



SHIRE OF
HARVEY



Ordinary Council Meeting **Minutes**

Harvey Council Chamber

Tuesday, 22 June 2021

4PM

Shire of Harvey Council Minutes

Minutes of the Ordinary Council of the Harvey Shire Council, held in the Council Chamber, Uduc Road, Harvey, on Tuesday 22 June 2021, commencing at 4pm.

Attendance

Shire President

Cr.	P.	Gillett
Cr.	P.	Beech
Cr.	M.	Boylan
Cr.	J.	Bromham
Cr.	M.	Campbell
Cr.	F.	Burgoyne
Cr.	B.	Adams
Cr.	R.	Coleman
Cr.	W.	Dickinson
Cr.	A.	Lovitt JP
Cr.	D.	Simpson
Cr.	T.	Jackson
Cr.	C.	Carbone

Staff

Chief Executive Officer	Ms.	A.	Riordan
Director Corporate Services	Mr.	D.	Winter
Director Community and Lifestyle	Ms.	K.	Davis
Director Infrastructure Services	Mr.	R.	Lotznicker
Manager Governance and Strategy	Ms.	K.	Williams
Marketing and Communications Officer	Ms.	I.	Liitiaeinen
Marketing and Communications Officer	Ms.	O.	Polyakova
Manager Waste and Safety Services	Mr.	H.	Jones
Manager Special Projects	Ms.	P.	Pietersen
Manager Information and Technology	Mr.	A.	Ewing
Manager Place	Ms.	A.	Pitts
Manager Planning Services	Ms.	E.	Edwards
Acting Manager Environmental Health Officer	Ms.	J.	Madzvimbo
Economic Development Officer	Ms.	A.	Williams
Governance Compliance Officer	Ms.	F.	Schindler
Executive Assistant	Ms.	A.	Robb

There was five members of the public present and one member of the press.

1. Official Opening

The Shire President opened the meeting at 4:02pm.

Disclaimer

Members of the Public are advised that recommendations to Council contained within this Agenda can be subject to alteration. Applicants and other interested parties should refrain from taking any action until such time as written advice is received confirming Council's decision with respect to any particular issue.

Any statement or insinuation of approval regarding any planning or development application made during an Ordinary Council Meeting is not to be taken as notice of approval from the Shire. The Shire advises that anyone who has an application lodged with the Shire must obtain and should only rely on written confirmation of the outcome of the application, and any conditions attached to the decision made by Council regarding the application.

An audio and/or visual record will be made of these proceedings to assist in the taking of minutes.

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

Nil.

3. Applications for Leave of Absence

Cr. Campbell requests a leave of absence from Sunday, 18 July 2021 – Saturday, 31 July 2021 inclusive.

Moved: Cr. Campbell Seconded: Cr. Burgoyne

Cr. Campbell requests a leave of absence from Sunday, 18 July 2021 – Saturday, 31 July 2021 inclusive.

Carried 13-0 21/108

4. Reading from a Book of Learning and Wisdom

Read by Cr. Lovitt

5. Declarations of Members' and Officers' Personal Interest

Cr. Wendy Dickinson declared an Impartiality Interest in Item 12.1.2 – Leschenault Men's Shed – Lease Agreement. Cr. Dickinson advised that she is a Committee Member for the Brunswick Men's Shed and has declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Wendy Dickinson declared an Impartiality Interest in Item 12.1.3 – Community Lease Policy. Cr. Dickinson advised that she is the Council Delegate on the Uduc Progress Association and Binningup Christian Youth Camp Committee and has declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Wendy Dickinson declared an Impartiality Interest in Item 12.2.2 – Waste Options Paper & Strategic Recommendations for the Regional Alternate Waste Project. Cr. Dickinson advised that she is the Council Delegate on the Bunbury Harvey Regional Council and has declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Wendy Dickinson declared an Impartiality Interest in Item 12.3.1 – Harvey Region Tourism Development, Visitor Servicing and Signage Strategic Report. Cr. Dickinson advised that she is a Council Delegate on the Harvey Visitor Centre Board and has declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Wendy Dickinson declared an Impartiality Interest in Item 19.1.1 – Harvey District Tourist Bureau Management Agreement and Community Budget Submission. Cr. Dickinson advised that she is a Council Delegate on the Harvey Visitor Centre Board and has declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Amanda Lovitt declared an Impartiality Interest in item 12.2.1 – Tender T022021 Shire of Harvey Estate Landscape Maintenance – Lakewood Shires, Binningup – Galway Green Estate, Australind – Kingston Estate, Australind – Treendale Estate, Australind. Cr. Lovitt advised that this item refers to landscaping in Kingston which is where she resides and has declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Amanda Lovitt declared an Impartiality Interest in item 12.4.5 – Specified Area Rate – Landscaping Maintenance. Cr. Lovitt advised that this item refers to landscaping in Kingston which is where she resides and has declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Robyn Coleman declared an Impartiality Interest in Item 12.1.3 – Community Lease Policy. Cr. Coleman advised that she has involvement with the Binningup Bowling Club, is the President of the Harvey Bowling Club and is a Council Delegate on the Harvey Senior Citizens Committee and the Harvey Main Street Committee and has declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Paul Gillett declared an Impartiality Interest in Item 12.1.3 – Community Lease Policy. Cr. Gillett advised that he is a Council Delegate on the Binningup Community Association and has declared that he would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Paul Beech declared an Impartiality Interest in Item 12.1.3 – Community Lease Policy. Cr. Beech advised that he is a Council Delegate on the Harvey Community Radio and the Brunswick River Cottages Management Committee and has declared that he would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. John Bromham declared an Impartiality Interest in Item 12.1.3 – Community Lease Policy. Cr. Bromham advised that he is a Council Deputy on Lot 208 and Settlers Hall Management Committee and Council Delegate on the Binningup Water Sports Centre Management Committee and has advised that he would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. John Bromham declared an Impartiality Interest in Item 12.2.2 – Waste Options Paper & Strategic Recommendations for the Regional Alternate Waste Project. Cr. Bromham advised that he is the

Alternate Council Delegate on the Bunbury Harvey Regional Council and has declared that he would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. John Bromham declared an Impartiality Interest in Item 12.2.3 – Policy Review – Bush Fire Personnel – Minimum Training Standards. Cr. Bromham advised that he is a member of the Leschenault Bushfire Brigade and has declared that he would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Michelle Campbell declared an Impartiality Interest in Item 12.1.3 – Community Lease Policy. Cr. Campbell advised that she is a Council Delegate on the Morrissey Homestead Board and Lot 208 Youth Inc and has declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Tania Jackson declared a Financial Interest in Item 12.3.1 – Harvey Region Tourism Development, Visitor Servicing and Signage Strategic Report. Cr. Jackson advised that she has a tourism business registered within the Shire of Harvey and has declared that she would leave the Chamber for the duration of the item.

Cr. Tania Jackson declared a Financial Interest in Item 12.3.2 - Application for a 'Use Not Listed' (Reception Centre and Tourist Development). Cr. Jackson advised that she has a tourism business registered within the Shire of Harvey and has declared that she would leave the Chamber for the duration of the item.

Cr. Tania Jackson declared a Financial Interest in Item 19.1.1 – Harvey District Tourist Bureau Management Agreement and Community Budget Submission. Cr. Jackson advised that she has a tourism business registered within the Shire of Harvey and has declared that she would leave the Chamber for the duration of the item.

Cr. Tania Jackson declared an Impartiality Interest in Item 12.1.3 – Community Lease Policy. Cr. Jackson advised that she is a member of the Harvey Arts Society and Council Delegate on the Myalup Community Association Inc. and has declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Francis Burgoyne declared an Impartiality Interest in Item 12.1.3 – Community Lease Policy. Cr. Burgoyne advised that he a Council Delegate on the Brunswick River Cottages Management Committee and has declared that he would deal with the matter on its merits and stay in the Chamber for the duration of the item.

6. Response to Previous Questions Taken on Notice

Nil.

7. Public Question Time

Nil.

8. Petitions/Deputations/Presentations

Mr. Tim Devereux addressed Council in regard to Herbert Road, Harvey.

Mr. Rob White addressed Council in regard to Herbert Road, Harvey.

9. Announcements by Presiding Members or CEO Without Discussion

Nil.

10. Confirmation of Minutes

Ordinary Council Meeting – Tuesday, 25 May 2021.

Recommendation

That the Minutes of the Council Meeting held on Tuesday, 25 May 2021, as printed be confirmed as a true and correct record.

Moved: Cr. Adams Seconded: Cr. Dickinson

That the Minutes of the Council Meeting held on Tuesday, 25 May 2021, as printed be confirmed as a true and correct record.

Carried 13-0 21/109

11. Receipt of Minutes and Recommendations from Committees

Nil.

12. Officer's Reports

12.1. Chief Executive Officer

Item No.	12.1.1.
Subject:	Draft Strategic Community Plan
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Corporate and Community Engagement Officer
Authorising Officer:	Chief Executive Officer
File No.:	B000367
Attachments:	<ol style="list-style-type: none"> 1. Have Your Say Survey Results [12.1.1.1 - 7 pages] 2. SCP Summary Sheet FINAL [12.1.1.2 - 1 page] 3. Strategic Community Plan 2021-2031 FINAL [12.1.1.3 - 38 pages]

Summary

The Shire's draft Strategic Community Plan 2021 – 2031 (SCP) was endorsed by Council for a period of public comment at the Ordinary Council Meeting on 27 April 2021.

The draft SCP has been open for public comment for the period 28 April to 4 June 2021. This period has now closed, and the draft SCP is being presented to Council for adoption.

Background

The draft Strategic Community Plan 2021 – 2031 required a period of public comment prior to being presented to Council for adoption. The draft SCP and a questionnaire were advertised and made available through the following channels:

- Online via the Have Your Say platform on the Shire's website;
- Facebook, Instagram and the 4 O'Clock Report;
- Attached to all Shire employee email signatures for both internal and external emails;
- Paper copies at all Shire facilities and the three Community Resource Centres;
- Posters with the QR code for the Have Your Say site at the Myalup, Binningup and Cookernup general stores; and
- Paper copies distributed to all Place Advisory Group members and Councillors, with a request that it be disseminated through their own personal networks.

At the end of the period of public comment, the statistics from the Have Your Say site were:

- 282 people had visited the Have Your Say site (Aware);
- 82 people had downloaded documents (Informed); and
- 3 people had completed the survey (Engaged).

Relatively positive feedback was provided by the three people who completed the survey (**Attachment 1**). No questionnaires were handed in or emailed to the Shire. No comments or questions were made on the Facebook post.

One member of the Australind-Leschenault Place Advisory Group suggested that a one-page summary of the draft SCP be produced to make it simpler to get an overview of the goals and objectives. This was produced (**Attachment 2**) and will be available alongside the SCP.

One member of the public raised concerns about the validity of the MARKYT Community Scorecard survey that was used to identify the priorities in the draft SCP. This person was provided with further information about the methodology used and the statistical significance of the results.

Comment

The feedback received by the public resulted in no changes to the content or layout of the draft Strategic Community Plan 2021 – 2031. The only change has been the creation of a summary page that will be a separate page to the SCP for people to view as an alternative to the full document.

Statutory/Policy Environment

Completion of the Strategic Community Plan 2021 – 2031 and advertising for public comment complies with the *Local Government Act 1995* Part 5, Division 5 – Annual Reports and Planning and the Local Government (Administration) Regulations 1996 Part 5, Division 3 - Planning for the Future.

Strategic Framework

The Shire's Strategic Community Plan 2017 – 2027, states:

- Objective 4: Strong civic leadership representing the whole of the Shire which engages in effective partnerships and reflects the aspirations of an engaged community.*
- Outcome 4.1 A long term strategically focused Shire that is efficient, respected and accountable.*

Community Engagement

Community Participation Goal

Involve: To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.

Promise to the Community

Involve: We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.

Risk Management

The Risk Theme Profile identified as part of this report is **Inadequate Engagement Practices**. The consequence could be **Reputational** if the Shire does not have an adopted strategic plan for the future that has involved and engaged with the community and stakeholders. The Risk Consequence is **Minor** and the likelihood **Possible**, resulting in a **Moderate** level of risk.

