of a consultancy team and overseeing the process. The draft CL/CHRMAP will be referred to Council prior to advertising.

Statutory/Policy Environment

State Planning Policy 2.6 – State Coastal Planning Policy (SPP2.6)

SPP 2.6 provides the framework for the preparation and adoption of local government Coastal Hazard Risk Management and Adaptation Plans.

Strategic Framework

Within the Shire's Strategic Community Plan 2017 - 2027, Strategy 2.8.2 states:

"Maintain the Shire's involvement with the Peron Naturaliste partnership, in relation to risk management of coastline impacts."

Budget Implications

Funding for this project is unbudgeted. It is requested that Council approves the allocation of \$31,972 within the Shire of Harvey 2020-2021 Budget.

Risk Management

The Risk Theme Profile identified as part of this report relates to the proposal should the funding grant be supported and is **Inadequate Engagement Practices**. The Consequence is **Compliance** should the Steering Group not follow the prescriptive milestones report required by the Department of Planning Lands and Heritage. The consequence rating is **Moderate** and the likelihood is **Rare** resulting in a **Low** risk being present.

Voting Requirement

Simple Majority.

Officer's Recommendation

That Council:

1. Endorses the submission of the Coastal Management Plan Assistance Program 2020 - 2021 funding application for the Capel – Leschenault Coastal Hazard Risk Management and Adaptation Plan, as detailed with ***Confidential Attachment 1***;
2. Approves the inclusion of \$31,972 within the 2020 – 2021 Draft Budget for the preparation of the Capel – Leschenault Coastal Hazard Risk Management and Adaptation Plan;
3. Authorises the Chief Executive Officer to sign the Memorandum of Understanding associated with the establishment of the Steering Group to oversee the preparation of the Capel – Leschenault Coastal Hazard Risk Management and Adaptation Plan; and
4. Receives a further report on the draft Capel – Leschenault Coastal Hazard Risk Management and Adaptation Plan, prior to advertising.

Moved: Cr Beech Seconded: Cr Bromham

That Council:

1. **Endorses the submission of the Coastal Management Plan Assistance Program 2020 - 2021 funding application for the Capel – Leschenault Coastal Hazard Risk Management and Adaptation Plan, as detailed with *Confidential Attachment 1*;**
2. **Approves the inclusion of \$31,972 within the 2020 – 2021 Draft Budget for the preparation of the Capel – Leschenault Coastal Hazard Risk Management and Adaptation Plan;**
3. **Authorises the Chief Executive Officer to sign the Memorandum of Understanding associated with the establishment of the Steering Group to oversee the preparation of the Capel – Leschenault Coastal Hazard Risk Management and Adaptation Plan; and**
4. **Receives a further report on the draft Capel – Leschenault Coastal Hazard Risk Management and Adaptation Plan, prior to advertising.**

Carried 13-0

20/091.

Development Services

Item No.	12.3.4	
Subject:	Building Envelope Modification	
Proponent:	Graeme Cornell	
Location:	Lot 76 (No. 15) Green Way, Leschenault	
Reporting Officer:	Planning Officer (IF)	
Authorising Officer:	Manager Planning Services	
File No.:	A006444	Attachment Reg. No. 20/10513

Summary

An Application for Development Approval has been received to modify the existing Designated Building Envelope (DBE) on Lot 76 (No. 15) Green Way, Leschenault (refer **Attachment 1**). The proposal seeks to increase the size of the DBE by 216m².

The application is referred to Council as Officers do not have delegation to make a determination an application that proposes an increase in the size of the DBE.

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

Background**Site Description**

Lot 76 (No. 15) Green Way, Leschenault is zoned "Special Residential" under the Shire's District Planning Scheme No. 1 (the Scheme). The site is of regular shape with an area of 8,016m² and has existing vegetation (**Attachment 2**).

Existing improvements on the property includes a single dwelling and a large concrete pad where a future outbuilding is proposed to be located.

Proposal

The application proposes to extend the DBE by 5m to the north, resulting in an increase of 216m² to the size of the DBE (**Attachment 3**). The purpose of the modification is to accommodate an outbuilding and associated retaining wall. The Applicant has expressed that the outbuilding cannot be positioned further south due to the location of the effluent disposal system.

The Applicant has advised that no vegetation will be removed as part of this application, although it should be noted that the modification to the DBE will result in a number of trees transitioning from outside the DBE to within it.

Advertising

Pursuant to Clause 64 of the Planning and Development (Local Planning Schemes) the property owner to the north of the subject site was required to be notified of the proposal. The Applicant provided a letter of support from the northern adjoining property owner (**Attachment 4**) as part of the application.

Comment

The minimum setbacks for land zoned “Special Residential” under the Scheme are 20m (front), 10m (rear) and 5m (sides). At present, the existing DBE of the subject site, as well as surrounding properties, have side setbacks of 10m. Reducing the northern side setback of the property from 10m down to 5m does not contravene the minimum setbacks set by the Scheme. Although the proposal seeks to increase the size of the DBE, Officers have determined that the extension will not adversely impact the amenity of the adjoining property. Adjoining landowners to the north have also indicated that they have no objection to the proposal and do not foresee there being any detrimental impacts to the amenity of their property.

The extension to the DBE will result in some existing vegetation being located within the envelope, although the Applicant has advised that no vegetation will be removed as part this application, or the application for the proposed outbuilding which will be submitted following the modification to the DBE. The site has extensive vegetation outside the DBE which will continue to be retained.

Statutory/Policy Environment***Planning and Development Act 2005*****Planning and Development (Local Planning Schemes) Regulations 2015**

Schedule 2 – Deemed Provisions, Section 64 – Advertising Applications:

- ‘(1) An application for development approval must be advertised under this clause if the proposed development – ‘*
 - ‘(b) does not comply with a requirement of this Scheme;*
- ‘(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;’*

Shire of Harvey District Planning Scheme No.1

- Clause 5.2 Special Residential Requirements:

5.2.5- “Where a “Special Residential” Zone has been approved subject to development being contained within designated building envelopes on each lots, no buildings or development including outbuildings shall be permitted to be erected outside the building envelope.

5.2.6 Notwithstanding the provisions of Clause 5.2.4, but subject to the provisions of Schedule 3, the local government may modify the size, shape or position of any building envelope on a lot provided it is satisfied that such action would result in less disturbance to existing vegetation on the lot and would not increase the exposure of any development from outside the lot.

- Table 1- Zoning and Development Standards “Special Residential”- Minimum Boundary Setbacks.

Shire of Harvey Delegations Register

Delegation 4.1.19 – Building Envelope Modification

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**. The Consequence could be **Reputational or Compliance** if incorrect advice is given 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.

Officer's Recommendation

That Council:

1. Approves the Application for Development Approval for a Designated Building Envelope Modification at Lot 76 (No. 15) Green Way, Leschenault subject to the following conditions:
 - a) All future development shall be contained within the hereby approved Modified Designated Building Envelope. No buildings or development, including outbuildings shall be permitted to be erected outside of the building envelope.
 - b) All modifications to the Designated Building Envelope shall be in accordance with the approved plans which form part of this Development Approval.
 - c) No vegetation shall be removed as part of this Development Approval.
2. Advises the Applicant of the following additional requirements that are not included as conditions of the approval:
 - a) In accordance with the *Building Act 2011*, a Building Permit is required to be obtained prior to the commencement of any works on the site; and
 - b) Future development is required to comply with the Building Code of Australia, Building Regulations 2012 and the *Local Government Act 1995*.

Moved: Cr Beech Seconded: Cr Bromham

That Council:

- 1. Approves the Application for Development Approval for a Designated Building Envelope Modification at Lot 76 (No. 15) Green Way, Leschenault subject to the following conditions:**
 - a) All future development shall be contained within the hereby approved Modified Designated Building Envelope. No buildings or development, including outbuildings shall be permitted to be erected outside of the building envelope.**
 - b) All modifications to the Designated Building Envelope shall be in accordance with the approved plans which form part of this Development Approval.**
 - c) No vegetation shall be removed as part of this Development Approval.**
- 2. Advises the Applicant of the following additional requirements that are not included as conditions of the approval:**
 - a) In accordance with the *Building Act 2011*, a Building Permit is required to be obtained prior to the commencement of any works on the site; and**
 - b) Future development is required to comply with the Building Code of Australia, Building Regulations 2012 and the *Local Government Act 1995*.**

Carried 13-0

20/092.

Corporate Services

Item No.	12.4.1
Subject	Listing of Accounts Paid – February 2020
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Accountant
Authorising Officer:	Acting Executive Manager Finance and Corporate
File No.:	FMS006
ATTACHMENT	

Summary

Presented by way of attachment is a listing of payments for goods and services for February 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 February 2020 is presented as an attachment to this report, as summarised below.

<u>Voucher</u>	<u>Amount</u>
Schedule of Accounts	
Municipal	
EFT 48531 - EFT 48873	\$2,670,005.97
116933 - 116954	\$15,198.55
DD20088.1 - DD20164.18	\$135,112.49
CBA Credit Card	\$706.10
Electronic Funds Submitted	\$1,094,904.58
Total	<u>\$3,915,927.69</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 February 2020 totalling \$3,915,927.69.

Moved: Cr Beech Seconded: Cr Bromham

That Council notes the above list of accounts paid for the period of February 2020 totalling \$3,915,927.69.

Carried 13-0

20/093.

Corporate Services

Item No.	12.4.2
Subject:	Financial Statements as at 29 February 2020
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Accountant
Authorising Officer:	Acting Executive Manager Finance and Corporate
File No.:	CC/C/062

Summary

Presented by way of attachment are the Financial Statements as at 29 February 2020.

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

	ACTUAL	BUDGET	VARIANCE
	29 February 2020	2019 - 2020	
Statement of Financial Performance			
Ordinary Revenue	\$35,437,423	\$36,124,398	\$686,975
Ordinary Expenditure	\$25,939,388	\$44,313,168	\$18,373,780
Capital Revenue	\$3,551,954	\$12,396,656	\$8,844,702
Capital Expenditure	\$6,666,743	\$17,526,329	\$10,859,586
End of Period Profit / (Loss)	\$15,734,102		
Statement of Financial Position			
Current Assets	\$54,056,749		
Net Assets	\$491,352,348		

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 (as attached).

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;and
- Statement of Investments.

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 29 February 2020.

Moved: Cr Beech Seconded: Cr Bromham

That Council receives the Financial Statements as at 29 February 2020.

Carried 13-0 20/094.

Community Development

Item No.	12.5.2
Subject:	Leschenault Leisure Centre – Tender for Cleaning Services
Proponent:	Various Tenderers
Location:	Leschenault Leisure Centre
Reporting Officer:	Manager Community and Economic Development
Authorising Officer:	Chief Executive Officer
File No.:	T032020

Summary

Tenders for the provision of cleaning services at the Leschenault Leisure Centre (LLC), oval change rooms and toilets closed on Thursday 19 March 2020 with one compliant tender being received.

This report provides a summary of the tender process and recommends that Council not accept any tender and invites quotations for a one-year contract term.

Background

The cleaning of Leschenault Leisure Centre, oval change rooms and toilets is performed by a contractor under the supervision of the Centre Manager.