Budget Implications

Resources of \$40,000 have been allocated in the Shire's 2020 – 2021 Budget to complete the Strategic Community Plan.

Authority/Discretion

Executive: The substantial direction setting and oversight role of the Council. e.g. adopting plans and

reports, accepting tenders, directing operations, setting and amending budgets.

Voting Requirements

Absolute Majority

Officer's Recommendation

That Council:

1. Adopts the Strategic Community Plan 2021 – 2031 (***Attachment 3***); and
2. Requires that the adopted Strategic Community Plan 2021 – 2031 is uploaded to the Shire website and public notice of adoption of the Strategic Community Plan is given, as per Local Government (Administration) Regulations 1996.

BY ABSOLUTE MAJORITY

Moved: Cr. Bromham Seconded: Cr. Adams

Amendment

Cr. John Bromham proposed the following amendments:

Request that the latest Estimated Resident Population (ERP) data by locality be included in the Strategic Community Plan.

Moved: Cr. Bromham Seconded: Cr. Simpson

Carried 13-0

21/110

Substantive Motion

That Council:

1. Adopts the Strategic Community Plan 2021 – 2031 (***Attachment 3***);
2. Requires that the adopted Strategic Community Plan 2021 – 2031 is uploaded to the Shire website and public notice of adoption of the Strategic Community Plan is given, as per Local Government (Administration) Regulations 1996; and
3. Requests that the latest Estimated Resident Population (ERP) data by locality be included in the Strategic Community Plan.

Carried by Absolute Majority 13-0

21/111

Item No.	12.1.2.
Subject:	Leschenault Men's Shed - Lease Agreement
Proponent:	Shire of Harvey
Location:	Part Lot 42 Leisure Drive, Australind
Reporting Officer:	Governance Officer – Procurement Compliance
Authorising Officer:	Chief Executive Officer
File No.:	A013480 & CZ053
Attachments:	<ol style="list-style-type: none"> Attachment 1. [12.1.2.1 - 1 page] Attachment 2.. LMS Proposal - Final [12.1.2.2 - 22 pages] Attachment 3. [12.1.2.3 - 1 page] Attachment 4. [12.1.2.4 - 1 page] Attachment 5. [12.1.2.5 - 1 page] Attachment 6. [12.1.2.6 – 29 pages] Attachment 7. [12.1.2.7 - 3 pages]

Summary

The Leschenault Men's Shed Inc. has requested that its lease with the Shire of Harvey for the premises at (part of) Lot 42 Leisure Drive Australind be renewed for a further five-year period.

On 1 May 2011 the Shire of Harvey entered into a Lease Agreement with the Leschenault Men's Shed for a period of five years expiring on 30 April 2016. This agreement was renewed for a further five-year period with some minor alterations to the previous lease conditions. The agreement expired on 30 April 2021. The delay in renewing the document is due to communications back and forth by both parties in relation to the expansion program. It has since been recommended that the Shire of Harvey should proceed with the lease renewal of the current leased area.

Background

The Leschenault Men's Shed has operated from premises at part Lot 42 Leisure Drive for the past 10 years. Men's Sheds are well known throughout Australia as providing for the mental and physical wellbeing of members. There are well understood benefits in the area of men's mental health and wellbeing which in turn provides flow on benefits to the community. Council has been supportive of this group's activities.

The proponent is an incorporated body and operates with a Management Committee overseeing its day-to-day activities. Council at its meeting on 28 July 2020, resolution 20/193, approved to support the group to extend the current lease area to the adjoining area as shown on the attached plan shaded blue (**Attachment 1**) under certain conditions. As the conditions have not been met it is recommended to renew the existing area and once the expansion program (**Attachment 2**) has been completed, proceed to include the additional area to the lease agreement via an exchange of formal correspondence.

Comment

On 19 December 2020, correspondence was received advising that the Leschenault Men's Shed Inc. are seeking to renew the lease for a further five-year term (**Attachment 5**). This relates to the property described as part Lot 42 Leisure Drive Australind, as shown on the attached plan shaded red (**Attachment 1**). Officers are not aware of any breach of the lease terms by the Leschenault Men's Shed during the past five years that the previous agreement has been in existence.

There is a separate arrangement in place between neighbouring Morrissey Homestead and the Leschenault Men's Shed Inc. in respect of electricity arrangements.

Attached is a copy of a Memorandum of Understanding (MOU) between the occupiers of Morrissey Homestead and the Leschenault Men's Shed Inc. (**Attachment 7**). The MOU is in relation to the power supply which have been of concern to Morrissey Homestead. The Shire prior, and since the development of the Leschenault Men's Shed, has commissioned an energy audit by a professional consultant, which has concluded that there is sufficient power supply for both user groups under the current arrangements.

This matter does not impact the lease renewal proposed for the Leschenault Men's Shed Inc.

Currently the rental is \$1.00 per annum, on demand, and it is proposed that this rate continue into the new lease period.

The land and building to be leased are held as freehold title by the Shire of Harvey (**Attachments 3 and 4.**).

With the current lease now expired a new document is required to be put in place as soon as possible. A draft lease has been prepared (**Attachment 6**). The Men's Shed have been advised to continue their operations under the existing lease conditions until such time as a new lease document is confirmed.

The new lease document is based on Council's standard lease template and includes similar terms and conditions used for community groups and organisations currently leasing land and or facilities provided by Council.

No changes are recommended from the current lease document.

Statutory/Policy Environment

Section 3.58 of the *Local Government Act 1995* deals with the disposal of property which includes leasing.

Clause 30 of the Local Government (Functions and General) Regulations 1996 details when the disposition of property is exempt from the provision of *Section 3.58* of the Act.

"A disposition of property to a body;

i) The objects of which one of a charitable benevolent, religions, cultural, educational, recreational sporting or other like nature; and

ii) The members of which are not entitled to profit from the body's transactions are considered exempt."

The exemption refers to not being required to advertise or undertake any other inclusive process of sale or lease, generally in relation to land.

Strategic Framework

The Shire's Strategic Community Plan 2017 – 2027, states:

Objective 3: *Provide a safe and welcoming community which embraces its diversity and heritage, where everyone is valued and has the opportunity to contribute and belong.*

Outcome 3.1 *The community is supported by a strong volunteer base where leadership,*

- 3.1.3 *inclusiveness and supported independence is fostered.
Continue to provide facilities and services to support local community organisations.*

Community Engagement

Community Participation Goal

Inform: To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.

Promise to the Community

Inform: We will keep you informed.

Risk Management

The Risk Theme Profile identified as part of this report is **Business and Community Disruption**. The Consequence could be **Reputational** if Council decided not to support the recommendation. The risk is mitigated by having a lease agreement that has been approved by both parties. The Risk Consequences is considered to be **Moderate** and the Likelihood **Unlikely**, resulting in a **Moderate** risk being present.

Budget Implications

Nil. It is stated in the lease that the Lessee is to pay for the preparation of the document.

Authority/Discretion

Executive: The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

Voting Requirements

Absolute Majority

Officer's Recommendation

That Council:

1. Grants a Lease to the Leschenault Men's Shed Inc. in respect of the identified part of Lot 42 Leisure Drive, Australind, as shown on the attached plan shaded in red (**Attachment 1**) to this report, for a term of five years commencing on 1 May 2021 and concluding on 30 April 2026 under the same terms and conditions as the recently expired lease to the group.
 2. Notes that the extension of the lease area as shown on the attached plan shaded blue (**Attachment 1**) be acknowledged and included into the current lease area by formal correspondence, once the expansion program has been completed.
 3. Agrees to the terms and conditions of the Draft Lease Agreement (**Attachment 6**); and
 4. Authorises the Shire President and Chief Executive Officer to sign and seal the finalised lease document.
-

BY ABSOLUTE MAJORITY

Moved: Cr. Bromham Seconded: Cr. Campbell

That Council:

- 1. Grants a Lease to the Leschenault Men's Shed Inc. in respect of the identified part of Lot 42 Leisure Drive, Australind, as shown on the attached plan shaded in red (*Attachment 1*) to this report, for a term of five years commencing on 1 May 2021 and concluding on 30 April 2026 under the same terms and conditions as the recently expired lease to the group.**
- 2. Notes that the extension of the lease area as shown on the attached plan shaded blue (*Attachment 1*) be acknowledged and included into the current lease area by formal correspondence, once the expansion program has been completed.**
- 3. Agrees to the terms and conditions of the Draft Lease Agreement (*Attachment 6*); and**
- 4. Authorises the Shire President and Chief Executive Officer to sign and seal the finalised lease document.**

Carried by Absolute Majority 13-0

21/112

Item No.	12.1.3.
Subject:	Community Lease Policy
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Manager Governance and Strategy
Authorising Officer:	Chief Executive Officer
File No.:	CC/P/003
Attachments:	1. Community Lease Policy Draft [O35X] [12.1.3.1 - 7 pages]

Summary

The Shire of Harvey is committed to continuing its support of the wider community and in particular community groups. Being able to standardise the Shire's leasing process will ensure the improvement of communication and collaboration with the community. The aim of this policy is to outline provisions and guiding principles for the leasing of Shire land, reserves and facilities vested in the Shire of Harvey.

It is recommended that Council adopts Policy 1.1.12 - Community Lease Policy (**Attachment 1**).

Background

The Shire of Harvey as legal owner of property may from time to time choose to enter into a lease agreement with a third party. The disposal of land is regulated by the *Local Government Act 1995* and the Local Government (Functions and General) Regulations 1996. The Shire of Harvey also manages some Reserves which are available for leasing and licensing purposes for specific periods and purposes as set by the Crown.

The Shire currently has 33 community leases in operation at the Shire. These leases are reviewed periodically with a standard lease term of five years, with three five-year extensions each expiring at a different time. Current community leases with the Shire of Harvey are listed below:

Lessees	Expiry Date	Address
Leschenault Men's Shed	30/04/2021	(part of) Lot 42 (0) Leisure Drive, Australind
Harvey Art Society & Gallery	30/06/2021	Lot 100 (2) Becher Street, Harvey
Binningup Community Association	30/06/2021	(part of) Lot 1 (0) Lakes Parade, Binningup
Binningup Bowling Club	30/06/2021	(part of) Lot 1 (0) Lakes Parade, Binningup
Sub Lease - Binningup SLSC	29/11/2021	(part of) Reserve 48823, Lot 3001 (0) West Coast Drive, Binningup
HDWSA	30/11/2021	(part of) Reserve 48823, Lot 3001 (0) West Coast Drive, Binningup
Brunswick Junction Community Resource Centre	31/12/2021	Lot 4 (0) Ridley Street, Brunswick Junction
Yarloop Bowling Club	31/05/2022	Lot 50 (35) Teesdale Street, Yarloop
Harvey Bowling Club	30/05/2022	Lot 1 (106) Young Street, Harvey
Harvey Community Resource Centre	30/06/2022	Lot 41 (5) Gibbs Street, Harvey
Morrissey Homestead Inc	30/11/2022	(part of) Lot 42 (0) Leisure Drive, Australind
Harvey Sporting Clays Association	31/12/2022	(part of) Reserve 22672, Lot 5068 (0)

		Honeymoon Road, Harvey
Myalup Community Association	31/12/2022	(part of) Lot 50 (2) Reading Road, Myalup
Jeep Owners Club of Western Australia	31/01/2023	(part of) Reserve 32829, Lot 5068 (0) Honeymoon Road, Harvey
Myalup VBFB	31/12/2022	(part of) Lot 50 (2) Reading Road, Myalup
Harvey Senior Citizens Committee	28/02/2023	Lot 101 (105) Uduc Road, Harvey
Harvey District Creative Arts Centre	30/06/2023	Lot 3 (15) Gibbs Street, Harvey
Brunswick District Bowling Club Inc.	30/06/2023	Lot 2 (1) Ommaney Road, Brunswick Junction
Harvey Community Radio/Harvey Mainstreet	30/08/2023	(part of) Lot 6 (72) Young Street, Harvey
Uduc Progress Assoc.	30/09/2023	(part of) Reserve 24769, Lot 4738 (66) Field Road, Uduc
Cookernup Community Association	30/09/2023	Reserve 17728, Lot 153 (242) Riverdale Road, Cookernup (Exc. CVBFB Building)
Lot 208 Youth Inc.	31/03/2024	(part of) Lot 208 (5) Mulgara Street, Australind
(Binningup) Christian Youth Group	8/08/2024	Lot 164 (2) Valentine Road, Binningup
Yarloop Community Resource Center	31/12/2024	Lot 100 (21) Station Street, Yarloop
Leschenault Sporting Association	3/02/2025	(part of) Lot 42 (0) Leisure Drive, Australind
Riding for the Disabled Association Harvey	31/03/2025	Reserve 17535, Lot 3529 (0) Harrison Road, Uduc
South West Horse Trials	31/03/2025	(part of) Lot 5068 (0) Honeymoon Road, Harvey
Harvey Bulls Football Club - Lease	30/10/2025	(part of) Lot 100 (67-93) Young Street, Harvey
Australind Senior Citizens	31/12/2025	Lot 62 (8) Mardo Avenue, Australind
Brunswick River Cottages	20/11/2027	Lot 151 (126) Clifton Road, Brunswick Junction
Harvey Italian Club	28/02/2028	(part of) Lot 3 (96) Yound Street, Harvey
Harvey Golf Club	29/06/2028	Lot 5067 (764) Myalup Road, Uduc
WA RSL - Harvey Districts RSL	31/12/2028	Lot 7 (5) Becher Street, Harvey

There are also a number of commercial leases with the Shire of Harvey. Commercial leases are not included in this policy as they are generally more complex and require significant legal advice.

Comment

Community leases at the Shire of Harvey require significant review and the Policy aims to address improvements required for a more consistent leasing framework:

- Ensuring leases have the appropriate legislative approvals;
- Ensuring the appropriate lease structure is in place for exclusive tenure;

- Well planned leased areas to prevent licencing issues such as liquor licence non-compliance;
- Frequent inspection schedules preventing dilapidated and rundown buildings, and improving other building compliance issues;
- Improving the understanding between the Shire and Lessees with regard building ownership, funding for facility upgrades and repairs and maintenance;
- Decreasing compliance issues regarding planning and building approvals;
- Improving relationships between Lessees on adjoining leased areas;
- Reducing discrepancies and inconsistencies in the payment of utilities;
- Ensuring sufficient insurances; and
- Improving strategic planning for community and recreation facilities.

The aim of the Community Lease Policy is to create some guiding principles to assist the Shire in managing both existing and proposed community leases. The Shire of Harvey will seek at all times to comply with the policy, bearing in mind that some variation may be required given the varying nature of each property and Lessee. The Shire reserves its right to exercise its discretion in all circumstances and remains bound by all applicable laws and regulations.

It is fundamental that Council holistically and strategically consider community lease arrangements in strategic planning and land use activity. Community lease arrangements should provide community benefit, be sustainable, and ensure that assets are maintained to a suitable standard. As community leases are renewed every effort will be made to ensure that the leases are renewed and negotiated in line with this policy. The Shire is however unable to make changes to existing leases without the agreeance of the Lessee, and so it is recommended that leases are reviewed in line with this policy upon expiry.

Statutory/Policy Environment

Section 3.58 of the *Local Government Act 1995* deals with the disposal of property which includes leasing.

Clause 30 of the Local Government (Functions and General) Regulations 1996 details when the disposition of property is exempt from the provision of *Section 3.58* of the Act.

“A disposition of property to a body;

i) The objects of which one of a charitable benevolent, religions, cultural, educational, recreational sporting or other like nature; and

ii) The members of which are not entitled to profit from the body's transactions are considered exempt.”

The exemption refers to not being required to advertise or undertake any other inclusive process of sale or lease, generally in relation to land.

Strategic Framework

The Shire's Strategic Community Plan 2017 – 2027, states:

- | | |
|---------------------|--|
| <i>Objective 4:</i> | <i>Strong civic leadership representing the whole of the Shire which engages in effective partnerships and reflects the aspirations of an engaged community.</i> |
| <i>Outcome 4.1</i> | <i>A long term strategically focused Shire that is efficient, respected and accountable.</i> |
| <i>Outcome 4.3</i> | <i>Good business performance and quality service delivery within the regulatory</i> |

- framework continues to be provided.
- 4.3.4 Monitor and ensure compliance with the regulatory framework for local government business.
- Outcome 4.6 Effective collaboration and shared services with other Local, State and Federal Government agencies, industry and community organisations.
- 4.6.1 Participate in and seek collaborative resource sharing opportunities.

Community Engagement

Community Participation Goal

Inform: To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.

Promise to the Community

Inform: We will keep you informed.

Risk Management

The Risk Theme Profile identified in relation to this item is **Providing Inaccurate Advice/Information and Inadequate Engagement Practices**. The Consequence could be **Reputational** if there is inadequate consultation with relevant Lease Holders with regard to the preparation of Leases. The Risk is mitigated by ensuring appropriate consultation with lease holders prior to lease renewal. The Risk Consequence is considered to be **Moderate** and the **Likelihood Unlikely** resulting in a **Moderate** level of risk.

Budget Implications

There are no financial implications associated with this report.

Authority/Discretion

Executive: The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council adopts Policy 1.1.12 - Community Lease Policy (**Attachment 1**).

Moved: Cr. Lovitt Seconded: Cr. Burgoyne

That Council adopts Policy 1.1.12 - Community Lease Policy (Attachment 1).

Carried 13-0

21/113

Item No.	12.1.4.
Subject:	Australind Community Precinct
Proponent:	Shire of Harvey
Location:	Australind
Reporting Officer:	Manager Special Projects
Authorising Officer:	Chief Executive Officer
File No.:	
Attachments:	1. Confidential Attachment 1 2. Confidential Attachment 2

Summary

At the Ordinary Council Meeting of 28 July 2020, Council adopted the 2020-2021 Budget which included an amount for the investigation into the provision of an appropriately sized community precinct to cater for the growing population in Australind. A business mapping process was undertaken by Consultants APP, as the first stage, to develop the Administration Operations Plan (the Operations Plan) and is provided for noting by Council in **Confidential Attachment 1**.

This item is to inform Council of the pending community consultation period of a period of six weeks during July and August 2021 on the proposed Australind Community Precinct project.

Background

Population within the Australind area has grown rapidly over the last period up to four times that of the rest of the Shire. This will be exacerbated by the new land opened for development and with the construction of the Bunbury Outer Ring Road. The need to develop an appropriately sized Library, Administration Centre and Community Facilities fit-for-purpose within the Australind-Leschenault Area has been identified.

A summary of the Operations Plan was presented at a Councillor Workshop held on the 8 June 2021 (**Confidential Attachment 2**). Feedback received at the workshop on the overall size and potential location of the proposed Australind Community Precinct has been incorporated in the Operational Plan. This information will support and develop the Feasibility Plan Community Hub: Australind Library and Civic Services document that is scheduled to be presented at the Ordinary Council Meeting of September 2021.

Comment

The high-level scope of the development and preliminary cost estimate provided by APP was based on the Department of Planning Lands and Heritage's WA Tomorrow population estimate for the Shire of Harvey of 58,000 residents in 2050. The proposed development includes:

1. Civic Functions
 - Administration Building
 - Chambers
 - Civic Space
2. Community Functions
 - Library
 - Community Resource Centre
 - Community Spaces
 - Community Groups

- Indigenous Elders Meeting Area
 - Youth Centre
3. Tourism & Cultural Functions (dependant on location)
- Tourist Information Centre (potentially a Discovery Centre)
 - Art Gallery / Cultural Centre

Three potential locations were identified which could cater for the size of proposed Australind Community Precinct, with an analysis of the strengths and weaknesses of each. Within these three options were sub-options.

Option 1 – Existing Administration Site:

- Existing Administration Office to be repurposed for community use. Existing Library to be extended or demolished and rebuilt to suit future needs;
- New Civic Offices to allow for phased development of administrative needs over the next 30 years;
- Additional parking as required; and
- Potential Tourism /Discovery Centre.
-

Option 2 – Leschenault Leisure Centre:

- Three potential options were identified on this site, being the existing main entrance to the Leisure Centre, the unused area between the Leisure Centre and the Pavilion and the unused area to the western end of the site; and
- A further option is a combination with a split of the facility, across the site, being a Youth Centre at the Skate Park, Library near the main entrance, Civic Centre between the Pavilion and the existing sporting facilities.

Option 3 – Treendale

- Two potential “greenfield” options were identified, being the Treendale Triangle on the corner of Grand Entrance and Ditchingham Road, or the consideration of a land swap of the triangle for more accessible land, adjacent to the existing Shopping Centre; and
- The latter suggestion included the creation of a Town Centre/Town Square, which the Treendale area currently does not have.

An overview of the budgets of the completed development were indicated, based on current costings. Development costs for the three options are based on:

- Facility size required for the projected population of approximately 58,000 in 2050.
 - This would be phased over a minimum of two separate stages, potentially 5 to 10 years apart.
 - First Phase of the development would include administrative office space for 60 staff (122 projected for 2050), Library of 1000-1500sqm, and community facilities to be identified by the community as a priority.
- Building and engineering services only, excluding GST, furnishing, fit out, fees and relocation costs.
 - Option 1 - Phase 1 - \$15.0 million
 - Option 2 - Phase 1 - \$16.5 million
 - Option 3 - Phase 1 - \$15.5 million

Note: concept estimates are dependent on location and will need to be confirmed in the Feasibility Plan.

Next Steps:

During the presentation, Councillors present had diverse opinions regarding the location and development options, resulting in no clear direction for the continuation of the Feasibility Plan.

A communications and engagement plan is being developed to guide the consultation with community on the identified locations. The needs of the community and the polling of the location options will be collected and assessed over the next six weeks for input into the Feasibility Plan. The final document is expected will be compiled by the end of September 2021 for endorsement by Council.

Statutory/Policy Environment

Nil

Strategic Framework

The Shire's Strategic Community Plan 2017 – 2027, states:

- Objective 1: To be a diverse and innovative economy supporting a range of local employment opportunities.*
- Outcome 1.2 Develop the Shire as a tourist destination based on the Shire's distinct characteristics and natural assets and qualities.*
 - 1.2.10 Maintain a range of high quality facilities to encourage tourist and resident visitation.*
 - 1.2.11 Increase the range and accessibility of amenities and infrastructure at strategic points along out waterways, whilst protecting the environment.*
- Outcome 1.3 A range of employment, education and training opportunities that will attract a diverse workforce.*
 - 1.3.2 Continue to support traineeships and workplace training opportunities within the Shire.*
- Objective 3: Provide a safe and welcoming community which embraces its diversity and heritage, where everyone is valued and has the opportunity to contribute and belong.*
 - 3.1.3 Continue to provide facilities and services to support local community organisations.*
- Outcome 3.4 Services, infrastructure and facilities continue to meet community needs.*

Community Engagement

Community Participation Goal

Involve: To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.

Promise to the Community

Involve: We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.

Risk Management

The Risk Theme Profile identified as part of this report is ***Failure to communicate effectively with the community.*** The Consequence could be ***Reputational*** if a communication plan and needs

assessment is not completed. The risk is considered **Medium** but can be mitigated by the implementation of a Communication and Engagement Plan. The likelihood is lowered to **Unlikely**, given that the Council have been consulted at the start of the process, independent consultants have issued the Shire Officers with the basis for a sound development, and that the public will be consulted through a variety of communication channels. This results in a **Low to Medium** risk rating being present.

Budget Implications

Resources of \$10,000 have been identified to cover branding, community engagement and feedback sessions. This amount was allocated in the operational costs of the project investigation budget.

Authority/Discretion

Information Purposes: Includes items provided to Council for information purposes only, that do not require a decision of Council (i.e. - for 'noting').

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. Notes the Administration Operations Plan at **Confidential Attachment 1** and the Administration Operations Plan Presentation at **Confidential Attachment 2**; and.
2. Notes the six week consultation period with community on the identified locations and to seek input into the Feasibility Plan for the proposed Australind Community Precinct.

Moving Behind Closed Doors

Moved: Cr. Coleman Seconded: Cr. Burgoyne

That Council Moves Behind Closed Doors in accordance with Section 5.23(2)(a) a matter affecting an employee or employees, (b) the personal affairs of any person and (e)(iii) a matter if disclosed would reveal information about the business, professional, commercial or financial affairs of a person.