The current contract has expired and tenders were invited for a two-year contract to clean the Centre, the oval change rooms and toilets commencing on 1 July 2020.

The following assessment criteria and weightings were established and included in the Tender documents:

Criteria	Weighting
Relevant Experience	30%
Key Personnel Skills and Experience	10%
Tenderer's Resources	10%
Demonstrated Understanding	10%
Price	40%

The Tender was advertised in The West Australian on Saturday, 22 February 2020 and the Bunbury Herald and Harvey Waroona Reporter on 25 February 2020.

A Tender Assessment Panel comprising the following members was formed to assess the tenders and to recommend the most advantageous tender:

- Manager Community and Economic Development;
- Leschenault Leisure Centre – Dry Operations Manager; and
- Leschenault Leisure Centre – Wet Operations Manager

Comment

A number of contractors accessed the tender documents via the Shire's Tenderlink portal, however, just four companies attended the compulsory site briefing and only one compliant tender was received.

Further information on the tender process is provided in the confidential attachment (***Confidential Attachment 1***).

Statutory/Policy Environment

Section 3.57 of the *Local Government Act 1995*, and Part 4 Local Government (Functions and General) Regulations 1996, provides a mechanism for the purchase of goods and services by Public Tender.

Regulation 18 of Local Government (Functions and General) Regulations 1996 – Choice of Tender gives Council the option to accept or decline a tender.

The Shire of Harvey's Purchasing Policy, Delegation 2.2.11 Calling for Tenders, provides compliance with the *Local Government Act 1995*, and the Local Government (Functions and General) Regulations 1996 for the procurement of goods and service.

Strategic Framework

Within the Shire's Strategic Community Plan 2017 – 2027, Strategies 3.3.1, 3.3.2, 3.4.1 and 3.4.6 state:

3.4.1 *"Continue to maintain and enhance the recreation centres to service a wide range of the community."*

Risk Management

The Risk Theme Profiles identified as part of this report are:

1. **Failure to Fulfil Compliance Requirements.** The Consequence could be ***Financial Impact or Reputational*** if due process is not followed as a result of inadequate compliance framework, which may include the *Local Government Act 1995* and all other legislative based obligations for Local Government. The Risk Consequence is considered to be ***Moderate*** and the Likelihood ***Unlikely***, resulting in a ***Moderate*** level of Risk; and
2. **Inadequate Supplier/Contract Management.** The Consequence could be ***Financial Impact*** if due process is not followed in terms of Council's Purchasing Policy and the *Local Government Act 1995*. The Risk Consequence is considered to be ***Moderate*** and the likelihood ***Unlikely***, resulting in a ***Moderate*** level of Risk being present.

Budget Implications

Nil – this report recommends that no tender be accepted.

Voting Requirement

Simple Majority.

Officer's Recommendation

That Council:

1. For tender T032020, Cleaning Services for Leschenault Leisure Centre, oval change rooms and toilets, not accept any tender; and
2. Requests the Chief Executive Officer to invite quotations for a one year contract term.

Moved: Cr Beech Seconded: Cr Bromham

That Council:

1. **For tender T032020, Cleaning Services for Leschenault Leisure Centre, oval change rooms and toilets, not accept any tender; and**
2. **Requests the Chief Executive Officer to invite quotations for a one year contract term.**

Carried 13-0

20/095.

Chief Executive Officer

Item No.	12.1.1
Subject:	Covid-19 Response
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Chief Executive Officer
Authorising Officer:	Chief Executive Officer
File No.:	SM/B/0006

Summary

This report updates Council on COVID-19, detailing the impacts on and responses by the Shire and addresses issues raised in Notices of Motion on this agenda.

The COVID-19 crisis is evolving rapidly with the Shire having to take immediate action based on the latest information, advice and directives from the federal and state governments. A number of key actions have been developed to provide support to the community and businesses in the Shire.

This report recommends that Council notes the actions to date and supports the recommendations to assist the community.

Background

At the Ordinary Council Meeting of 24 March 2020, the Cr Adams raised a Notice of Motion for the Following Meeting:

14. Notice of Motion for Following Meeting

Cr. Adams requested that the following Notice of Motion be placed in the Ordinary Council Meeting Agenda for 28 April 2020.

That Council, in view of the unprecedented situation with regard to pressure on house hold budgets, escalating under or unemployment figures and general uncertainty within our community revolving around how to manage their financial needs over the next several months, resolve to request the Chief Executive Officer to:

- 1. a) Prepare, present, propose and recommend a nil percentage increase budget for the financial year 2020/2021;***
 - b) Remove the \$15 administration fee for those ratepayers opting to pay their rates bill in two (2) or 4 (four) instalments this financial year;***
 - c) Maintain all fees and charges at the current level for this financial year;***
 - and***
 - d) Reduce the rate rebate from 7% to 5% for rates paid in one instalment by due date.***
- 2. Review these emergency budget measures for presentation to Council at the first Concept meeting in February 2021.***

As an item of Urgent Business at the same Ordinary Council Meeting, Cr Carbone raised the following item:

18.3.4 - Motion by Councillor Carbone:

That the Shire of Harvey freeze fees and charges, including a zero rate increase for the 2020-2021 financial year.

Moved: Carbone Seconded: Adams

That the Shire of Harvey freeze fees and charges, including a zero rate increase for the 2020-2021 financial year.

Lost 4-7

Although the item raised by Cr Carbone was lost, general discussion from Council was that there was a requirement to receive further information from Shire Officers in regards to COVID-19 and the financial impact of any initiatives progressed by the Shire.

This report responds to the request for further information and outlines those actions already taken to date by the Shire and provides for further support to the community.

Correspondence has also been received, from the Premier, the Hon Mark McGowan MLA addressed to the President of the Western Australian Local Government Association (WALGA) (refer **Attachment 1**). The Premier recognised local government as being able to play a significant role in relieving the pressure on families and businesses through rate relief, specifically requesting no increases to rates, fees and charges in 2020 - 2021.

WALGA State Council held a Special State Council Meeting on 27 March 2020 as a local government response to the COVID-19 pandemic (Minutes attached at **Attachment 2**). The meeting noted the significant contribution of local governments in supporting their community at this time and requested that each local government consider a suite of actions, within their individual capacities, to provide a consistent response to the COVID-19 pandemic.

This report considers the requests from the Premier and also the resolution of WALGA in formulating actions to respond to COVID-19 by the Shire of Harvey.

Comment

As detailed in this report, the Shire has already instigated a range of actions in response to the crisis. It is considered critical that the Shire supports the community at this time, with due regard to potential future impacts to service delivery and long term financial impacts.

Some of the actions already undertaken include;

Collection of outstanding debtors including rates

At the onset of the crisis, the Shire's debt collection agency was instructed to put a hold on all demands for overdue payments. Shire Officers have also implemented a level of compassionate correspondence with debtors who are expressing financial hardship.

The Shire already offers various options for payment of accounts and every effort is being made to facilitate more flexibility and ease of payment. The development of the Covid-19 Financial Hardship Policy (refer **Attachment 3**) provides guidance and clarity informing Shire Officers, residents and customers to the position of the Shire of Harvey relating to Covid-19.

Payment of creditors – Support for small businesses

It is normal practice to pay creditors 30 days from receipt of invoice. To assist small business with their cash flow, on 25 March, 2020 the Shire commenced immediate payment of invoices for goods and services received.

Refund of cancelled booking of Shire facilities

The Shire has refunded payments made for Hall and Facility bookings of events unable to be held due to the COVID-19 virus restrictions

Suspension of Memberships

With the declaration made to close recreation centres due to the COVID-19 virus, the Shire has suspended gym and aquatic memberships. This will have the effect of reducing membership revenue in 2020 - 2021 as existing memberships will not expire at their due date.

To date, the Shire has refunded some memberships totalling around \$10,000 which included Swim School refunds of \$4,900.

Waiving of lease payments – Stirling's Cottage

Correspondence was received from the lessee of Stirling's Cottage, advising that due to the restrictions applicable to the COVID-19 virus, they would cease trading until such time as restrictions were lifted. Due to their inability to generate income, they requested the Shire waive lease payments until they were able to re-open. This approval was sought urgently as part of their consideration in closing.

Shire Officers have granted approval due to the current emergency, however, now require Council in accordance with Section 6.12(1)(c) of the *Local Government Act 1995*, to waive the lease payments. By way of note, six months of lease payments generates \$8,800 in Shire revenue.

Historically these lease payments received by the Shire have been remitted to the Harvey Tourist Bureau to assist in their operations. To date three quarterly payments have already been made to the Tourist Bureau totalling \$13,650. It is anticipated that although there will be a reduction in lease revenue, the Harvey Tourist Bureau will continue to receive the full budgeted Shire operating contributions.

Self-supporting loan debtors

The Shire has received a request from both the Binningup Christian Youth Camp and the Harvey Golf Club to defer their loan repayment for a six month period. Approval has been given to both organisations for the deferral to assist with their current cash-flow. This does not mean the waiving of the payment but merely the deferring of the payment for a six month period.

Open for business

In an environment where small business is hurting and looking for leadership, a decision was made to:

- Keep the Shire Offices open; and
- Retain the visual presence of operations staff working in the community.

To facilitate this, safety precautions have been put in place to protect Shire Officers. In the administration offices, sneeze screens have been installed on customer service counters. Signs, bollards, customer separation marking and hand sanitisers have also been installed. All Shire Officers including Operations Staff have been instructed in precautions as recommended by the Department of Health.

Business Continuity

The Shire has implemented business continuity measures to ensure that the Shire is able to continue to provide a good level of service to its residents and customers. Part of these measures undertaken include the separation of like skilled Officers. Departments now include Officers either working from home or being housed in different office locations to each other. Other measures include progressing the ability to continue providing services if all Officers were to be mandatorily quarantined and implementing e-Meeting software for Shire Offices as well as Council Meetings.

Proposed actions to be included in the draft 2020 - 2021 Budget**0% Increase in Rates**

At the request of Council and in accordance with sound financial management principles, financial modelling has been undertaken to assess the impact of a zero percent rate increase for the 2020 - 2021 Budget.

The adopted Long Term Financial Plan is formulated on certain assumptions, one being the level of annual rates increases. For 2020 - 2021, the plan includes a 3.75% rate increase. This is made up of an estimated Consumer Price Index factor of 2.25% plus a rate increase of 1.5%.

Modelling of a zero percent rate increase results in a reduction to the Shire's forecast revenue for 2020 - 2021 of \$795,000. The flow on effect of this is that without higher rate increases in future years, the Shire will commence each year with a reduced revenue of at least \$795,000. The associated risk to this is a reduction in service and infrastructure delivery and asset management activities.

Freeze on Rates penalty interest

The 2019 - 2020 Budget has provided for income from outstanding rates penalty interest. This is an interest penalty charged on overdue rates. It is proposed that the Shire not apply the penalty interest from 1 March 2020 to 30 June 2020. The financial impact of freezing or not charging penalty interest for this period will equate to approximately \$63,000.

Rates Instalment fees

An additional measure that can be considered in the adoption of the 2020-2021 Budget would be a reduction in the rates instalment fees which currently generate approximately an additional \$55,000 in income.