Carried 13-0

21/114

Council moved behind closed doors at 4.27pm

Kourtney Williams left the Chamber at 4.43pm

Kourtney Williams entered the Chamber at 4.45pm

Returning from Behind Closed Doors

Moved: Cr. Dickinson Seconded: Cr. Burgoyne

That Council Return from Behind Closed Doors

Carried 13-0 12/115

Council returned from behind closed doors at 4.49pm

Moved: Cr. Dickinson Seconded: Cr. Burgoyne

That Council:

- 1. Notes the Administration Operations Plan at *Confidential Attachment 1* and the Administration Operations Plan Presentation at *Confidential Attachment 2*; and.**
- 2. Notes the six week consultation period with community on the identified locations and to seek input into the Feasibility Plan for the proposed Australind Community Precinct.**

Carried 13-0 21/116

Item No.	12.1.5.
Subject:	Harvey Community Precinct: Master Plan
Proponent:	Shire of Harvey
Location:	Harvey
Reporting Officer:	Manager Special Projects
Authorising Officer:	Chief Executive Officer
File No.:	
Attachments:	1. <i>Confidential Attachment 1</i>

Summary

At the Ordinary Council Meeting of 24 November 2020, Council endorsed the appointment of Christou Design Group as the successful proponent to complete a Master Plan for the proposed Harvey Community Precinct development.

The draft Master Plan as attached (***Confidential Attachment 1***), is recommended to be advertised for a period of six weeks for public comment, before the final Master Plan for the Precinct is presented for adoption at the September 2021 Ordinary Council Meeting. The Master Plan is presented in this report for Councillors to note the content and offer feedback to the Consultants.

Background

At the Ordinary Council Meeting of 25 February 2020, Council authorised the Chief Executive Officer to call for Expressions of Interest (EOI) for the provision of architectural and professional services for 'Masterplan and preliminary design stage' for a multi-use community development in Harvey to include concept design, documentation and administration services.

Workshops were held with the Council regarding the need and location of the Administrative Centre, with final confirmation in May 2020.

Running concurrently with this project are two related projects:

- 1) An investigation and analysis in the Shire's Administration Operations; and
- 2) A Feasibility Plan for the location of and the building of a Civic-Community Hub in Australind. Preliminary outcomes were presented at a Councillor Workshop on 8 June 2021 with a separate report is to be presented at the June 2021 Ordinary Council Meeting

After an extensive two-part EOI and tender process, including a design assessment workshop held with the Councillors, a report was presented at the Ordinary Council Meeting of 24 November 2020 noting that Christou Design Group was the successful design team recommended to complete a Master Plan for the development of the proposed Harvey Community Precinct.

Stakeholder input was obtained through a series of briefing meetings held in the Shire offices during December and January 2021. Stakeholders included:

- Shire directors and managers;
- Harvey Library management;
- Community Resource Centre management;
- Harvey Radio management and staff;
- Indigenous Elders;
- Arts and Crafts groups;
- Harvey Primary School; and

- Harvey Community groups.

Community Place Advisory groups were advised of the development and various other groups were shown the drawings indicating initial planning concepts of the Master Plan.

The scope of the project and schedule of accommodation was finalised, with the design process culminating in a presentation to Council in February 2021. Feedback from this and input from the Administration Operations Plan outcomes has resulted in a draft report presented to a Councillor Workshop in June 2021.

Comment

The outcomes and recommendations made by the consultants of the Administration Operations Plan, APP, have been considered in the amendments to the original brief and Master Plan, resulting in an efficient and workable solution, catering for community needs of the entire Shire, community service and a sustainable proposal for the Precinct.

The Master Plan Report, with both the original and amended Master Plan is attached (**Confidential Attachment 1**).

The Master Plan is an overview of the development on the site for the next 30 years. It is anticipated that the development of the Library and related community facilities will be the first phase of implementation. When the Master Plan is endorsed, detail design can progress on the first phase of development.

Statutory/Policy Environment

Nil.

Strategic Framework

The Shire's Strategic Community Plan 2017 – 2027, states:

- | | |
|---------------------|---|
| <i>Objective 1:</i> | <i>To be a diverse and innovative economy supporting a range of local employment opportunities.</i> |
| <i>Outcome 1.2</i> | <i>Develop the Shire as a tourist destination based on the Shire's distinct characteristics and natural assets and qualities.</i> |
| <i>1.2.10</i> | <i>Maintain a range of high quality facilities to encourage tourist and resident visitation.</i> |
| <i>Outcome 1.3</i> | <i>A range of employment, education and training opportunities that will attract a diverse workforce.</i> |
| <i>1.3.2</i> | <i>Continue to support traineeships and workplace training opportunities within the Shire.</i> |
| <i>Objective 2:</i> | <i>We have a balanced respect for our natural assets and build environment, retaining our lifestyle values and community spirit.</i> |
| <i>Outcome 2.1</i> | <i>Heritage buildings and places are utilised, preserved and maintained.</i> |
| <i>2.1.1</i> | <i>Encourage the preservation of significant heritage properties and precincts within the Shire.</i> |
| <i>Objective 3:</i> | <i>Provide a safe and welcoming community which embraces its diversity and heritage, where everyone is valued and has the opportunity to contribute and belong.</i> |
| <i>Outcome 3.1</i> | <i>The community is supported by a strong volunteer base where leadership, inclusiveness and supported independence is fostered.</i> |

- 3.1.3 *Continue to provide facilities and services to support local community organisations.*
- Outcome 3.3 *The history of the Shire and its rich and varied cultural heritage and natural environment is valued, respected, promoted and celebrated.*
- 3.3.1 *Continue to provide facilities and support community groups, including arts, heritage and cultural groups.*
- Outcome 3.4 *Services, infrastructure and facilities continue to meet community needs.*
- 3.4.4 *Complete the Harvey Community Precinct Study.*

Community Engagement

Community Participation Goal

Involve: To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.

Once the Council endorse the Master Plan as presented, a communications plan will be implemented.

Promise to the Community

Involve: We will work with you to ensure that your concerns and aspirations are directly reflected in the alternatives developed and provide feedback on how public input influenced the decision.

On assessment of the community input, amendments to the Master Plan will be made and feedback shared with the community.

Risk Management

The Risk Theme Profile identified as part of this report is ***Failure to provide an effective and relevant Masterplan***. The Consequence could be ***Reputational*** if the community do not get to view and have meaningful input on the Master Plan. The risk is considered ***Major*** but can be mitigated by the implementation of a Communication Plan. The likelihood is lowered to ***Unlikely***, given that the Council have been consulted during the process, and that the Public will be consulted through the Shire's communication channels. This results in a ***Medium*** risk rating being present.

Budget Implications

Resources of \$10,000 have been identified to cover branding, community engagement and feedback sessions. This amount was allocated in the operational costs of the project budget.

Authority/Discretion

Executive: The substantial direction setting and oversight role of the Council. e.g., adopting plans and reports, accepting tenders, directing operations, setting, and amending budgets.

Information Purposes: Includes items provided to Council for information purposes only, that do not require a decision of Council.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. Receives the Draft Master Plan Report as provided by the Consultants, Christou Design Group at ***Confidential Attachment 1***;
2. Notes the six week consultation period with community on the Draft Master Plan;
3. Notes that a report on the Final Master Plan will be presented at the Ordinary Council Meeting of September 2021 for endorsement by Council after the consultation period.

Moved: Cr. Bromham Seconded: Cr. Coleman

That Council:

1. **Receives the Draft Master Plan Report as provided by the Consultants, Christou Design Group at *Confidential Attachment 1*;**
2. **Notes the six week consultation period with community on the Draft Master Plan;**
3. **Notes that a report on the Final Master Plan will be presented at the Ordinary Council Meeting of September 2021 for endorsement by Council after the consultation period.**

Carried 13-0 21/117

12.2. Infrastructure Services

Item No.	12.2.1.
Subject:	Tender T022021 Shire of Harvey Estate Landscape Maintenance Lakewood Shores, Binningup; Galway Green, Australind; Kingston Estate, Australind; Treendale Estate, Australind.
Proponent:	Various Tenderers
Location:	Shire of Harvey – Various Locations
Reporting Officer:	Manager Parks Services
Authorising Officer:	Director Infrastructure Services
File No.:	T022021
Attachments:	<i>Confidential Attachment 1</i>

Summary

Tender T022021 for 'Estate Landscape Maintenance' (Lakewood Shores, Binningup; Galway Green, Australind; Kingston Estate, Australind; Treendale Estate, Australind), was advertised on 17 April 2021 and at the close of tender on 26 May 2021 four tender submissions were received.

The Request for Tender was called due to the upcoming expiry on 31 July 2021 of the current contract arrangement for Treendale Estate.

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. It is recommended that Council awards the tender as per the recommendation contained in ***Confidential Attachment 1***.

Background

Tenderers were advised that the Shire was seeking the services of suitably qualified contractor/s to maintain and enhance the parks, gardens and reserves to best reflect the needs and wishes of the community in a cost effective manner.

The objective of the Tender is for the maintenance of the following estates within the Shire of Harvey:

- Lakewood Shores Estate, Binningup;
- Galway Green Estate, Australind;
- Kingston Estate, Australind; and
- Treendale Estate, Australind

Tenderers were advised that the scope of work includes maintenance of Public Open Space areas, street landscaping, verge area gardens, median islands, roundabouts, trees and reticulation, and other nominated areas, to be maintained to a high standard at all times.

During the current financial year (2020 – 2021), the Kingston Estate landscape maintenance, which was being undertaken by the Kingston Estate Developer on behalf of the Shire, through a Memorandum of Understanding, was dissolved. Shire Officers undertook a Request for Quotation (RFQ) and engaged a suitable contractor to undertake the maintenance on a short-term contract for the period up until 31 July 2021 with the view to include the Kingston Estate in the upcoming Tender process currently before Council for consideration.

Also, during the 2020 – 2021 financial year Lakewood Shores Estate landscape maintenance, in Binningup, was ceased by the developer (Binningup Nominees) with little notice to the Shire. Following consideration by Council, Officers advertised an RFQ to allow the landscape maintenance

to continue and engaged a suitable contractor on a short-term contract for the period up until 31 July 2021 with the view to include Lakewood Shores Estate in the upcoming Tender process currently before Council for consideration.

Comment

Tenders were received from the following companies:

- Country Landscaping;
- Environmental Industries Pty Ltd;
- LD Total; and
- Tim Davies Landscaping Pty Ltd.

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

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

Evaluation Criteria	Weighting
1. Price Offer	30
2. Relevant Experience / Track Record in maintaining single/multiple Subdivisional Estate Landscaping	30
3. Tenderer's Resources	20
4. Demonstrated Understanding	20
TOTAL	100

The Tender Evaluation Panel included the Manager Parks Services, Supervisor Parks Services and Director Infrastructure 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

The Shire's Strategic Community Plan 2017 – 2027, states:

Objective 3: Provide a safe and welcoming community which embraces its diversity and heritage, where everyone is valued and has the opportunity to contribute and belong.

Outcome 3.2 A safe and healthy community with strong sense of community pride.

<i>Outcome</i>	<i>Services, infrastructure and facilities continue to meet community needs.</i>
<i>3.4</i>	
<i>3.4.1</i>	<i>Continue to monitor the needs of the community, to ensure access to appropriate services and facilities.</i>

Community Engagement

Community Participation Goal

Consult: To provide the public feedback on analysis, alternatives and/or decisions.

Promise to the Community

Inform: We will keep you informed.

Risk Management

The Risk Theme Profile identified is inadequate Supplier/Contract Management. The Consequence could be **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 **Moderate** level of Risk being present.

Budget Implications

Council has been allocating annual funding through budget provisions for the maintenance services at Kingston Estate, Galway Green and Treendale Estate over many years.

Funding has been supported for these estate areas through the provision of a Specified Area Rate (SAR).

In 2020 Council accepted the gifting of Lakewood Shores subdivisional lots as community open space at its Ordinary Meeting in July 2020 and allocated a draft provision of \$20,000 in the 2020 – 2021 Budget for the provision of the maintenance requirements for the estate for the remaining financial year.

Authority/Discretion

Executive: The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

Voting Requirements

Simple Majority.

Officer's Recommendation

That Council awards Tender T022021 for the Shire of Harvey Estate Landscape Maintenance Lakewood Shores, Binningup – Galway Green, Australind – Kingston Estate, Australind – Treendale Estate, Australind as per the recommendation contained within **Confidential Attachment 1**.

Moved: Cr. Bromham Seconded: Cr. Campbell

That Council awards Tender T022021 for the Shire of Harvey Estate Landscape Maintenance Lakewood Shores, Binningup – Galway Green, Australind – Kingston Estate, Australind – Treendale Estate, Australind as per the recommendation contained within *Confidential Attachment 1*.

Carried 13-0

21/118

Cr. Adams left the Chamber at 4.50pm

Item No.	12.2.2.
Subject:	Waste Options Paper & Strategic Recommendations for the Regional Alternate Waste Project
Proponent:	Shire of Harvey
Location:	South West
Reporting Officer:	Manager Waste and Safety Services
Authorising Officer:	Chief Executive Officer
File No.:	Hs/C/003
Attachments:	1. 2021 Regional Options Paper May 2021 (002) [12.2.2.1 - 61 pages]

Summary

The South West Regional Waste Group (the Group) requests that Council acknowledges the 'Regional Options Paper and Strategic Recommendations' (Regional Options Paper) (**Attachment 1**), which was delivered in February 2021.

The recommendations in the paper identify the major diversion technologies available in the Southwest Region of Western Australia, discusses how local governments can achieve economies of scale in the processing of waste, and provides guidance for ongoing work that may help determine suitable waste disposal outcomes for the region.

It is therefore recommended that Council acknowledge the Regional Options Paper and its recommendations, milestones can be established, and timeframes determined when refining suitable regional diversion strategies from landfill.

Background

Since 2010, the Group, which comprises the 12 land-based local governments in the South West region (refer Table 1 below), has sought opportunities to leverage regional economies of scale to improve collective waste management.

Work completed to date resulted in the formation of the Bunbury Harvey Regional Council, commencement and operation of a composting enterprise, viability testing of regional landfill, and establishing strong regional representation within the waste industry.

South West Waste Group Membership		
Shire of Augusta - Margaret River	Shire of Boyup Brook	Shire of Bridgetown - Greenbushes
City of Bunbury	City of Busselton	Shire of Capel
Shire of Collie	Shire of Donnybrook - Balingup	Shire of Dardanup
Shire of Harvey	Shire of Nannup	

Table 1: The Shire of Manjimup are within the region but are not financial contributors to this regional waste management project.

The most recent 'Regional Options Paper and Strategic Recommendations' was handed to the Group and directs how large-scale waste diversion from landfill can be achieved in a way that is consistent with previous findings and within each local government risk tolerance.

The investment in the Federal and State waste industries has provided the region with a unique opportunity to build local, long-term diversion schemes with potentially positive returns on investment. Strengthening this opportunity is the increasing costs associated with aging landfills, population growth and a transitional policy context all of which have made cooperative waste management solutions more attractive than previously.

A coordinated waste approach across local government area (LGA) boundaries can leverage the economies of scale needed for significant landfill diversion and ease triple bottom line costs.

A separate waste management entity could provide further benefits such as equitable distribution of risk and returns-on-investment. An external entity such as a Regional Subsidiary has the potential to equitably manage waste on behalf of member local governments, removing the liabilities associated with these operations.

Comment

The recommendations of the Regional Options Paper set the ongoing direction for the project. Part of this direction involves specific milestones whereby the end of this Financial Year (2021 – 2022) local governments can expect to see:

- An operational audit of municipal waste facilities throughout the region;
- Scenario modelling using costs and emissions of alternative disposal processes;
- A regular meeting of senior waste operations staff from Group participants;
- A scoped 'Expression of Interest' process for landfill diversion technologies; and
- Data protocols allowing information comparisons across the region.

Maintaining project momentum towards determining a suitable regional waste disposal response will allow Councils to coordinate local decisions with regional outcomes. Participation in the Group will result in a more united procurement approach, up-to-date information and greater negotiating power in sub-regional negotiations to attain economies of scale. Financial benefits from participation should be achieved as operational matters are shared and discussed between members.

The overarching goals of the ongoing project are to:

- Identify how South West Councils can transition from owning and operating landfills in an economically, environmentally and socially responsible way; and
- Identify and act on opportunities to leverage regional and sub-regional economies of scale.

The Regional Options Paper proposes nine recommendations that clarify how greater economies of scale are achievable by driving waste management in the South West towards a cooperative model that reduces the impact of anticipated higher waste management costs in the future. The recommendations are another step towards identifying the life cycle of waste and what risks and benefits impact local governments by shifting the view from waste being a service cost to being a resource.

The paper recommends clarifying the costs of new treatment facilities and environmental impacts derived from greater regional coordination, different contract frameworks and cross-boundary operations to attain sub-regional benefits. In full, these recommendations are:

1. *That the Group prepares a comprehensive Integrated Waste Management Plan coordinating regional waste assets and operations as a single entity. This is to:*

(a) Identify locations for complex waste treatment facilities;

- (b) Draft community engagement strategies;*
 - (c) Define responsibilities between Councils including waste ownership boundaries; and*
 - (d) Apportion risk according to the level of engagement.*
- 2. Prepare a Business Plan for the representative entity that clearly defines long term visions, targets, development timelines and proposed expense and revenue projections.*
- 3. Commence planning an 'Expressions of Interest' process which focusses on regional Municipal solid waste treatment. The specifications are to enable a variety of service providers to make submissions proposing technologies that may be proven internationally but are yet to be established in Australia. Siting requirements and other supportive needs, for example, access to complementary assets/partners should be included.*
- 4. Establish an Integrated Waste Management Working Group comprising senior technical and operational staff from within the members of the South West Regional Waste Group to formalise and review waste management initiatives for the region.*
- 5. The Group considers formalising a representative entity e.g. a Regional Subsidiary, to equitably represent members in pursuing the recommendations in the Report.*
- 6. That the Group accepts the recommendations in the Report as presented.*
- 7. Provide regional representation to support or conduct contract negotiations on behalf of, or in conjunction with, multiple similarly sized Councils to attain sub-regional economies of scale.*
- 8. Seek funding and institutional support from State and Federal agencies for implementing the recommendations of the Report.*
- 9. That a standardised data collection program commences across the region. The metrics for Local Government Areas to report against are to be consistent and relevant to inform strategic decision-making and allow reliable triple bottom line comparisons. The data is to be relevant to assessing preferable waste operations between Councils. For example, contamination statistics, waste service costs, capital investments, tonnages, community consultation expenditure and bin audits among others.*

Pressures to change

While landfill remains the dominant waste disposal method in the South West. economically, the practice of burying Municipal solid waste is being challenged by State policy, a growing domestic resource recovery market and more cost-effective processing technologies becoming available. Additionally, suitable land for landfill expansion is becoming scarcer, licensing conditions are increasing, and construction costs and legacy environmental responsibilities are becoming major financial risks to local government.

The waste market is currently experiencing significant change resulting from Federal policy and State driven investment in diversion operations. Some local pressures have been triggered by decisions made overseas but there are also local influences such as the diminishing suitability of land available for landfill expansion, considerable costs faced by Councils because of historic waste practices and existing landfills approaching the end of their operational lives.

Social pressure is also increasing as the impact of landfills on the local environment receives greater attention than previously, resulting from a higher public profile and increased government grant allocations to diversion enterprises.

There will continue to be a need for landfills as the transition from disposable products and packaging continues and there will always be a residual component of waste that will have no other uses i.e. waste from disposal technologies, for example ash from thermal waste to energy etc.

Strategically, landfills provide a disposal option that can compete in the disposal marketplace and act as a contingency should preferable diversion technologies fail elsewhere due to natural disaster, insolvency, industrial accidents or other force majeure events.

Local impacts of State Targets

Consistent with the rest of the State, the South West waste industry is guided by the Western Australian Waste Strategy 2030 (the Waste Strategy) and Annual Action Plan. These documents set clear targets for the State to collectively achieve by 2025 and 2030.

Translated into local action, these objectives are designed to guide investment into attaining diversion and prevention of waste. The South West already has significant diversion strategies in place which, aside from FOGO, include scrap metals, e-waste, chemicals, kerbside recycling and reusable construction and demolition (C&D) waste.

The FOGO initiative is expected to divert approximately 55% of the total waste fraction collected or deposited at local government facilities.

The State strategies respond to federal pressures such as specific waste streams actions correlating with national waste export bans determined by the Council of Australian Governments (COAG) on specific materials. The rolling COAG waste export bans are planned to commence on these dates:

- 1 January 2021 for glass;
- 1 July 2021 for mixed plastics;
- 1 December 2021 for tyres;
- 1 July 2022 Single resin plastics (e.g. drink bottles) that are not cleaned and baled; and
- 1 July 2024 for mixed paper and cardboard.

As these bans are implemented, finding alternate disposal methods will become more important so the circular economy policy targets remain attainable. This will have direct impacts on local operations and treatment solutions.

The South West's large geographical area, including its isolation from reuse markets and a heavy reliance on resource industries, makes reducing waste processing and diversion costs more challenging. Notwithstanding, opportunities exist to considerably improve regional performance. Despite the region's separation from large waste end-markets which can impact investment in waste and recycling, local markets for construction and demolition (C&D) waste and organics should be managed close to the source of generation for economic and environmental reasons.

Within metropolitan centres, the higher cost of landfilling and waste disposal compared with regional areas, makes investing in diversion technologies a simpler decision. Alternative treatments that outperform disposal costs in regional areas is more difficult, but the policy and environmental objectives set by the State make this an imperative. Finding economies of scale is critical to minimise existing disposal costs and meet policy targets. This also has implications for the life cycle of different assets.

Depending on how and when the costs of waste management is measured, different options can be supported. If a local government includes long term management of waste facilities and potential environmental liabilities in their operations assessment, this will drive up the cost of airspace up as less will be for service and accurately reflect real costs associated with landfill operations.

Responding Effectively as a Region

The complexity of large-scale waste disposal requires a balanced approach that considers all potential options rather than choosing only one single disposal method. This would minimise risk through diversification, is more likely to meet national waste targets and responds to State policy. A mix of disposal options would also minimise environmental harm and associated liabilities by isolating potentially harmful methods.

Increasing the diversity on how waste is redirected from landfill builds flexibility as the industry develops, allowing the market to resolve disposal issues for local governments. Incentivising greater private company participation at multiple levels of the waste hierarchy starting with reduce, reuse, recycling/compost and energy recovery from waste lets the market address waste rather than Councils having to come up with options.

Waste disposal at a regional scale should be considered as an integrated system rather than as one single waste stream to be resolved. This fragmentation is driven by the nature of the waste products, its different sources and the variety of disposal options open to Councils. This multi-faceted approach is consistent with previous studies completed for the Group, such as the 'Regional Waste Management Strategy 2015' (RWMS) which clustered waste management technologies to achieve higher diversion rates and capitalise on vertical integration.

There are established frameworks to coordinate regional responses, for example preparing an 'Integrated Waste Management Plan' (IWMP). This framework identifies the components within a waste management system that are required to attain regional economies of scale. Coordinating waste management regionally simplifies the management of waste to protect human health and the natural environment. The process requires evaluating local conditions and needs before choosing, mixing and applying the most suitable solid waste management treatments, using the Waste Hierarchy to determine regional expenditure priorities.

Alternative treatment solutions are assessed within the system so facilities can be placed for maximum regional benefit. Some of these services may include reuse shops, recycling stations, repair centres, thermal waste-to-energy (WTE), anaerobic digestion plants (AD) as well as other treatments as appropriate. Adjusting the community's role to be more participatory in waste management must be central when developing the plan as households are critical in determining the success and efficiency of a service.

Each local government or sub-region (two or more shires) can assist in coordinating services within a regional waste processing context. Locally managed initiatives include:

1. Transfer Stations;
2. Green waste mulching;
3. Local waste groups driving community action, and
4. C&D waste processing.

These services would continue to be managed by each LGA however, a regional contract for the procurement of the services should be considered by the South West Group to reduce costs.

Effective support for regional assets comes from nurturing community participation. Regionally coordinated programs provide consistency, leading to trust and participation. These initiatives may include education, monitoring, enforcement and efficiency of facilities among others. Better understanding and involvement by the public results in lower contamination rates through greater ownership, so coordinating different services to maximise their impact is important. Regionally managed initiatives may include:

1. Implementing an integrated waste education program;
2. Supporting local waste groups;
3. Providing local messaging;
4. Bin audits; and
5. Influencing commercial practices.