Rates discount

The Notice of Motion from Cr Adams as written above included "*d) Reduce the rate rebate from 7% to 5% for rates paid in one instalment by due date*".

Shire Officers reviewed the impact of this proposal in line with other rates proposals listed above.

- A zero percent rate increases assists all rate payers.
- A freeze on rates penalty interest assists those who are not able to pay their rates by the due date.
- A reduction in rates instalment fees assists those rate payers who choose to pay by instalments.

To reduce the discount for full payment of rates by the due date would have the effect of increasing rates by the discount amount for those rate payers who normally access the discount. Although it was felt there is some capacity to reduce the discount rate as a result of how low bank interest rates are, in light of the financial hardship resulting from COVID-19, it is not proposed that Council reduce the rate at this point.

Maintaining the rates discount will also encourage those ratepayers with the capacity to pay their rates in full by the due date. This will enhance Shire cash flow which is anticipated to be impacted by the economic downturn as a result of COVID-19.

0% increase in Fees and Charges

As proposed by the Premier and in an effort to further assist in this crisis, it is recommended that the Schedule of Fees and Charges (excluding statutory charges outside of the Shire's control) not be increased in the 2020 - 2021 Budget.

The most significant charge of the Shire is that of Rubbish Charges. In 2019 - 2020 revenue from rubbish charges was approximately \$3,580,000. In normal circumstances, the draft 2020 - 2021 Budget would recommend a two percent increase in this and other fees and charges. The financial impact of freezing rubbish charges for 2020 - 2021 would be approximately \$72,000.

Much of the revenue for the Leschenault Leisure Centre and the Harvey Recreation and Cultural Centre falls within the Shire's fees and charges. A two percent increase in all fees and charges (excluding rubbish charges) is approximately \$67,000.

It should also be noted that it is expected there will be a decrease in total revenue collected from fees and charges as the economic impact of COVID-19 are likely to be experienced well into the 2020 - 2021 year.

There are significant financial implications associated with the measures proposed above. Without fully understanding the economic and financial landscape, which will not be known until after the adoption of the 2020 - 2021 Budget, it will be incumbent on Council to continue to monitor the long term financial impact, which will be significant. It will likely be that in future years, Council will need to increase rates above what it would normally do to put the Shire back in a position where it can both provide the service level it requires in addition to providing for asset renewals.

Amendment to Policy 2.2.11 Purchasing Policy

The Local Government (Functions and General) Regulations 1996 have been amended (effective 10 April 2020), increasing the Tender threshold from \$150,000 to \$250,000 bringing the amount in line with requirements of State Government agencies. The regulation changes also include that public tenders will not be required during a State of Emergency for the supply of goods or services associated with the emergency nor for a 12 month (only) renewal or extension of an existing contract that would otherwise expire within three months.

It is recommended that Council amends Policy 2.2.11 Purchasing Policy in accordance with the Regulation changes, (**Attachment 4**). The amendments to the Regulations and the Shire's Purchasing Policy also require an updated Delegation which has been developed to reflect the new tender thresholds (**Attachment 5**). The new delegation will supersede existing tender delegations and as such it is recommended that Delegations 2.2.2 Tenders/Quotations and 2.2.11 Calling of Tenders be revoked and that Council adopts the new Delegation 2.2.2 Tenders for Goods and Services

Home Business renewals

In an effort to further support small business and recognising that some business owners may be working at home as a result of Covid-19, it is recommended to Council that renewal fees for home occupation registrations for the period 1 April 2020 – 31 March 2021 be waived (\$73 per renewal). In addition, all new applications for home occupation for the same period are also recommended to be waived (\$222 per planning consent). Renewal notices were distributed to home occupations in March, with some having already been paid. Those who have already paid will be credited their fees effectively extending their licence period to 31 March 2022.

Building and Planning printing costs

There has been requests for the electronic submission of Building and Planning applications due to many people working from home and the requirement for social distancing. Although Shire Administration Centres remain open to support continued development, the Shire has accepted the emailed submission of applications. Some applications require printing which would normally attract a fee, however, it is recommended that all printing fees associated with the electronic submission of applications be waived backdated to 1 March 2020 until 30 June 2021.

Delegation Defer, waive or write off debts

A delegation has been prepared which provides delegation to the CEO to defer, waive or write off debts up to the value of \$1,000. It is considered that having a delegation in place will enable the Shire to make more timely decisions in the context of the Covid-19 response and as such it is recommended that Council adopt Delegation 2.2.13 Defer, waive or write off debts (refer, Attachment 6)

Statutory/Policy Environment*Local Government Act 1995*

Section 3.57	Tenders for providing goods and services
Section 5.42.	Delegation of some powers and duties to CEO
Section 5.43.	Limits on delegations to CEO
Section 6.2.	Local government to prepare annual budget
Section 6.12.	Power to defer, grant discounts, waive or write off debts

Local Government (Functions and General) 1996

Strategic Framework

Within the Shire's Strategic Community Plan 2017 - 2027, the following strategies 1.1.6, 3.4.1 state:

“Support and promote diverse and small-medium businesses”

“Continue to monitor the needs of the community, to ensure access to appropriate services and facilities”

Risk Management

The Risk Theme Profile identified as part of this report is **Business Continuity and Community Interruption**. The Consequence could be **Health, Financial and Service Interruption**. As the impacts to the Shire and its community are not fully known at this time the risk could be considered **Catastrophic** and the likelihood **Almost Certain**. This results in an **Extreme** risk being present.

Budget Implications

The Long Term Financial Plan demonstrates the Shire is currently in a relatively sound financial position, however, the measures proposed will have an adverse impact on the Shire's financial position.

The financial impact of the Leschenault Leisure Centre and the Harvey Recreation and Cultural Centre alone is significant. It is anticipated that the impact of the COVID-19 virus will be felt over both the 2019 - 2020 and 2020 - 2021 financial years for the centres, especially with the suspension of memberships. In forecasting the impact, it is estimated that operating revenue between the two centres will reduce by around \$1,370,000. It should be noted that operating expenses will also reduce, however, the Shire will continue to pay salary and other fixed expenses like insurance, security, utilities and maintenance.

The economic impact of the COVID-19 virus is yet to be fully realised and as stated above, will likely flow well into 2020 - 2021 and beyond. As a result, the financial impact of the supportive measures proposed in this report are best estimates, and on face value are:

• Stirling's Cottage Lease	\$8,800
• 0% Increase in Rates	\$795,000
• Freeze on Rates Penalty Interest for a period of Six Months	\$63,000
• Rates Instalment Fees	\$55,000
• 0% Increase in Fees and Charges	\$139,000
• Home Business Renewals	\$11,000

Voting Requirement

Recommendation 1 Simple Majority.

Recommendation 2 Absolute Majority.

Officer's Recommendation 1 of 2

That Council:

1. Approves preparation of a Budget for 2020 - 2021 based on a zero percent increase to the rates rate in the dollar, in accordance with section 6.2 of the *Local Government Act 1995*;
2. Approves preparation of a Budget for 2020 - 2021 based on no increases to non-statutory Fees and Charges;
3. Approves preparation of a Budget for 2020 - 2021 based on nil change to the discount for complete payment of rates by the due date;
4. Freeze rates penalty interest from 1 March 2020 to 30 June 2020;

-
5. Removes the administration fee for rate instalment payments for the 2020 - 2021 financial year;
 6. Adopts Covid-19 Financial Hardship Policy;
 7. Waives the lease payments receivable from the Stirling's Cottage tenant from 1 March 2020 for a period of six months;
 8. Approves the deferment of self-supporting loan payments for a period of six months;
 9. Amends Policy 2.2.11 Purchasing Policy, increasing the Tender threshold from \$150,000 to \$250,000 and includes that public tenders will not be required during a State of Emergency for the supply of goods or services associated with the emergency nor for a 12 month (only) renewal or extension of an existing contract that would otherwise expire within three months, as per the Attached Policy 2.2.11;
 10. Waives the Home Occupation planning consent and renewal fee for the period from 1 April 2020 to 31 March 2021;
 11. Waives the printing costs associated with any electronic submission of building or planning applications from 1 March 2020 to 30 June 2021; and
 12. Notes the actions that have been undertaken by the Shire to date in response to Covid-19.

Moved: Cr Beech Seconded: Cr Bromham

That Council:

1. **Approves preparation of a Budget for 2020 - 2021 based on a zero percent increase to the rates rate in the dollar, in accordance with section 6.2 of the *Local Government Act 1995*;**
2. **Approves preparation of a Budget for 2020 - 2021 based on no increases to non-statutory Fees and Charges;**
3. **Approves preparation of a Budget for 2020 - 2021 based on nil change to the discount for complete payment of rates by the due date;**
4. **Freeze rates penalty interest from 1 March 2020 to 30 June 2020;**
5. **Removes the administration fee for rate instalment payments for the 2020 - 2021 financial year;**
6. **Adopts Covid-19 Financial Hardship Policy;**
7. **Waives the lease payments receivable from the Stirling's Cottage tenant from 1 March 2020 for a period of six months;**
8. **Approves the deferment of self-supporting loan payments for a period of six months;**
9. **Amends Policy 2.2.11 Purchasing Policy, increasing the Tender threshold from \$150,000 to \$250,000 and includes that public tenders will not be required during a State of Emergency for the supply of goods or services associated with the emergency nor for a 12 month (only) renewal or extension of an existing contract that would otherwise expire within three months, as per the Attached Policy 2.2.11;**
10. **Waives the Home Occupation planning consent and renewal fee for the period from 1 April 2020 to 31 March 2021;**
11. **Waives the printing costs associated with any electronic submission of building or planning applications from 1 March 2020 to 30 June 2021; and**
12. **Notes the actions that have been undertaken by the Shire to date in response to Covid-19.**

Carried 13-0

20/096.

Officer's Recommendation 2 of 2

That Council:

1. Adopts Delegation 2.2.13 Defer, waive or write off debts; and
2. Revokes Delegation 2.2.2 Tenders/Quotations and 2.2.11 Calling of Tenders and adopts the new Delegation 2.2.2 Tenders for Goods and Services

Absolute Majority Required

Moved: Cr Jackson

Seconded: Cr Campbell

That Council:

1. **Adopts Delegation 2.2.13 Defer, waive or write off debts; and**
2. **Revokes Delegation 2.2.2 Tenders/Quotations and 2.2.11 Calling of Tenders and adopts the new Delegation 2.2.2 Tenders for Goods and Services**

Carried 13-0

20/097.

Technical Services

Item No.	12.2.2
Subject:	Old Coast Road – Travers Drive and Cathedral Avenue Intersection Upgrades
Proponent:	Technical Services
Location:	Harvey
Reporting Officer:	Manager Infrastructure
Authorising Officer:	Executive Manager Technical Services
File No.:	R000005

Summary

Due to incremental increases in traffic, 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.

Currently the above intersections are regulated with some median painting, however, the left and right turn movements at both intersections are not protected by kerbed pockets and leave motorists vulnerable to rear-end and/or right-angle collisions. Cycling lanes are also not defined (other than as sealed shoulders) and crossing Old Coast Road for pedestrians at these locations is also potentially hazardous as no median refuges are available.