Large scale treatment facilities can divert significant waste volumes from landfill. Providing Regional infrastructure may include Material Recovery Facilities (MRFs), Waste-to-Energy facilities and logistics. By working at a regional scale, outputs from these facilities may be managed elsewhere. At a strategic level, landfills should be maintained but reducing the volumes going to these facilities means they will not be necessary in each shire. In addition to the greater economies of scale, best practice landfills can provide long-term waste disposal security.

Technology Development

The Market Sounding completed in 2021 identified proven technological solutions such as gasification, pyrolysis, biological waste-to-energy plants, composting and direct company-to-company resource trading that were worth pursuing in the South West. The volumes produced regionally were commercially viable with the right separation and contamination activities, but each technology had different conditions to succeed. Determining the most suitable solution requires in-depth economic modelling and an open market was the best way to attract appropriate skills.

The market sounding process also established business relationships between the Group, State Government, technology providers and emerging companies. During interviews, discussions and written correspondence, more companies than those which responded stated their willingness to participate in a procurement process which could result in operational contracts such as an Expression-of-Interest (EOI) or Tender process.

Privately managed waste disposal operators are generally aware of the changes affecting long term landfilling and the significant capital investments needed to change existing practices. The long contracts that are needed to attain suitable cost to benefit ratios from these investments are required then to attract investment but can alternatively challenge local innovation and suppress growth of a viable reuse market. For example, a single disposal technology chosen for the next 25 years may be superseded before the returns on investment can be realised.

Establishing a Separate Management Entity

The complexity of administering a regional waste plan, aligning operations to targets, negotiating contracts, community messaging and other tasks associated with developing the waste system requires dedicated personnel. A theme acknowledged in previous reports included separating these waste operations from other Council operations. A separate entity provides considerable advantage to the local waste sector by creating a limited, manageable risk framework.

The cost of continuing current waste disposal practices i.e., 'business as usual', is expected to rise as State policy diverts more waste away from landfill without significant operational cost decreases as well as sites becoming more expensive to develop with new licence conditions. Added to these direct costs are the indirect costs of transitioning to transfer stations, potential introduction of a waste levy, increased transport costs and ongoing environmental monitoring/remediation costs associated with unlined cells.

The rising costs of waste management, changes in market innovation, loss of proactive pricing, inability to capture lost value from waste streams and changing social attitudes suggest that business as usual is not the most effective means to continue operating.

Plan for 2021 – 2022

Should Council support the 'Regional Options Paper and Strategic Recommendations', the work plan for the forthcoming year will be determined by the recommendations. Local governments can expect to see:

- Preparation of an Integrated Waste Management Plan including an audit of municipal waste facilities throughout the region;
- Scenario modelling of alternative disposal methods and their costs using a long term development outlook;
- Assembly of a technical group comprising waste managers from within local governments providing operational advice on proposed initiatives;
- Scoping an 'Expression of Interest' requesting market driven solutions in diverting municipal solid waste disposal from landfill allowing scope to consider recycling and FOGO processing; and
- A standardised data protocol allowing comparisons between local government datasets to underpin informed regional decisions across the region.

Maintaining momentum in this project continues the foundation work in determining a suitable regional response to waste disposal pressures with local benefits. Should the 'Regional Options Paper and Strategic Recommendations' be acknowledged and the project continue, then a measured but defined series of outcomes than will allow Councils to make local decisions consistent with regional outcomes.

Participation in this Group allows access to relevant information and negotiating power in sub-regional negotiations to attain economies of scale. Members should start seeing financial benefits of participation as operational contracts are shared for the benefit of members. Regional representation will link Councils more effectively and seek cooperation between members wherever possible.

Options

As an alternative to the proposed recommendation Council could:

1. Not acknowledge the recommendations but continue with the project; or
2. Not continue with the project.

Conclusion

The Group recognises that continued individual waste management reduces negotiating power for sub-regional contracts and increases costs. Coordinating operational assets using a separate entity is likely to achieve greater diversion and more effective education programs at an overall lower cost.

Given the trend of waste management growth in Western Australia over the previous 15 years, strategic partnerships with private industry and growing the local economy will spread risk and reduce overall costs for regional local governments. And cooperation with investments will provide benefit from services being provided that are beyond the scope of an individual local government.

More complex treatment processes underpinned by a comprehensive community engagement strategy and coordinated procurement policy can further reduce waste volumes through building a regional waste economy.

Proposed treatments would need to be underpinned by strong, consistent community messaging that plays a significant role in managing community participation and reduction in contamination.

A comprehensive waste management plan views regional operations holistically, providing greater flexibility and diversity in waste management. With the existing State and Federal support for waste processing growth, it is now time to seek alternate methods for disposal.

An Expressions of Interest process focussing on processing Municipal solid waste can be an effective tool that opens the region to a wider pool of service providers. Crafted skilfully, the specifications can capture economic long term solutions that in some areas have developed local economies focussed on reusing materials previously considered valueless.

Timeline for the Implementation of Officer Recommendation

Should the Council support the 'Regional Options Paper and Strategic Recommendations', a new annual scope of works and milestones will be developed within July 2021.

Statutory/Policy Environment

Waste Avoidance and Resource Recovery Act 2007 (WARR Act)

This legislation aligns municipal operations across the State so they contribute to sustainability, protect human health, the environment and move towards a waste free society. The WARR Act emphasises:

1. Resource use efficiency, including resource recovery and waste avoidance;
2. Reducing environmental harm, including pollution through waste; and
3. A hierarchical approach to resource management by avoiding waste creation, increasing resource recovery and reducing disposal impacts.

This legislation requires local governments to prepare Waste Plans to align local waste management goals with State targets. The WARR Act gives the CEO of the department powers to require a local government to submit a report on the implementation of its waste plan. If this is not satisfactory to the State and the differences cannot be negotiated, the WARR Act grants the CEO power to prepare a local waste plan on behalf of the local council.

Waste Avoidance and Resource Recovery Levy Act 2007 (WARR Levy Act)

This legislation allows for the imposition of a levy per tonne of waste disposed to landfill. Based on previous comments by the then Minister for Environment in February 2019, this levy is at least being considered for an extension to the Peel and South West regions.

The National Waste Policy 2018

Published by the Department of Sustainability, Environment, Water, Population and Communities in 2018, the 'National Waste Policy – Less Waste More Resources' frames national waste management using a circular economy model. The Policy champions five principles:

1. Avoiding waste;
2. Improving resource recovery;
3. Building demand for waste derived products;
4. Improved material flows; and
5. More informed innovation, investment and consumer decisions

There are also national targets which directly inform State priorities and influence local priorities,

specifically:

1. Banning waste plastic, paper, glass and tyres exports;
2. Reducing total waste generated in Australia by 10% per person by 2030;
3. Achieving 80% resource recovery from all waste streams using the waste hierarchy by 2030;
4. Increasing recycled content use by governments and industry;
5. Phasing out problematic and unnecessary plastics by 2025;
6. Halving organic waste volumes sent to landfill by 2030; and
7. Making data publicly available that supports consumer, investment and policy decisions

Western Australian Waste Strategy 2030 and Annual Action Plan

The Waste Strategy 2030 is the tool helping to implement the Waste Authority objective of transitioning to a “sustainable, low-waste circular economy in which human health and the environment are protected from the impacts of waste.” Two crucial components of the strategy are the waste hierarchy and circular economy.

The Waste Strategy 2030 sets targets which depart from landfill diversion benchmarks to focus on three objectives – avoid, recover and protect. These objectives are intended to deliver a 10 per cent reduction target in waste generation per capita by 2025 and 20 per cent reduction by 2030. The targets to increase material recovery from the existing State rate of 57 per cent to reach 70 per cent by 2025 and 75 per cent by 2030.

The accompanying Action Plan is renewed annually and clarifies specific actions, timelines, lead responsibilities and collaborations to achieve the stated objectives.

Strategic Framework

The Shire’s Strategic Community Plan 2017 – 2027, states:

- | | |
|--------------------|--|
| <i>Objective 2</i> | <i>We have a balanced respect for our natural assets and build environment, retaining our lifestyle values and community spirit.</i> |
| <i>Outcome 2.5</i> | <i>Waste recovery will minimise environmental impacts.</i> |
| <i>2.5.2</i> | <i>Support a regional approach to waste management, which may include transfers stations, kerb-side collections, waste education, landfill sites and recycling facilities.</i> |
| <i>2.5.3</i> | <i>Continue to utilise existing sites for alternative waste measures.</i> |

Community Engagement

Community Participation Goal

Inform: To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.

Promise to the Community

Inform: We will keep you informed.

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 acknowledge the Regional Options Paper and Strategic Recommendations. The Risk Consequence is considered to be **Minor** and the

likelihood **Possible** resulting in a **Moderate** level of risk.

Budget Implications

The existing costs of this project are shared amongst 11 of the 12 local government areas in the South West.

The Baseline costs for this project are approximately \$145,000 per annum divided amongst the members according to the rates percentage contributed by each Council. The Shire of Harvey contribution is approximately \$15,000 for the 2021 – 2022 financial year.

Authority/Discretion

Executive: The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. Supports the Regional Options Paper and Strategic Recommendations document (**Attachment 1**), delivered as part of the South West Regional Waste Group to guide ongoing work in finding regional solutions that divert waste from landfills; and
2. Receives a further report by August 2021 on an annual scope of works and milestones.

Moved: Cr. Dickinson Seconded: Cr. Campbell

That Council:

1. **Supports the Regional Options Paper and Strategic Recommendations document (*Attachment 1*), delivered as part of the South West Regional Waste Group to guide ongoing work in finding regional solutions that divert waste from landfills; and**
2. **Receives a further report by August 2021 on an annual scope of works and milestones.**

Carried 12-0

21/119

Item No.	12.2.3.
Subject:	Policy Review – Bush Fire Personnel – Minimum Training Standards
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Manager Waste and Safety Services
Authorising Officer:	Director Infrastructure Services
File No.:	
Attachments:	<ol style="list-style-type: none"> 1. Policy 2 3 14 DRAFT 2021 [12.2.3.1 - 3 pages] 2. Attachment 2 - Bush- Fire- Personnel-(Minimum- Training- Standard)- Policy-2-3-14 2009 [12.2.3.2 - 6 pages] 3. Attachment 3 - BFS Training Program Diagram and Implementation Guides___As at 08 04 2021 14470741 ([12.2.3.3 - 10 pages] 4. Attachment 4 [12.2.3.4 - 1 page]

Summary

Policy 2.3.14 – Bush Fire Personnel (Minimum Training Standard) (the Policy) provides the minimum training standards for Bush Fire Fighters and Bush Fire Brigade Officers in the Shire of Harvey.

This policy has been reviewed and updated in accordance with the Department of Fire and Emergency Services (DFES) Volunteer Pathway.

It is recommended that the updated Policy 2.3.14 – Bush Fire Personnel (Minimum Training Standard) as shown in **Attachment 1** be adopted.

Background

The Policy has not been reviewed since 2009 (refer **Attachment 2**). The training courses referenced in the existing policy no longer exist, nor do they align with the Department of Fire and Emergency Services (DFES) Volunteer Pathway (Bush Fire Service Training Program).

The following clause was included within the existing policy (2009):

That Council advises all Volunteer Bush Fire Brigades that effective from the commencement of the 2009/2010 fire season;

- *Brigade office members who have either elected not to complete the required training or who have not registered to complete the required training will be ineligible for appointment to Brigade Officer positions when considered at the Brigade Annual General Meeting;*
- *Any Volunteer Fire Fighter who has not complete the required minimum training as provided within Council Policy 16.17 Bush Fire Personnel – Minimum Training Standards, then their membership shall be cancelled;*
- *No person shall attend any emergency situation in any capacity (i.e. Officer or Volunteer Fire Fighter) representing the Shire of Harvey, without being duly appointed to such a position and having completed the required training;*
- *A volunteer fire fighter must complete the required training within 12 months of joining a brigade; and*
- *Brigades designated as Structural Fire Fighting Brigades the volunteer member must be fully trained in Structural Fire Fighting within 12 months of joining a brigade.*

The Volunteer Pathway framework was released in 2014 and replaced several previously identified training modules and in December 2018, the Bush Fire Service Training Program (Training Program)

was released by Department of Fire and Emergency Services (DFES) (refer **Attachment 3**).