To improve the safety and amenity of this location, a concept design plan has been prepared in order to progress the project, as shown in **Attachment 1**.

This report seeks Council's endorsement of the concept design and approves seeking appropriate funding for construction of the proposed upgrades.

Background

Accident history over the last five years for the two intersections is as follows:

- Travers Drive – three rear end and one right-angle collision
- Cathedral Avenue – three right-angle collisions and one pedestrian hospitalisation

Further pressure will be placed on the Travers Drive and Cathedral Avenue intersections as traffic increases in the area due to attractors such as the Ridley Place development; incremental development and tourism.

Comment

Motorists travelling south along Old Coast Road approaching the foreshore at Cathedral Avenue, are required to reduce speed from 80kph to 60kph, however, the current road environment however does not change to highlight the arrival into a residential and tourist precinct.

The proposed design as shown in **Attachment 1** seeks to raise 'arrival' awareness whilst regulating traffic flow and providing a safer environment for all road and pathway users by implementing the following:

- Solid and painted central islands to allow property access and both hard and soft landscaping;
- Formalised protected right turn pockets into both Traverse Drive and Cathedral Avenue;
- Pedestrian refuge crossing facilities;
- Delineated on road cycle lanes;
- New section of path way of the eastern side of Old Coast Road;
- Improved configuration of both the Traverse Drive and Cathedral Ave intersections; and
- Creating a boulevard with central double outreach lighting.

Statutory/Policy Environment

Nil.

Strategic Framework

Within the Shire's Strategic Community Plan 2017 – 2027, Strategies 3.6.1 states:

“Provide a safe standard of roads and ancillary infrastructure.”

Risk Management

The Risk Theme Profile identified as part of this report is **Inadequate Engagement Practices**. The Consequence could be **Reputational** if the community is not supportive of the project, however stakeholders will be consulted. The Risk Consequence is considered to be **Moderate** and the likelihood **Unlikely** resulting in a **Low** risk being present.

Budget Implications

The intersection upgrades of Old Coast Road at Travers Drive and Cathedral Avenue are currently unfunded. It is intended to make application to the Regional Road Group for either Blackspot or Road Improvement Funding for 2021 - 2022. The preliminary estimate for upgrading works is \$560,000 so if the Shire was successful in attracting funding, its contribution would be in the order of \$186,500.

Voting Requirements

Simple Majority.

Officer's Recommendation

That Council endorses the proposed intersection upgrades on Old Coast Road at Travers Drive and Cathedral Avenue as shown in **Attachment 1**, estimated to cost \$560,000, and submits an application for Regional Road Group funding of \$375,500 being two thirds of the project cost, during the 2020 - 2021 funding round.

Moved: Cr Adams

Seconded: Cr Jackson

That Council endorses the proposed intersection upgrades on Old Coast Road at Travers Drive and Cathedral Avenue as shown in Attachment 1, estimated to cost \$560,000, and submits an application for Regional Road Group funding of \$375,500 being two thirds of the project cost, during the 2020 - 2021 funding round.

Carried 13-0

20/098.

Technical Services

Item No.	12.2.3
Subject:	Proposed Harvey Information Bay
Proponent:	Shire of Harvey
Location:	South Western Highway, Harvey
Reporting Officer:	Executive Manager Technical Services
Authorising Officer	Chief Executive Officer
File No.:	R000002
Attachment Reg No. 15/04041	

Summary

Since 2015, the Harvey Mainstreet Committee has been investigating options for a suitable Information Bay to be located on the South Western Highway in Harvey near the intersection of Uduc and Weir Road.

The suggested location for the Information Bay is on the eastern side of South Western Highway on a hardstand area within the Main Roads WA (MRWA) road reserve which has been traditionally used as a roadside stopping area for vehicles travelling south along the South Western Highway.

This report discusses the proposal including the approval process and the funding implications to further progress the project.

Background

On 9 February 2015 Harvey Mainstreet corresponded with the Shire indicating that following the removal of the old Information Bay signage on South Western Highway the area had been left unsightly. They considered that this provided an opportunity to beautify and enhance the entry into Harvey.

They further considered that an Information Bay would provide accurate information about the Harvey town site and surrounding areas and include attractions, facilities and planned events.

Shire Officers subsequently met with representatives of Harvey Mainstreet in May 2015. They were formally advised that the Shire was supportive of Harvey Mainstreet further investigating the idea of upgrading the information bay on South Western Highway, opposite the existing Service Station.

At the time it was recommended that Harvey Mainstreet liaise with key stakeholders to obtain their views on the proposal, to further develop the proposal and prepare concept plans for consideration by Council and Main Roads WA.

Some work on the matter progressed, however, as a result of the 2016 Yarloop Fire, the matter did not progress further due to other priorities at the time. In the last year or so, however, Shire officers have been liaising with a Harvey Mainstreet representative to further progress and develop a concept design for the Information Bay.

Comment**MRWA approval**

Technical Services recently finalised a concept plan for the Information Bay in liaison with members of the Harvey Mainstreet Committee (refer **Attachment 1**).

The concept plan was forwarded to MRWA in late 2019 and the following response was received in early March 2020:

- *It is noted that the Shire are referring to this as an “information bay” and if this is the case, it will need to comply with the Road Side Stopping Guidelines. Note that this may have funding implications for Main Roads, which would obviously need to be considered as part of the approval process moving forward.*
- *With respect to the construction of the bay, MRWA will require detailed plans to be prepared and submitted for approval prior to the commencement of any works. In this respect, the designer should contact MRWA direct to discuss the requirements. Initial comments on the conceptual plan provided are as follows:*
 - *Kerbing should be offset a minimum of 1.5m from the edge line of South Western Highway.*
 - *The design should allow for semi-trailers to turn in and out of the bay.*
 - *The red asphalt areas at the pedestrian crossings are not supported as they confuse the line marking and give path users the impression that they have right of way.*
 - *The flush kerb on the east side of the bay should be semi-mountable to better delineate the bay and control vehicle movements. There are also issues with the flush kerb on the west side of the bay that need to be worked through.*
 - *Fencing along the Highway side of the bay seems unnecessary.*
- *Additional stormwater drainage infrastructure may be required.*

Officers are currently liaising with MRWA to further progressing the design.

MRWA - Road Side Stopping Guidelines

Clause 2.2 of the Guidelines refers to Information Bays. Subclause 2.4.1 refers to *Local Government Authority Responsibilities* and states as follows:

Information Bays may be provided at approaches to any country town subject to agreement in writing by the Local Government Authority to the following:

- *Contribution to 1/3 of the cost of the hardstand area, kerbing and drainage work.*
- *The full cost of the sign structure, landscaping and all other additional facilities.*
- *Maintenance of the sign structure, landscaping and all other facilities.*
- *Administration of the information displayed on the sign structure.*
- *Maintenance of litterbin and general litter within the information bay area.*
- *Maintenance of all unsealed hardstand areas, all kerbing and all drainage.*

Proposal and estimated cost:

The proposal as shown in **Attachment 1**, would require the following works to be undertaken:

- Pavement extension;
- Kerbing;
- New seal and asphalt overlay;
- Linemarking/signage;
- New paths;
- Drainage;
- Landscaping; and
- Information building/display board.

While the hardstand area proposed for the Information Bay was previously created for another purpose, and sealed, the sealed surface is in poor condition and the area would need to be reconfigured and upgraded. It is estimated that to upgrade the area, as outlined above, would cost in the order of \$95,000. This excludes the building structure which has been estimated to cost in the order of \$30,000. Total estimated cost of the project is \$125,000.

Discussion

MRWA - Road Side Stopping Guidelines (subclause 2.4.1) state that should approval be granted, the local government would be required to contribute one third of the cost of the hardstand area, kerbing and drainage work.

In this instance, as the hardstand area already exists, albeit in average condition, at the time of writing this report, it was not clear whether MRWA would contribute to the cost of creating the hardstand area.

It is however considered that MRWA be requested to contribute towards the cost of some of the reconfiguration including the primer seal and asphalt overlay (renewal) estimated to be in the order of \$50,000. Therefore, the estimated MRWA contribution would be in the order of \$30,000.

Statutory/Policy Environment

Planning Policy 4.1.15 Advertising Signs

The proposal would need to comply with the MRWA Road Side Stopping Guidelines.

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 as part of this report is **Providing Inaccurate Advice/Information**. The Consequence could be Reputational depending on whether Council wishes to support the proposal or not. The Risk Consequence is considered to be **Low** and the Likelihood **Unlikely** resulting in a **Low** level of risk.

Budget Implications

As mentioned previously, the estimated cost of the proposal is \$125,000. Funds currently allocated for the project in the 2019 - 2020 Budget total \$13,500. The following table outlines the budget implications:

Items	Estimated cost	Funds available	Potential MRWA contribution*	Shire Contribution
Infrastructure improvements	\$95,000	Nil	\$30,000	\$65,000
Structure	\$30,000	\$13,500	Nil	\$16,500
Total	\$125,000	\$13,500	\$30,000	\$81,500

*Note: Should no MRWA contribution be forthcoming, the Shire contribution would be \$111,500

Voting Requirements

Simple Majority.

Officer's Recommendation

That Council:

- Endorses the proposed Harvey Information Bay concept design estimated to cost \$125,000, as shown in **Attachment 1** and list the project for consideration in the 2020 - 2021 draft Budget;
- Notes that in accordance with Main Roads WA Road Side Stopping Guidelines, there is a potential for Main Roads WA to contribute 2/3 of the cost of constructing a hardstand area;
- Authorises the Chief Executive Officer to:
 - Finalise the design for the Harvey Information Bay, within the South Western Highway Road Reserve as shown in **Attachment 2**; and
 - Submit a formal application to Main Roads WA, in accordance with Clause 2.4 of the Main Roads WA Road Side Stopping Guidelines, including a request for Main Roads WA to contribute \$30,000 towards the renewal of the existing hardstand area;
- Receives a further report once Main Roads WA have determined the matter; and
- Advises Harvey Mainstreet of its decision.

Moved: Cr Beech Seconded: Cr Jackson

That Council:

1. Endorses the proposed Harvey Information Bay concept design estimated to cost \$125,000, as shown in *Attachment 1* and list the project for consideration in the 2020 - 2021 draft Budget;
2. Notes that in accordance with Main Roads WA Road Side Stopping Guidelines, there is a potential for Main Roads WA to contribute 2/3 of the cost of constructing a hardstand area;
3. Authorises the Chief Executive Officer to:
 - (a) Finalise the design for the Harvey Information Bay, within the South Western Highway Road Reserve as shown in *Attachment 2*; and
 - (b) Submit a formal application to Main Roads WA, in accordance with Clause 2.4 of the Main Roads WA Road Side Stopping Guidelines, including a request for Main Roads WA to contribute \$30,000 towards the renewal of the existing hardstand area;
3. Receives a further report once Main Roads WA have determined the matter; and
4. Advises Harvey Mainstreet of its decision.

Lost 6-7

Councillor Carbone requested his vote to be recorded as per the *Local Government Act 1995* Section 5.21(4)(a).

Cr Carbone voted for the motion.

Alternate Motion

Moved: Cr Campbell Seconded: Cr Lovitt

That Council:

1. Notes the proposed Harvey Information Bay concept design estimated to cost \$125,000, as shown in *Attachment 1*;
2. Endorses the alternative proposal which would provide improved aesthetics and an enhanced area for motorists/ caravans/RVs comprising a picnic facility / bins including low maintenance / low impact landscaping excluding an information structure, as shown on revised *Attachment 1A*, estimated to cost \$60,000;
3. Refers the proposal to Main Roads WA seeking a contribution to the sealing component of the works;
4. Defers the implementation of any future tourist information bays and signage until a strategy for tourist information bays and signage has been developed in accordance with action 3.2 of the adopted Economic Development Strategy;
5. Receives a further report with regards to recommendations 3 and 4; and
6. Advises the Harvey Mainstreet Committee of its decision.

Carried 8-5

20/099.

Councillor Carbone requested his vote to be recorded as per the *Local Government Act 1995* Section 5.21(4)(a).

Cr Carbone voted against the motion.

Attendance

5.13pm The Shire President suspended the meeting for the purposes of undertaken a roll call of attendees to confirm their presence at the meeting. All attendees were confirmed as present.

*Councillors Paul Gillett
Councillor Bill Adams
Councillor Paul Beech
Councillor Michelle Boylan
Councillor John Bromham
Councillor Francis Burgoyne
Councillor Michelle Campbell
Councillor Craig Carbone
Councillor Robyn Coleman
Councillor Wendy Dickinson
Councillor Tania Jackson
Councillor Amanda Lovitt
Councillor Derrick Simpson
Chief Executive Officer Annie Riordan
Executive Manager Technical Services Rick Lotznicker
Acting Executive Manager Finance and Corporate Dean Winter
Principal Building Surveyor Merv Stewart
Manager Planning Services Simon Hall
Acting Manager Community and Economic Development Richard Duke
Manager Special Projects Pauline Pietersen*

5.14pm The Shire President resumed the meeting.

Technical Services

5.15pm Cr Burgoyne and Cr Carbone had previously disclosed a financial interest in Item 12.2.4 Tender T042020 – Leisure Drive Carpark and Drainage and were disconnected and left the electronic meeting.

Item No.	12.2.4
Subject:	Tender T042020 – Leisure Drive Carpark and Drainage
Proponent:	Various Tenderers
Location:	Shire of Harvey
Reporting Officer:	Manager of Infrastructure
Authorising Officer	Executive Manager Technical Services
File No.:	T042020

Summary

A tender for the Leisure Drive Carpark and Drainage project was advertised on Saturday 21 March 2020, and at the close of the tender period on Thursday 9 April 2020 at 3.00pm six tenders were received.

Following a detailed assessment of the tender submissions, the evaluation panel considered that one of the tenderers represented best value. This report recommends that Council accepts the tender as per the recommendation contained in the confidential attachment (refer **Confidential Attachment 1**).

Background

Tenders were invited for the Leisure Drive Carpark and Drainage project with the works consisting of the following:

- Construction of 74 parking bays (located east of Peter Anderson Drive);
- Bollards and wheel stops to restrict access onto the oval;
- Traffic calming within the parking zone;
- Line marking and signage;
- Pit and pipe drainage on Leisure Drive (to alleviate verge inundation); and
- Traffic and public safety management

Details of all tenders received are included in **Confidential Attachment 1**.

Comment

Tenders received:

Tenders were received from the following companies:

- Carbone Brothers.
- JAK Civil.
- Geographe Civil.
- BWC Civil and Earthmoving.
- Industrial Roadpavers.
- CB Traffic.

Tenderers were required to address each of the criteria, as outlined in the following table, separately, comprehensively and in the order listed, and return to the Shire with their tender submission. They were further advised that failure to provide the requested information may result in their tender not being further considered.

Evaluation Criteria	Weighting
Contract Price	35%
Experience, capability and resources to perform the work required	25%
Ability to supply and deliver services within the nominated timeframe	20%
Occupational Safety and Health compliance	10%
History and viability of Company	10%
TOTAL	100%

Each tender submission was comprehensively assessed using the above criteria as contained within ***Confidential Attachment 1***.

Statutory/Policy Environment

Section 3.57 of the *Local Government Act 1995*, and Part 4 Local Government (Functions and General) Regulations 1996, provides a mechanism for the purchase of goods and services by Public Tender.

Regulation 18 of Local Government (Functions and General) Regulations 1996 – Choice of Tender gives Council the option to accept or decline a tender.

Shire of Harvey Policy 2.2.11 – Purchasing which provides compliance with the *Local Government Act 1995*, and the Local Government (Functions and General) Regulations 1996.

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 **Inadequate Supplier/Contract Management**. The Consequence could be **Compliance** and **Financial Impact** if due process is not followed in terms of Council's Purchasing Policy and 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

The 2019-20 Budget has a \$260,000 allocation for this project.

Voting Requirement

Simple Majority.

Officer's Recommendation

That Council awards Tender T042020 for Carpark and Drainage works as per the recommendation contained within ***Confidential Attachment 1***.

Moved: **Seconded:**

That Council:

- 1. Awards Tender No. T042020 – Leisure Drive Carpark and Drainage to Carbone Brothers for the tender price of \$169,510.29 (excluding GST; and**
- 2. Authorises the Chief Executive Officer to prepare and sign the required contract documentation.**

Carried 11-0 20/100.

5.18pm Cr Burgoyne and Cr Carbone were reconnected and re-joined the electronic meeting.

Development Services

Item No.	12.3.5
Subject:	New Planning Delegation – State of Emergency
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Senior Planning Officer
Authorising Officer:	Manager Planning Services
File No.:	CC/U/003

Summary

The Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations) was amended on 3 April 2020 by the inclusion of Part 10B – *Exemptions from planning requirements for state of emergency*. Part 10B provides for the Minister of Transport; Planning (Minister) to issue a Notice to suppress local scheme provisions to support urgent decision making and to ensure we can appropriately provide and care for the community during the State of Emergency declaration.

To assist with supporting the desired urgent decision making process, Officers have prepared a new Delegation to:

- Apply exemptions from the planning requirements in accordance with a Notice issued under Part 10B; and
- Determine all applications and respond to any State Government Agency referrals.

The proposed new Delegation is supported by a COVID-19 Procedure and Decision Record.

It is recommended that the new Delegation be approved and the Procedure and Decision Record be endorsed.

Background

On 3 April 2020, the Regulations was amended to include Part 10B *Exemptions from planning requirements for state of emergency* (**Attachment 1**). Part 10B provides for the Minister to issue a Notice (pursuant to clause 78H(1) and (6)) if the Minister considers it necessary to do so for the purpose of facilitating response to, or recovery from, the emergency to which the State of Emergency declaration relates. A Notice will suppress local scheme provisions to support urgent decision making relating to the State of Emergency declaration for COVID-19. Examples of what exemptions Notices could relate to include:

- Delivery hours;
- Changes to restaurant operations;
- Small retail operations;
- Home occupations; and
- Freight and logistics.

Clause 78J of the Regulations requires a Notice to provide that the exemption will expire when the State of Emergency declaration ceases to be in force or at another time not being later than five years from the date of the Notice.

When an exemption Notice ceases to be in effect, clause 78J(5) provides that the provisions of the Scheme relating to non-conforming uses will not apply in relation to any use or development that was permitted only because of the effect on the exemption. Advice received to date indicates that, if a use or development was approved during the exemption period and was not ordinarily permitted by the Scheme prior to the exemption period, it would become invalid and the use or development would need to cease.

The Regulations were amended to allow for, and support, urgent decision making. As a result of the amendments to the Regulations, and in order to enact the requirement for urgent decision making, Officers have prepared Delegation 4.1.27 – State of Emergency (refer **Attachment 2**). The proposed Delegation will allow Officers to:

- Apply exemptions from the planning requirements in accordance with a Notice issued pursuant to clause 78H(1) and (6); and
- Determine all applications and respond to any referrals received from State Government agencies.

In conjunction with the proposed Delegation, Officers have prepared a Procedure (**Attachment 3**) to document decisions that, except for the declared State of Emergency, would have been made by Council.

A copy of the Ministers signed Notice issued under Part 10B *Exemptions from planning requirements for state of emergency* is contained within **Attachment 4**.

Comment

The proposed Delegation may result in no planning applications being referred to Council for determination. Whilst this may not be desirable in some instances, it will allow for urgent decisions to be made by Officers. This will ensure that impacts on the community from the State of Emergency declaration are minimised and economic activity is retained. Notwithstanding, there may be some occasions whereby the application of a Delegation by Officers is not considered appropriate and referral to Council would occur.

Decisions made under the Delegation will be recorded utilising the proposed Decision Record and, if required, these records can be periodically provided to Council.

Conclusion

The proposed Delegation will allow for urgent decision making in order to respond to, or recovery from, the COVID-19 State of Emergency declaration. It is therefore recommended that Council approves the proposed Delegation and endorses the Procedure and Decision Record.

Statutory/Policy Environment

Local Government Act 1995

- Section 5.42 – Delegation of some powers and duties to CEO

“(1) A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under —*

- (a) this Act other than those referred to in section 5.43; or*
- (b) the Planning and Development Act 2005 section 214(2), (3) or (5).*

** Absolute majority required.*

(2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

- Section 5.44 – CEO may delegate powers and duties to other employees

"(1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.

(2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

- Schedule 2 – Deemed Provisions, Clause 82 – Delegations by local government

"(1) The local government may, by resolution, delegate to a committee or to the local government CEO the exercise of any of the local government's powers or the discharge of any of the local government's duties under this Scheme other than this power of delegation.

(2) *A resolution referred to in subclause (1) must be by absolute majority of the council of the local government.*

(3) *The delegation must be in writing and may be general or as otherwise provided in the instrument of delegation.*

- Schedule 2 – Deemed Provisions, Clause 83 – Local government CEO may delegate powers

"(1) The local government CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's functions under this Scheme other than this power of delegation.

(2) *A delegation under this clause must be in writing and may be general or as otherwise provided in the instrument of delegation.*

(3) *Subject to any conditions imposed by the local government on its delegation to the local government CEO under clause 82, this clause extends to a power or duty the exercise or discharge of which has been delegated by the local government to the CEO under that clause.*

Strategic Framework

Within the Shire's Strategic Community Plan 2017 - 2027, Strategy 4.2.2 states:

"Maintain, review and ensure relevance of Council's policies and local laws."

Risk Management

The Risk Theme Profile identified as part of this report is **Business and Community Disruption, Failure to Fulfil Compliance Requirements and Inadequate Document and Management Practices**. The Consequence could be **Financial, Service Interruption, Compliance or Reputational** if the impacts on the community of the State of Emergency declaration is managed appropriately to assist with urgent decision making. The risk is considered **Minor** and the likelihood **Unlikely**, given that the report has been peer reviewed, provided by a qualified Shire Officer and recommends approval of the proposed Delegation. This results in a **Low** risk being present.

Budget Implications

Nil.

Voting Requirement

Absolute Majority.