At the Bush Fire Advisory Committee held on 19 November 2018, the Shire Training Coordinator, Mr. Van Weert presented a report to the Committee and proposed an update to the minimum training standards (refer **Attachment 4**). At the Bush Fire Advisory Committee of 17 February 2020, Mr. Van Weert presented a subsequent report to the Committee which included a recommendation that Policy 2.3.14 – Bush Fire Personnel (Minimum Training Standard) be amended as follows:

“That the Shire of Harvey formally adopts the following minimum training standards for Bush Fire Fighters and Officers: -

Competent Bush Fire Fighter:

- *Bush Fire Induction;*
- *AIIMS Awareness;*
- *Bushfire Safety Awareness (3 modules) or Introduction to Fire Fighting (course prior to 31 December, 2020);*
- *Bush Fire Fighting Skills (4 or 5 modules – according to Brigade profile) or Bush Fire Fighting (course prior to 31 December 2020);*
- *External Structural Firefighting (according to Brigade profile) or Introduction to Structural Firefighting/Structural Firefighting (according to Brigade profile) (course prior to 31 December 2020.*

Lieutenant:

All Fire Fighting units above, including:

- *Advanced Bush Fire Fighting*
- *Crew Leader*
- *Sector Commander*

Captain, Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer and Fire Control Officer:

- *Incident Controller (Level)*
- *Machine Supervision*
- *Fire Control Officer*
- *AIIMS 2017*

Department of Fire and Emergency Services also includes “Mental Health First Aid”, Leadership Fundamentals” for Captains. The Bush Fire Advisory Committee may wish to consider one or both of these for Captains.”

The training requirements have been communicated and are available to the bush fire brigade’s members with most brigades accepting these standards. As the Policy has not been updated since 2009, it is considered that the policy be updated in accordance with the Department of Fire and Emergency Services (DFES) Volunteer Pathway.

It should be noted that there has been a history of nominated Office Bearers not being suitably trained and required to undertake the required training prior their position being confirmed.

At the Bush Fire Advisory Committee (BFAC) Meeting held on 19 August 2019, it was noted that:

‘Brigades need to note that there are Minimum Training Standards applicable concerning the appointment of Office Bearers and those persons who are nominated for a position as an Office Bearer with a Brigade must be suitably trained to hold that position. Any person who is

nominated and is not suitably trained is required to undertake the required training prior their position being confirmed and undertaking operations in that position.

These people (nominations) are not yet qualified to hold these positions within their respective Brigades. In line with previous instances such as this and consistent with the statements above, a Memorandum of Understanding is required to be signed advising that the completion of the required training will occur when the courses required become available.'

There are still Office Bearers that have not completed the training recommended for those position prior to the 2021 nominations.

Comment

BFAC Meeting 17 May 2021

At this Meeting, nominations were received for Office Bearers that included the following positions:

- Chief Bush Fire Control Officer;
- Deputy Chief Bush Fire Control Officers (South and North);
- Shire Bushfire Training Coordinator;
- Fire Control Officers; and
- Bush Fire Advisory Committee representatives

At the meeting, it was indicated that some of the nominees had not yet completed all of the training recommended for the nominated role and that local government training requirements outlined within the Policy do not align with the recommended training requirements of the DFES Volunteer Pathway.

The BFAC subsequently recommended the following:

1. *That a meeting be held including the Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officers, Community Emergency Services Manager and the Manager of Waste and Safety Services to discuss the implementation of required training to ensure all nominees for Office Bearers have the required minimum training requirements.*
2. *That the nominations for appointed nominated Office Bearers be deferred until a special meeting of the Bush Fire Advisory Committee to be held on 14 June 2021.*

Discussion

Since the BFAC meeting, advice has been provided for the preferred method of addressing the issues raised and as the minimum training requirements are determined by the local government, a decision of Council is required to provide this direction.

Shire Officers understand and are thankful for the volunteers that support the bush fire brigades and acknowledge that there is a level of potential risk exposure if volunteers do not undertake the required training.

It is acknowledged that most brigade members and/or Office Bearers have either completed, or are currently undertaking, the training required for nominated positions. However, as there is inconsistency between the local government's minimum training requirements and the recommended DFES minimum training requirements, it is recommended that the Policy 2.3.14 be revised and

updated.

Feedback received

The Chief Bush Fire Control Officer (CBFCO) and Deputy Bush Fire Control Officers (DBFCO) have express concerns with the process undertaken to update the Policy due to the short notice prior to the 17 May 2021 BFAC meeting and the June Council meeting.

The CBFCO has submitted an alternative option (Option 4) to increase the time frame for members to complete the outstanding training to the Restricted Burning Period 2022. This request has been based on the limited number of advanced courses available in the south west each year.

It has also been recommended that the following clauses be included within the Policy:

- Until they have completed their training a candidate could fulfil:

Non-operational aspects of the role and operational aspects as per Bush Fires Act 1954 turnout protocol **only** until minimum training standards are met.

- Add Turnout Protocol:
Bush Fires Act 1954 Turnout Protocol
“On arrival at an incident the most senior fire fighter will be the officer in charge of the incident until a more qualified fire fighter arrives”

Options

Option 1 - Retain the existing policy of 2009 without amendments: **(not supported)**.

The existing policy does not include current training recommendations. It is difficult for Shire Officers to enforce the training requirements for Office Bearer positions.

Action	Continue with nominations and existing policy.
Method	BFAC to endorse brigade officer elections and Fire Control Officer (FCO) nominations and forward to Council for appointment. Council to action and appoint as per BFAC endorsements.
Risk	Brigade officers and FCO's holding operationally critical positions without appropriate qualifications. In the event of injury, significant impact to the community/critical infrastructure or a fatality the Shire and/or the volunteer CBFCO could be responsible and may be the subject of a post-incident investigation by an appropriate body. Requires the Council to endorse nominations knowing that recommended minimum training requirements have not been achieved.
Reward	Prevents disgruntlement within volunteer ranks. Ensures business continuity with all Brigades.

Option 2 – Adopt the Policy with no transitional provisions.

That Council adopts a policy with the recommended training requirements for Office Bearers. If members nominate for a position without completing the recommended training, then they are not able to be considered for that role until the training has been completed.

There are several nominations that are currently enrolled on training courses to finalise their recommended training requirements. If this policy were adopted without transitional provisions, then the nominations would not be able to be appointed for the 2021 – 2022 season.

Action	Enforce Policy 2.3.14 – Minimum Training Standards
Method	Council to reject the nomination/election of volunteer office bearers in accordance with the Policy.
Risk	Disgruntlement within volunteer ranks. Will affect business continuity within some brigades as they may not have any members eligible to hold critical positions (Captain, FCO, Lieutenant) and will leave these positions vacant until members have completed the required training.
Reward	Council is shown to be accountable and mitigating the risks of under-trained personnel conducting emergency operations.

Option 3 - Adopt the policy with transitional provisions 2021. (**Recommended option**)

That Council adopts a policy with transitional provisions with the recommended training requirements for Office Bearers. If members nominate for a position without completing the recommended training but are enrolled to do so, then they can be considered for that role until the training has been completed. This would allow candidates to fulfil **non-operational** aspects of the role **only** until minimum training standards are met.

It is suggested that training requirements need to be fulfilled before commencement of the Restricted Burning Period 2021.

Action	Enforce Policy 2.3.14 with transitional provisions.
Method	Council to enforce Policy 2.3.14, appointing candidates who fulfil the minimum requirements immediately, while holding the positions in an “elect” capacity for those who do not yet meet the requirements (“Captain-Elect”, “FCO-Elect”, etc) allowing candidates to fulfil non-operational aspects of the role only until minimum training standards are met. It is suggested that training requirements need to be fulfilled before commencement of the Restricted Burning Period in November 2021.
Risk	Some business continuity issues may arise if candidates do not wish to fulfil training standards. Some disgruntlement may also occur in the same circumstances.
Reward	Council is shown to enforce policy while considering volunteer circumstances and good-will. All operational matters and decisions will be undertaken by qualified personnel and brigades will still operate administratively.

Option 4 - Adopt the policy with transitional provisions until 2022.

That Council adopts a policy with transitional provisions with the recommended training requirements for Office Bearers. If members nominate for a position without completing the recommended training but are enrolled to do so, then they can be considered for that role until the training has been completed. This would allow candidates to fulfil **non-operational** aspects of the role and operational aspects as per *Bush Fires Act 1954* turnout protocol **only** until minimum training standards are met.

Bush Fires Act 1954 Turnout Protocol

“On arrival at an incident the most senior fire fighter will be the officer in charge of the incident until a more qualified fire fighter arrives”

It is suggested that training requirements need to be fulfilled before commencement of the Restricted Burning Period 2022.

Action	Enforce Policy 2.3.14 with transitional provisions.
Method	Council to enforce Policy 2.3.14, appointing candidates who fulfil the minimum requirements immediately, while holding the positions in an “elect” capacity for those who do not yet meet the requirements (“Captain-Elect”, “FCO-Elect”, etc) allowing candidates to fulfil non-operational aspects of the role and operational aspects as per Bush Fires Act 1954 turnout protocol only until minimum training standards are met. It is suggested that training requirements need to be fulfilled before commencement of the Restricted Burning Period in November 2022.
Risk	Some business continuity issues may arise if candidates do not wish to fulfil training standards. Some disgruntlement may also occur in the same circumstances.
Reward	Council is shown to enforce policy while considering volunteer circumstances and good-will. All operational matters and decisions will be undertaken by qualified personnel and brigades will still operate administratively.

Statutory/Policy Environment

Bush Fire Brigades Local Law 2017

Clause 2.2 (1)(c) - lists the Brigade positions for appointment.

Clause 2.2 (2) - local government is to have regard to the qualifications and experience which may be required to fill each position when considering the appointment of persons to the positions in subclause (1)(c).

Strategic Framework

The Shire’s Strategic Community Plan 2017 – 2027, states:

- Objective 4: Strong civic leadership representing the whole of the Shire which engages in effective partnerships and reflects the aspirations of an engaged community.*
- Outcome 4.2 Services and infrastructure are provided with a customer focus and reflect the needs of the Shire's residents.*
- 4.2.2 Maintain, review and ensure relevance of Council's policies and local laws.*
- Outcome 4.7 Maintain appropriate emergency services and planning.*
- 4.7.1 Promote training and development of emergency services personnel.*

Community Engagement

Community Participation Goal

Inform: To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.

Promise to the Community

Inform: We will keep you informed.

Risk Management

The Risk Theme Profile identified as part of this report is **Inadequate Safety and Security Practices** and **Failure to Fulfil Compliance Requirements**. The consequence is assessed as **Health** or

Compliance with a rating of **Catastrophic** if Council was to accept an untrained or unqualified persons for a responsible Bush Fire Position. The Likelihood of this is **Rare**, resulting in a **Moderate** risk being present.

Budget Implications

Nil.

Authority/Discretion

Legislative: Includes adopting local laws, town planning schemes and policies. It is also when council reviews decisions made by Officers.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council adopts Policy 2.3.14 – Bush Fire Personnel (Minimum Training Standard) with transitional provisions (as per Option 3) as shown in **Attachment 1**.

Alternative Motion

That Council adopts Policy 2.3.14 – Bush Fire Personnel (Minimum Training Standard) with transitional provisions (as per Option 4) as shown in **Attachment 1** and amend the date to August 2022.

Reason: Due to COVID-19 members have been unable to attend training.

Moved: Cr. Bromham Seconded: Cr. Boylan

That Council adopts Policy 2.3.14 – Bush Fire Personnel (Minimum Training Standard) with transitional provisions (as per Option 4) as shown in Attachment 1 and amend the date to August 2022.