Officer's Recommendation 1 of 2

That Council, pursuant to Section 5.42(1)(b) of the *Local Government Act 1995* and Part 10, Division 2, Clause 82(1) of the Planning and Development (Local Planning Schemes) Regulations 2015, delegates the exercise of its powers and discharge of its duties under the Shire of Harvey's District Planning Scheme No. 1 as detailed Delegation 4.1.27 – State of Emergency at **Attachment 2**.

Absolute Majority Required

Moved: Cr Carbone

Seconded: Cr Adams

That Council, pursuant to Section 5.42(1)(b) of the *Local Government Act 1995* and Part 10, Division 2, Clause 82(1) of the Planning and Development (Local Planning Schemes) Regulations 2015, delegates the exercise of its powers and discharge of its duties under the Shire of Harvey's District Planning Scheme No. 1 as detailed Delegation 4.1.27 – State of Emergency at **Attachment 2**.

Carried 12-1 20/101.

Officer's Recommendation 2 of 2

That Council endorses the Delegation 4.1.27 – State of Emergency Procedure and Decision Record at **Attachment 3**.

Moved: Cr Carbone

Seconded: Cr Adams

That Council endorses the Delegation 4.1.27 – State of Emergency Procedure and Decision Record at **Attachment 3**.

Carried 13-0 20/102.

Community Development

Item No.	12.5.1
Subject:	COVID-19 Response Grants Program
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Community Development Officer (SJ)
Authorising Officer:	Chief Executive Officer
File No.:	F000285

Summary

This report presents a proposal to support community groups or organisations to deliver innovative solutions that meet the changing needs of the community due to COVID-19.

It is recommended that Council:

1. Supports the proposal to establish a COVID-19 Response Grants Program with a total of \$70,000 allocated in two rounds (2019 - 2020 and 2020 - 2021); and
2. Endorse the COVID-19 Response Grants Program Guidelines, which will apply to both the 2019 - 2020 and 2020 - 2021 rounds.

Background

The Shire of Harvey community will be experiencing extended periods of physical distancing and isolation as well as significant job losses. It will be necessary for the Shire and the wider community to respond to the changing need of the community in innovative ways to address these requirements.

The purpose of the COVID-19 Response Grants Program is to address this need, and will provide funding to grant applicants that can demonstrate an ability to deliver projects that:

1. Develop resources or services to address the changing needs of the community in a COVID-19 environment;
2. Increase community connection and social inclusion in an environment where physical distancing and isolation measures are in place;
3. Enrich the diversity of cultural, environmental, recreational and social opportunity to residents in the new and developing COVID-19 environment;
4. Actively support the elderly, vulnerable, Aboriginal and culturally and linguistically diverse (CALD) communities within the Shire;
5. Build and strengthen partnerships between community groups and organisations; and
6. Enhance the Shire of Harvey as a safe, liveable and healthy Shire in the context of a pandemic.

Comment

Should Council be supportive of this proposal, draft guidelines have been prepared that include eligibility criteria, exclusions and the maximum subsidy levels. This is to ensure that funding will meet the needs of those affected by the pandemic in the most timely, effective and efficient way as well as being transparent and accountable (**Attachment 1**).

The main elements of the draft guidelines include: eligible organisations and programs, ineligible applications, assessment criteria and funding requirements.

Statutory/Policy Environment

Shire of Harvey 2.2.16 Disaster Relief Donations Policy.

Strategic Framework

Within the Shire's Strategic Community Plan 2013 – 2023, Strategy 3.1.2 states:

“Continue to actively engage Local Community groups to understand needs, improve facilities and source grant funding.”

Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The Consequence could be **Reputational** if unsuccessful applicants were not happy with the outcome of the process. The Risk Consequence is considered to be **Minor** and the Likelihood **Possible** resulting in a **Moderate** level of risk.

Budget Implications

It is requested that an allocation of \$30,000 be committed to COVID-19 Response Grants Program in the current 2019-2020 budget and a further \$40,000 be allocated to the 2020-2021 budget.

Voting Requirement

Simple Majority for Recommendation 1.
Absolute Majority for Recommendation 2.

Officer's Recommendation 1 of 2

That Council:

1. Supports the proposal to establish a COVID-19 Response Grants Program to be allocated in two rounds; and
2. Includes an allocation of \$40,000 in its 2020 - 2021 Draft Budget for the COVID-19 Response Grants Program

Moved: Cr Jackson Seconded: Cr Lovitt

That Council:

1. **Supports the proposal to establish a COVID-19 Response Grants Program to be allocated in two rounds; and**

-
- 2. Includes an allocation of \$40,000 in its 2020 - 2021 Draft Budget for the COVID-19 Response Grants Program**

Carried 13-0 20/103.

Officer's Recommendation 2 of 2

That Council approves an unbudgeted expenditure allocation of \$30,000 for the 2019 - 2020 COVID-19 Response Grants Program.

Absolute Majority Required

Moved: Cr Bromham Seconded: Cr Campbell

That Council approves an unbudgeted expenditure allocation of \$30,000 for the 2019 - 2020 COVID-19 Response Grants Program.

Carried 13-0 20/104.

Community Development

Item No.	12.5.3
Subject:	Leschenault Sporting Association – Request for Assistance
Proponent:	Leschenault Sporting Association
Location:	Leschenault Pavilion, Lot 42Leisure Drive, Australind
Reporting Officer:	Manager Community and Economic Development
Authorising Officer:	Chief Executive Officer*
File No.:	B000156

Summary

This report presents a request from the Leschenault Sporting Association (LSA) to provide additional financial support for the proposed kitchen upgrade at the Leschenault Pavilion, and further financial assistance to allow it remain operational through the COVID-19 period and beyond. It is recommended that Council partially support the request subject to conditions.

Background

The LSA is made up of volunteers and members of each of the six clubs and organisations that are based at the Leschenault Pavilion. The Pavilion is managed by the LSA under a lease agreement with the Shire of Harvey. Under the lease agreement, Council agreed to certain concessions in the first year (2015) of the lease to assist the LSA with various start-up costs that needed to be incurred in the initial period.

A meeting with LSA representatives was held on 2 December 2019 to discuss the LSA's lease agreement with the Shire and its current financial position. Representing the Shire at that meeting was the Shire President, Chief Executive Officer and Manager Community and Economic Development.

The LSA advised the Shire representatives of concerns with regard to the proposed upgrade of the kitchen at the Leschenault Pavilion and the ongoing financial viability of the LSA.

Correspondence has been received from the LSA (**Attachment 1**) seeking the Shire's support for the following items:

1. Payment of Utility Costs to 30 June 2022.

One of the concessions that was approved by Council in the initial period of the lease agreement was for the Shire to pay all utility costs in the first year of the lease.

The request from the LSA is for the Shire to reintroduce this concession and pay all utility costs until 30 June 2022. The estimated annual cost of this concession would be \$15,000.

2. Subsidy for Club Manager/Staff

An additional concession that was approved by Council in the initial period was to underwrite the LSA's employee wages to the maximum amount of \$1,700 per month for the first 12 months of the lease agreement.

This concession was not required due to the LSA generating sufficient revenue in the initial period to meet all wages costs. Following a request from the LSA, Council approved this budget allocation being used to upgrade the projector at the Pavilion.

3. Increased financial support for Kitchen upgrade

Following applications from the LSA to the 2019 - 2020 Community Budget Submission and the Alcoa Harvey Sustainability Fund (AHSF) programs, the following funds were allocated in the Shire's 2019 - 2020 Budget for the proposed kitchen upgrade:

Shire of Harvey	\$15,000
AHSF	\$15,000
LSA contribution	<u>\$18,035</u>
Total	\$48,035

The proposal was to upgrade the Leschenault Pavilion kitchen to enable meals to be provided in a timely fashion and improve the long term financial viability and sustainability of the LSA.

In the period following the adoption of the Shire's Budget, the LSA become aware that in order to comply with Health regulations, it would be necessary to provide a new exhaust with increased capacity to accommodate the proposed additional cooking facilities. Partly due to the design of the Pavilion, the quote to provide a new exhaust system and range hood was approximately \$50,000 which had not been allowed for in the project budget.

The LSA has also advised that although its operating deficit for 2018 - 2019 had been reduced to \$578 (down from \$27,737 the previous year), it did not have sufficient cash reserves to provide its nominated financial contribution of \$18,035 towards the kitchen upgrade, and expressed concerns about its ongoing financial sustainability.

Comment

The request from the LSA was received prior to the various measures and closures being put in place to reduce the spread of the Coronavirus. Since being ordered to close, the only income that the LSA has been able to generate has been through the sale of "take-away" meals.

Given the uncertainty with regard to how long the current measures will remain in place, without some level of financial assistance from the Shire, it is likely that the LSA will not be able to meet its obligations under the lease and be left with little choice but hand over the responsibility for management of the building to the Shire.

Under that scenario, the Shire would directly manage the hire of the building through its booking system, and meet all operating and maintenance costs. The estimated annual cost to the Shire would be \$30,000 - \$40,000.

Although it is not the Shire's normal practice to provide the requested financial support to organisations such as the LSA, in view of the important role that the LSA plays in managing the Leschenault Sporting Pavilion and providing a recreational and social "hub" for the local community, there is an argument to support or partially support the request in the current circumstances. The following comments are made with regard to the LSA request:

- Until such time as the LSA can re-open and start generating some income, the short term priority is to meet its utility obligations and other essential costs. The original request was for the Shire to pay utility costs up until 30 June 2022, however it is only supported that the Shire pay utility costs until 31 March 2021 at an estimated cost of \$15,000. Anything beyond 31 March 2021 would need to be considered at a later point when more detail is known around re-opening dates.
- The request to underwrite the LSA's employee wages to the maximum amount of \$1,700 per month for a 12-month period commencing from 1 July 2020 is also supported subject to a monthly review of the Association's financial statements and only in instances where revenue is insufficient to cover the employee's wages and associated on costs.
- The LSA has advised that the proposed kitchen upgrade is critical to its long term sustainability and would enable a larger volume of meals to be prepared in a timely fashion, and provide additional ongoing revenue. Although it is unfortunate that the replacement of the exhaust system was not identified as part of the original project scope, the requested additional funding from the Shire of \$68,000 would allow the project to be completed in 2020-21 and enable the LSA to re-open with a fully functional and "fit-for-purpose" kitchen. On balance it is recommended that an additional amount of \$68,000 be listed for consideration in the Shire's 2020-2021 Draft Budget for this project.

Should Council not be supportive of the LSA's request for financial assistance as described in this report it would be recommended that the request be declined and the Shire make arrangements to take over direct management of the Leschenault Pavilion.

Statutory/Policy Environment

N/A.

Strategic Framework

Within the Shire's Strategic Community Plan 2017 – 2027, Strategy 3.4.1 states:

3.4.1 *"Continue to maintain and enhance the recreation centres to service a wide range of the community."*

Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The Consequence could be **Financial and Reputational** if the Leschenault Sporting Association is no longer financially viable and may result in the Shire being required to manage the facility. The consequence is considered **Moderate** and the likelihood is **Possible** resulting in a **Moderate** risk.

Budget Implications

This report recommends that Council support the request to provide financial support and underwriting of operating costs to the Leschenault Sporting Association to the value of approximately \$3,750 (utility costs) in the current financial year and approximately \$31,650 (\$11,250 utility costs and \$20,400 staffing subsidy) in 2020 - 2021.

It is also recommended that Council list for consideration of funding in its 2020 - 2021 Draft Budget an additional allocation of \$68,000 for the upgrade of the Leschenault Pavilion kitchen.

Voting Requirement

Simple Majority.

Officer's Recommendation

That Council:

1. Agrees to meet the utility costs for the Leschenault Pavilion for the period up until 31 March 2021.
2. Agrees to underwrite the Leschenault Sporting Association's employee wages to the maximum amount of \$1,700 per month for a 12-month period commencing from 1 July 2020 subject to a monthly review of the Association's financial statements and only in instances where revenue is insufficient to cover the employee's wages and associated on costs.
3. Lists for consideration of funding in its 2020 - 2021 Draft Budget an additional allocation of \$68,000 for the upgrade of the kitchen at the Leschenault Pavilion.

Alternate Motion

That Council:

1. Requests the Chief Executive Officer to arrange for the Shire of Harvey to take over the management of this facility; and
2. Council review this arrangement at **the** first Concept Forum meeting in 2021.

Moved: Cr Adams Seconded: Cr Beech

That Council:

1. **Requests the Chief Executive Officer to arrange for the Shire of Harvey to take over the management of this facility; and**
2. **Council review this arrangement at the first Concept Forum meeting in 2021.**

Lost 2-11

Moved: Cr Carbone Seconded: Cr Jackson

That Council:

1. **Agrees to meet the utility costs for the Leschenault Pavilion for the period up until 31 March 2021.**
2. **Agrees to underwrite the Leschenault Sporting Association's employee wages to the maximum amount of \$1,700 per month for a 12-month period commencing from 1 July 2020 subject to a monthly review of the Association's financial statements and only in instances where revenue is insufficient to cover the employee's wages and associated on costs.**
3. **Lists for consideration of funding in its 2020 - 2021 Draft Budget an additional allocation of \$68,000 for the upgrade of the kitchen at the Leschenault Pavilion.**

Carried 9-4 20/105.

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

13.1 Cr. Adams requested that the following Notice of Motion be placed in the Ordinary Council meeting Agenda for 28 April 2020.

That Council, in view of the unprecedented situation with regard to pressure on house hold budgets, escalating under or unemployment figures and general uncertainty within our community revolving around how to manage their financial needs over the next several months, resolve to request the Chief Executive Officer to:

2. *a) Prepare, present, propose and recommend a nil percentage increase budget for the financial year 2020/2021;*
b) Remove the \$15 administration fee for those ratepayers opting to pay their rates bill in two (2) or 4 (four) instalments this financial year;
c) Maintain all fees and charges at the current level for this financial year; and
d) Reduce the rate rebate from 7% to 5% for rates paid in one instalment by due date.
3. *Review these emergency budget measures for presentation to Council at the first Concept meeting in February 2021.*

Councillor Adams withdrew his Notice of Motion.

13.2 Cr. Bromham requested that the following Notice of Motion be placed in the Ordinary Council meeting Agenda of 28 April 2020.

That the Shire of Harvey develops a Facebook page to assist in communicating broadly with its community by the 30 June 2020.

Moved: Cr Bromham Seconded: Cr Lovitt
That the Shire of Harvey develops a Facebook page to assist in communicating broadly with its community by the 30 June 2020.

Procedural Motion

Councillors 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.

Moved: Cr Beech Seconded: Cr Burgoyne
That this debate be adjourned until the full Council Meeting to be held on Tuesday 23 June 2020.

Carried 8-5 20/106.

14. Notice of Motion for Following Meeting

Nil.

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

Nil.

16. Reports of Members

Cr Beech reported on his attendance at the following:

- Two meetings with Harvey Community Resource Centre meeting via VidoConnect
- Harvey Recreation and Cultural Centre Committee meeting via Zoom
- Laid ANZAC Day wreath at the Harvey War memorial on behalf of the Shire of Harvey

Cr Campbell reported on her attendance at the following:

- Morrissey Homestead Board E-Meeting, noting that Morrissey Homestead acknowledged the contact made by the Shire of Harvey officers regarding their officer for assistance.

Cr Burgoyne reported on his attendance at the following:

- Laid ANZAC day wreath at the Brunswick War memorial on behalf of the Shire of Harvey

Cr Lovitt reported on her attendance at the following:

- JP signing each Tuesday at the Shire office in Australind. This is very well utilised by the public with an average of 5 per hour each week, with the service increasing from fortnightly to weekly. Seems to be a very valuable service to the community, and one that would be good to promote within the 4 o'clock report and website. Also a wonderful opportunity to hear how caring, professional and friendly staff are in the office during the quieter moments.

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:

- Restrictive Covenant- L508320 Easement for Public Access DP 415349 – Treendale 2 Pty Ltd and Western Power

Prepared By
Western Power

2. Notes the use of the Common Seal on items previously authorised by Council as follow:

- Deed of Extension – Shire of Harvey and Leschenault Sporting Association Inc
- Shire of Harvey Local Planning Strategy – Part 1 – Strategic Plan

Prepared By
Shire of Harvey

Shire of Harvey

Moved: Cr Jackson Seconded: Cr Carbone

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:**

- Restrictive Covenant- L508320 Easement for Public Access DP 415349 – Treendale 2 Pty Ltd and Western Power

Prepared By

Western Power

2. **Notes the use of the Common Seal on items previously authorised by Council as follow:**

- Deed of Extension – Shire of Harvey and Leschenault Sporting Association Inc
- Shire of Harvey Local Planning Strategy – Part 1 – Strategic Plan

Prepared By

Shire of Harvey

Shire of Harvey

Carried 13-0 20/107.

That Council accepts new business of an urgent nature to the meeting being Officers report 18.1.

Moved: Cr Carbone Seconded: Cr Jackson

That Council accepts new business of an urgent nature to the meeting being Officers report 18.1.

Carried 13-0 20/108.

6.15pm Cr Adams left the electronic meeting.

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

6.17pm Cr Adams entered the electronic meeting.

Item No.	18.1
Subject:	Covid-19 Response Local Economic Stimulus
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	A/Executive Manager Finance and Corporate
Authorising Officer:	Chief Executive Officer
File No.:	SMB0006

Summary

As a result of the COVID-19 crisis there has been a significant economic impact to the Shire's local industries which has adversely impacted many of the Shire's residents. At the Forward Capital Works workshop held 23 April, 2020 and after reviewing the Shire's Long Term Financial Plan, it was agreed that the Shire would inject funds back into the local community via bringing forward works and projects originally listed for future years.

It is proposed that this happen in a two stage process with major maintenance works to recreation centres forming stage one and then a variety of additional works around the Shire forming stage two. It is planned that stage one works commence immediately with stage two works being identified and reported to Council at the May 2020 Council Meeting.

It is recommended that Council approves the unbudgeted works listed in this report for the Leschenault Leisure Centre and the Harvey Recreation and Cultural Centre and that these works commence immediately.

Background

The Premier, the Hon Mark McGowan MLA in his letter addressed to the President of the Western Australian Local Government Association (WALGA) and titled COVID-19, stated, *"During this period local governments and local government leaders will have an important role to play, not only fulfilling responsibilities under the Plan, but also providing leadership in their communities to help people through this difficult time."*

Local Governments have been called upon to do what they can to stimulate their local economies. To aid in this endeavour, the State Government has amended the Local Government (Financial Management) Regulations 1996, for the purpose of responding to this emergency. These amendments have removed some of the red tape associated with the quick implementation of budgeted and unbudgeted works. These amendments include the removal of the requirement to give public notice during a state of emergency for;

- Repurposing financial reserves;
- Borrowing money; and
- Changing the use of borrowed money.

Amendments have also been made to the Local Government (Functions and General) Regulations 1996, increasing the tender threshold to \$250,000 in line with State Government Agencies and removing the requirement to publicly invite tenders during a state of emergency where the supply of the goods or services is associated with the state of emergency.

Comment

The Shire's Long Term Financial Plan (LTFP) has been remodelled incorporating a zero percent increase in fees and charges as well as a zero percent increase to the Shire rates, 'rate in the dollar' for all household and business rates. This means that a household's rates for 2020-2021 will not increase unless they have made significant improvements to their home.

In remodelling the LTFP, an assessment has been made as to what capacity the Shire has to respond with a local economic stimulus. Having reviewed the Shire's financial capacity, it is now incumbent on Council to adopt a list of projects which would best stimulate our local economy and which will also best fit infrastructure asset management needs into the future.

Already identified in the Shire's Forward Capital Works Plan is some major maintenance for the Leschenault Leisure Centre as well as the Harvey Recreation and Cultural Centre. With both of these Centres closed to the public as a result of the COVID-19 virus, now is considered an ideal time to carry out these works.

A list of other works is being compiled which incorporates different trades and industries and of which are situated throughout the different localities in the Shire. It is proposed this more comprehensive list of works forms the second stage of the Shire's local economic stimulus and be dealt with at Council's May 2020 meeting.

It should be noted that this economic stimulus is in addition to the those hardship measures included in item 12.1.1 of this agenda, namely;

- A zero percent increase to the Shire rates, 'rate in the dollar' for 2020-2021;
- No increases to non-statutory Fees and Charges for 2020-2021;
- A nil change to the discount for complete payment of rates by the due date;
- To freeze rates penalty interest from 1 March 2020 to 30 June 2020;
- To remove the administration fee for rate instalment payments for 2020-2021;
- Adopts the Covid-19 Financial Hardship Policy;
- The deferment of self-supporting loan payments for a period of six months;
- Waives the Home Occupation planning consent and renewal fee for the period from 1 April 2020 to 31 March 2021; and
- Waives the printing costs associated with any electronic submission of building or planning applications from 1 March 2020 to 30 June 2021.

The specific works proposed for the two Recreation Centres and their funding sources are:

Project Name	Total Capital Expense	Funding Source		Reserves
		General Revenue	Reserves	
LLC Major Upgrade - Aquatic, Replace Insulation in Roof	(250,000)	150,000	100,000	LLC Aquatic Major Mtc Reserve
LLC Replace HP2	(90,000)		90,000	LLC Aquatic Major Mtc Reserve
LLC BBQ for Outdoor Function Area	(8,000)		8,000	LLC Aquatic Major Mtc Reserve
LLC Building Roof Steel Works - Painting	(20,000)		20,000	LLC Major Mtc Reserve
LLC Aquatic Roof Steel Works - Painting	(20,000)		20,000	LLC Aquatic Major Mtc Reserve

LLC - Filter Shelter	(13,000)	62,000	13,000	LLC Aquatic Major Mtc Reserve
LLC - Carpet Replacement	(62,000)			
LLC - CCTV Replacement	(50,000)	20,000	50,000	LLC Major Mtc Reserve
LLC - Kitchen Floor Renewal	(9,000)		9,000	LLC Major Mtc Reserve
HRCC - Renovations to Enlarge Gym Area	(130,000)		110,000	HRCC Major Mtc Reserve
HRCC - Function Room Refurbishment	(45,000)		45,000	HRCC Major Mtc Reserve
HRCC - CCTV Replacement	(30,000)		30,000	HRCC Major Mtc Reserve
Total Cost	(727,000)	232,000	495,000	

Statutory/Policy Environment

Local Government Act 1995

Section 6.8(1)(b) Unbudgeted Expenditure to be authorised in advance by Absolute Majority.

Local Government (Functions and General) Regulations 1996

Reg. 11(1) Tender threshold amount of \$250,000.
Reg. 2(aa) Tender advertisement not required in a state of emergency.

Local Government (Financial Management) Regulations 1996

Reg. 20(3) Public notice not required to borrow moneys in a State of emergency.

Strategic Framework

Within the Shire's Strategic Community Plan 2017 - 2027, the following strategies 1.1.6, 3.4.1 state:

"Support and promote diverse and small-medium businesses"

"Continue to monitor the needs of the community, to ensure access to appropriate services and facilities"

Risk Management

The Risk Theme Profile identified as part of this report is **Business and Community Disruption**. The Consequence could be **Financial Impact** and **Reputational**. As the impacts to the Shire and its community are not fully known at this time the risk could be considered **Catastrophic** and the likelihood **Almost Certain**. This results in an **Extreme** risk being present.

Budget Implications

The Long Term Financial Plan demonstrates the Shire's capacity to respond to this emergency situation caused by COVID-19. The unbudgeted works recommended in this report total \$727,000 of which \$232,000 is proposed to be funded from general revenue, \$231,000 from LLC Aquatic Major Maintenance Reserve, \$79,000 from LLC Major Maintenance Reserve and \$185,000 from HRCC Major Maintenance Reserve.

Voting Requirement

Absolute Majority.

Officer's Recommendation

That Council:

1. Authorises unbudgeted expenditure of \$727,000 for major maintenance works to the Leschenault Leisure Centre and the Harvey Recreation and Cultural Centre for the purpose of local economic stimulus as a result of the COVID-19 declared emergency.
2. Authorises the utilisation of \$495,000 from Shire Reserves to in part fund the projects listed within this report.

Absolute Majority Required

Moved: Cr Carbone

Seconded: Cr Adams

That Council:

1. **Authorises unbudgeted expenditure of \$727,000 for major maintenance works to the Leschenault Leisure Centre and the Harvey Recreation and Cultural Centre for the purpose of local economic stimulus as a result of the COVID-19 declared emergency.**
2. **Authorises the utilisation of \$495,000 from Shire Reserves to in part fund the projects listed within this report.**

Carried 13-0

20/109.

19. Matters Behind Closed Doors

Nil.

20. Closure of Meeting

There being no further business to discuss, the meeting was declared closed at 6.18pm.

I, Cr. Paul Gillett certify that the aforesaid Minutes of the meeting held on Tuesday, 28 April 2020, are a true and correct record of that meeting on Tuesday, 28 April 2020.

Cr. Paul Gillett
Shire President



Alcoa Harvey Sustainability Fund Advisory Committee **Minutes**

Harvey Council Chamber
Wednesday, 29 April 2020
2pm

Minutes

1. Official Opening

Cr. Gillett opened the meeting at 2.04pm.

2. Election of Chair

The Shire President invited nominations for the role of Chairperson. Mr. Tom Busher nominated Cr. Gillett for the position of Chairperson. As there were no further nominations Cr. Gillett was elected unopposed as Chairperson.

Moved: Riordan Seconded: Busher

That Cr. Gillett be elected to the position of Chairperson.

Carried 6-0 AHSFA -20/001.

3 Advisory Group Membership

Shire President	Cr.	P.	Gillett
Chief Executive Officer	Ms.	A.	Riordan
Community Member	Ms.	H.	Alexander
Community Member	Mr.	C.	Epiro
Alcoa	Mr.	T.	Busher
Alcoa	Mr.	S.	Hansen

Other Attendees (Observers)

Acting Manager Community and Economic Development	Mr.	R.	Duke
Principal Building Surveyor	Mr.	M.	Stewart
Community Development Officer	Ms.	S.	Johnson

4. Record of Apologies

Nil.

5. Declarations of Members' and Officer's Personal Interest

Nil.

6. Agenda Items

6.1 Evaluation of Alcoa Harvey Sustainability Fund (AHSF) Grant Applications

In line with previous practice the 2020 funding round was advertised in February 2020 to coincide with the Shire's Community Budget Submission process. Applications closed on 24 March 2020, and a total of six (6) applications were received.

Basic details of the grant applications are as follows with a more detailed summary provided as **Attachment 1**. All amounts are exclusive of GST.

Name of Group	Project Name	Grant Requested	Total Project Cost
Brunswick and Districts Bowling Club	Converting 'B' Green to Synthetic Surface	\$59,000	\$213,000
Harvey Bulls Football Club	Upgrade and Extension of Change Rooms	\$52,000	\$204,000
Harvey Bulls Football Club	Solar Panel Installation	\$6,900	\$13,900
Harvey Golf Club	Irrigation Water Supply and System Upgrade	\$22,831	\$58,331
Harvey Local Drug Action group	Provide a Safe Space for Youth	\$12,000	\$84,000
Yarloop Workshops Inc.	Yarloop Site Protection Project	\$12,100	\$17,100

The Grant Application Guidelines advise that the submissions will be assessed against the following criteria:

- Evidence of a demonstrated need for the project;
- The extent to which the project will provide a long term benefit to the community;
- The number of groups and individuals who will directly benefit from the project;
- The level of financial and / or in-kind contribution from the applicant and / or other funding bodies e.g. other grants, donations or sponsorships;
- The long term sustainability of the project e.g. the capacity of the organisation to maintain the project in the long term and meet all ongoing costs;
- The extent to which the project facilitates partnerships with other community groups or organisations; and
- Whether the project provides an environmental and / or energy saving benefit.

The role of the committee is to evaluate the grant applications against the funding criteria and make a recommendation to Council regarding the allocation of funds for individual projects. To assist with this process a score sheet (refer **Attachment 2**) has been developed and is enclosed with the Agenda.

The following brief comments are made with regard to each application (copies of the complete applications are circulated as **Confidential Attachment 1**):

Brunswick and Districts Bowling Club

Brunswick and Districts Bowling Club is seeking to replace the worn grass 'B' Green with a synthetic surface. This would enable year round games and competitions which will increase community and visitor participation. A synthetic green would lessen workload for the green-keeper and volunteers, and reduce wages. Proposed additional funding for the project includes:

\$59,000	Shire of Harvey (2020-21 Budget submission)
\$35,000	Sport and Recreation CSRFF
\$49,000	Brunswick and Districts Bowling Club (cash)
\$10,000	Organisation in-kind contribution

Harvey Bulls Football Club

The Harvey Bulls Football Club is seeking funding to upgrade and extend the change rooms at the Harvey Recreation Ground grandstand. The upgraded facilities would enable the Club to support and develop male and female sports. It would increase the profile of Harvey Football Club, increase membership and attract higher level games e.g. WAFL. The proposed facilities would be available to other organisations when not in use by the club. Proposed additional funding for the project includes:

\$52,000	Shire of Harvey (2020-21 Budget submission)
\$68,000	Sport and Recreation CSRFF
\$22,500	Harvey Bulls Football Club (cash)
\$10,000	Organisation in-kind

Harvey Bulls Football Club

The Harvey Bulls Football Club is seeking funding to install Solar Panels at the Harvey Bulls Clubhouse to provide a cost effective and sustainable solution for their power supply. The Harvey Bulls Football Club will supply additional funding for the project of \$7,000.

Harvey Golf Club

The Harvey Golf Club is requesting funding for an irrigation water supply and system upgrade in order to secure an additional sustainable water source and facilitate monitoring water supply to greens. This would maintain quality playing grass greens throughout the year attracting more use of the club facilities and more visitors to Harvey. The Club plans an upgrade to the Club buildings in the following financial year. Additional funding for the project includes:

\$22,000	Shire of Harvey (2020-21 Budget submission)
\$10,000	Harvey Golf Club
\$ 3,500	Organisation in-kind

Harvey Local Drug Action Group

Harvey Local Drug Action Group is seeking funding for a Youth Safe Space Project in response to community demand and highlighted in the Youth Advisory Council of WA (YACWA) Survey and resulting report.

Providing a space for youth will offer opportunities to develop leadership skills and empower youth. It will provide a place for educational, sporting and social activities not already provided in the community. The coordinator and volunteers will provide access to information regarding harm reduction. The program will enable collaboration to provide a positive outcome for youth, especially disadvantaged and marginalized youth and a reduction in youth crime.

Proposed additional funding for the project includes:

\$25,000	Community Crime Prevention Fund
\$15,000	Lou Comiso (rent assistance)
\$ 3,500	Nola Marino Volunteer Grant
\$ 9,000	Harvey LDAG
\$19,500	Organisation in-kind

Yarloop Workshops Inc.

Yarloop Workshops Inc. is requesting funding to purchase a sea container, tarps and ropes to preserve and protect artefacts on the site of Yarloop Workshops. Their continuing work on preservation is supporting volunteering and the unemployed.

\$2,000	Yarloop Workshops
\$3,000	Organisation in-kind

Officer's Recommendation

That Council:

1. Endorses the following allocation of funds from the Alcoa Harvey Sustainability Fund for projects to be undertaken in 2020-21:
 -
 -
2. Advises the successful applicants that funding approvals are subject to the following conditions:
 - a. The balance of funding for each project being secured;
 - b. Confirmation of final costs for each project; and
 - c. Signing of a funding agreement that includes relevant condition of funding for each project.
3. Records its thanks to Alcoa for providing funding for the above important projects in the Shire of Harvey.

Moved: Alexander Seconded: Busher

That Council:

1. **Endorses the following allocation of funds from the Alcoa Harvey Sustainability Fund for projects to be undertaken in 2020-21:**

Name of Group	Project Name	Grant Amount	Total Project Cost
Brunswick and Districts Bowling Club	Converting 'B' Green to Synthetic Surface	\$59,000	\$213,000
Harvey Bulls Football	Solar Panel Installation	\$6,900	\$13,900

Name of Group	Project Name	Grant Amount	Total Project Cost
Club			
Harvey Golf Club	Irrigation Water Supply and System Upgrade	\$22,831	\$58,331
Harvey Local Drug Action group	Provide a Safe Space for Youth	\$12,000	\$84,000
TOTALS		\$100,731	\$369,231

2. Advises the successful applicants that funding approvals are subject to the following conditions:
 - a. The balance of funding for each project being secured;
 - b. Confirmation of final costs for each project;
 - c. Signing of a funding agreement that includes relevant conditions of funding for each project; and
 - d. Shire approval being obtained and all other necessary approvals and permits being in place prior to commencement of the project.
3. Records its thanks to Alcoa for providing funding for the above important projects in the Shire of Harvey.

Carried 6-0 AHSFA - 20/002

7. Other Business/Round Table

Mr. Busher noted that the Harvey Bulls Football Club application for the upgrade and extension of the change room was not successful this year due to funding allocations and that they were invited to reapply at a future time.

8. Next Meeting

To be confirmed.

9. Closure

There being no further business to discuss, the meeting was declared closed at 2.24pm