Carried 12-0

21/120

Cr. Jackson left the Chamber at 4.54pm
Cr. Adams entered the Chamber at 4.55pm

12.3. Sustainable Development

Item No.	12.3.1.
Subject:	Harvey Region Tourism Development, Visitor Servicing and Signage Strategic Report
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Economic Development Officer
Authorising Officer:	Director Sustainable Development
File No.:	B000353 and B000358
Attachments:	<ol style="list-style-type: none"> 1. 210602 So H Tourism Development Strategy Appendix A Key Recommendations v 2.0 [12.3.1.1 - 4 pages] 2. 210602 So H Tourism Development Strategy Appendix B Signage Wayfinding v 2.0 [12.3.1.2 - 29 pages] 3. 210602 So H Tourism Development Strategy v 2.0 [12.3.1.3 - 99 pages] 4. 09112020 Tourism Strategy Working Group Minutes.docx [12.3.1.4 - 4 pages]

Summary

Over the past five months, place-making and tourism consultant, 'We Are Best' has worked with the Shire of Harvey, the tourism industry and the community to develop the Harvey Region Tourism Development, Visitor Servicing and Signage Strategic Report (the Strategic Report), including Appendix A: Key Recommendations and Appendix B: Signage and Wayfinding Design Framework as per **Attachment 1, 2 and 3**.

This report recommends that Council endorses the Harvey Region Tourism Development, Visitor Servicing and Signage Strategic Report and requests the Chief Executive Officer:

- Produce a Harvey Region Tourism Implementation Plan;
- Investigate the feasibility and sustainability of bringing tourism development, marketing and visitor servicing activities in-house;
- Review We Are Best's signage and wayfinding recommendations and establish a Shire of Harvey all-encompassing policy and guidelines, including infrastructure amenities; and
- Plan, develop and implement national/tourist standard directional signage across the Harvey Region within the 2021 – 2022 budget allocation.

Background

At its meeting held on 24 November 2020, Council endorsed the merger of the Local Tourism Development Strategy and Tourist Information Bays and Signage Working Groups and the respective budgets, forming the Tourism Strategies Working Group.

Council also requested the Chief Executive Officer to prepare a draft Tourism Development Strategy and a draft Visitor Servicing and Signage Strategy to be presented to Council at its meeting in May 2021.

We Are Best presented to Council at May's Concept Briefing. Following the presentation, Council recommended that the Tourism Strategies Working Group review the final document before it was presented to Council at June's meeting round.

On review of the final document, it was apparent to both Shire Officers and the Working Group that We Are Best did not meet the brief. The document did not align with the Shire's current strategies, and was a strategic report owned by We Are Best and not the Shire.

In response, the Tourism Strategies Working Group made the following recommendations
(Attachment 4).

Motion: *The Tourism Strategies Working Group agrees to rename the Strategy as a strategic independent report to inform the Harvey Region Tourism Implementation Plan.*

In addition to creating a Harvey Region Tourism Implementation Plan, the Economic Development Officer noted the requirement for a further body of work around signage, including the need to create synergies with existing signage and amenity/infrastructure provision.

The Working Group raised concerns with the delay on outstanding signage issues and the need to implement an interim measure.

Motion: *The Tourism Strategies Working Group agrees that the Shire investigates interim signage options on existing Shire entrance signage.*

Comment

Tourism is central to the Shire's commitment to deliver economic growth for the Harvey Region, and further establish it as a great place to live, visit, study, invest and trade.

The visitor economy has the potential to drive significant prosperity, sustainability, and pride for the Harvey Region and help the Shire achieve its vision of "together, towards an even better lifestyle".

Tourism development has been a common priority identified by the community in the Shire of Harvey's Economic Development Strategy 2020 – 2024, the latest MARKYT survey and through the Shire's ongoing consultation processes.

In response, the Harvey Region Tourism Development, Visitor Servicing and Signage Strategic Report **(Attachment 1, 2 and 3)** developed by We Are Best, provides strategic recommendations for "creating sustainable social, cultural and economic growth by revitalising tourism and connecting people with place".

The Strategic Report is based on detailed visitor research and extensive stakeholder consultation, which has identified the strategic territories and supporting experiences that can drive the most significant growth in spend, yield and visitation right across the Harvey Region.

It also recommends the implementation of a proactive, consumer-centric approach to tourism development and visitor servicing, combined with strengthened partnerships and investment attraction.

Ultimately, the Strategic Report is designed to inform and inspire all levels of government, investors, stakeholders, Shire employees, and the tourism industry about how the Harvey Region can compete in an ever-changing tourism environment.

As noted by We Are Best, together, we must Be Brave, Be Proud, Be Open, Be Active, Be Simple and Be Connected.

Moving forward it is recommended that the Shire:

- Review and incorporate key recommendations of the Strategic Report into a Harvey Region Tourism Implementation Plan, that aligns with other supporting projects, policies and strategies;
- Investigate the feasibility and sustainability of bringing tourism development, marketing and visitor servicing activities in-house; and
- Review We Are Best's signage and wayfinding recommendations and establish a Shire of Harvey all-encompassing policy and guidelines, including infrastructure amenities. Plus, begin the immediate implementation of national/tourist standard directional signage across the Harvey Region within the 2021 – 2022 budget allocation.

Statutory/Policy Environment

Policy 3.2.1 Tourism – Objectives and Policy Document Guidelines identifies tourism policy objectives and activities to support tourism within the Shire. This Strategy complements the Council's policy.

Strategic Framework

The Shire's Strategic Community Plan 2017 – 2027, states:

- Objective 1: To be a diverse and innovative economy supporting a range of local employment opportunities.*
- Outcome 1.1 Increased planning and opportunities for diverse socially and environmentally responsible commercial, agricultural and industrial enterprises and residential development.*
- 1.1.7 Develop and implement an Economic Development Strategy, which covers tourism, industrial development, retail/hospitality and investment attraction.*
- Outcome 1.2 Develop the Shire as a tourist destination based on the Shire's distinct characteristics and natural assets and qualities.*
- 1.2.1 Support local tourism organisations including Harvey Visitors Centre and the Australind Information Service to achieve a coordinated approach to Tourism.*
- 1.2.2 Develop a signage, information and way-finding strategy for the whole of the Shire which is Tourist friendly.*

Community Engagement

Community Participation Goal

Inform: To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.

Consult: To provide the public feedback on analysis, alternatives and/or decisions.

Promise to the Community

Consult: We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision. We will seek your feedback on drafts and proposals.

Risk Management

The Risk Theme Profile identified in relation to this item is **Providing Inaccurate Advice/Information and Inadequate Engagement Practices**. The Consequence could be **Reputational** if there is inadequate consultation with relevant stakeholders regarding the preparation of the Strategy or if the quality of information impacts on decision making. The Risk has been mitigated by contracting a leading agency and including a requirement for consultation with stakeholders prior to adoption. The Risk Consequence is considered to be **Moderate** and the **Likelihood Unlikely** resulting in a **Moderate** level of risk.

Budget Implications

Significant budget implications. It is suggested that individual recommendations be considered by Council in the 2021 – 2022 and future Budgets.

Authority/Discretion

Advocacy: When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.

Executive: The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. Endorses the Harvey Region Tourism Development, Visitor Servicing and Signage Strategic Report, including Appendix A: Key Recommendations and Appendix B: Signage and Wayfinding Design Framework as per **Attachment 1, 2 and 3**;
2. Endorses an allocation for visitor signage within the 2021 – 2022 Budget; and
3. Requests the Chief Executive Officer to:
 - (a) Produce a Harvey Region Tourism Implementation Plan to be provided to Council by December 2021;
 - (b) Investigate the feasibility and sustainability of bringing tourism development, marketing and visitor servicing activities in-house and provide a report to Council at the August 2021 Ordinary Council Meeting;
 - (c) Review We Are Best's signage and wayfinding recommendations and establish a Shire of Harvey all-encompassing policy and guidelines, including infrastructure amenities; and
 - (d) Plan, develop and implement national/tourist standard directional signage across the Harvey Region within the draft 2021 – 2022 budget allocation.

Moved: Cr. Coleman Seconded: Cr. Dickinson

That Council:

- 1. Endorses the Harvey Region Tourism Development, Visitor Servicing and Signage Strategic Report, including Appendix A: Key Recommendations and Appendix B: Signage and Wayfinding Design Framework as per *Attachment 1, 2 and 3*;**
- 2. Endorses an allocation for visitor signage within the 2021 – 2022 Budget; and**
- 3. Requests the Chief Executive Officer to:**
 - (a) Produce a Harvey Region Tourism Implementation Plan to be provided to Council by December 2021;**
 - (b) Investigate the feasibility and sustainability of bringing tourism development, marketing and visitor servicing activities in-house and provide a report to Council at the August 2021 Ordinary Council Meeting;**
 - (c) Review We Are Best's signage and wayfinding recommendations and establish a Shire of Harvey all-encompassing policy and guidelines, including infrastructure amenities; and**
 - (d) Plan, develop and implement national/tourist standard directional signage across the Harvey Region within the draft 2021 – 2022 budget allocation.**

Carried 12-0 21/121

Cr. Jackson entered the Chamber at 4.57pm

Cr. Jackson left the Chamber at 4.58pm

Item No.	12.3.2.
Subject:	Application for a 'Use Not Listed' (Reception Centre and Tourist Development)
Proponent:	Mr R. and Mrs S. Irwin
Location:	Lot 4247 (No. 332) Oldham Road, Mornington
Reporting Officer:	Planning Officer (AR)
Authorising Officer:	Director Sustainable Development
File No.:	P86/21 (A002396)
Attachments:	<ol style="list-style-type: none"> 1. Lemuria Estate - Summary of Proposed Development [12.3.2.1 - 31 pages] 2. Location Plan [12.3.2.2 - 1 page] 3. BAL Assessment [12.3.2.3 - 5 pages]

Summary

An application for Development Approval has been received for a “Use Not Listed” (Reception Centre and Tourist Development) on Lot 4247 (No. 332) Oldham Road, Mornington (refer **Attachment 1**). The application is referred to Council as Officers do not have delegation to determine that the proposed “Use Not Listed” may be consistent with the purpose and objectives of the “General Farming” zone.

It is recommended that Council determines that the proposed “Use Not Listed” (Reception Centre and Tourist Development) may be consistent with the objectives of the “General Farming” zone and is therefore a use that may be permitted in that zone and requires the submission of additional information prior to advertising commencing.

Background

Site Description

Lot 4247 (No. 332) Oldham Road, Mornington (the Property) is zoned “General Farming” under the Shire’s District Planning Scheme No.1 (the Scheme) and zoned “Rural” under the Greater Bunbury Region Scheme. The site is irregular in shape with an area of approximately 28 ha and is bound by State Forest on all sides except for a small freehold lot adjoining the northern boundary, which is zoned “General Farming”. The site is predominately cleared of vegetation, with remnant vegetation identified in conjunction with the natural watercourse and low-lying area that runs through the property in a north-south direction.

The principal access to the property is via Big Tree Road, which is a formed track within the State Forest in the south-eastern corner of the property, that connects to Mornington Road (to the north) and Sandalwood Road (to the south). Secondary access is provided through a State Forest track in the north-eastern corner that connects to Oldham Road (refer **Attachment 2**).

Site History

In January 2015, an Application for Planning Consent was submitted for the establishment of a ‘Motorbike Park’ at the Property by previous owners. The application was advertised for public comment with strong objections being received from neighbouring landowners concerned that the proposed use was not consistent with the surrounding land uses and amenity of the area. Following discussions with the Applicant regarding the concerns raised from the nearby community, it was

suggested that the application be withdrawn.

In October 2016, the Shire received an Events Application to host a music event referred to as 'Camp Doogs' at the Property. Whilst not required to be advertised to nearby neighbours, the Shire did receive several letters of concern regarding the proposed event. In response, the Shire worked with the Applicant and Department of Parks and Wildlife (now referred to as Department of Biodiversity, Conservation and Attractions, DBCA) to obtain approval for access to be gained via the formed State Forrest track (known as Big Tree Road), rather than Oldham Road which was in poor condition and not suitable for large volumes of traffic. The redirection of traffic along Big Tree Road also assisted to reduce the potential impact for neighbours along Oldham Road. This same event was again hosted in October 2017 and 2018.

In December 2018, it was brought to the attention of Shire Officers that the property was being used as a commercial business for accommodation and functions. Contact with the owners at the time by Shire Officers occurred, the outcome being that the owners would work towards having the property formally considered through a Development Application process for a "Use Not Listed" (Reception Centre).

As part of this investigation, it was also identified that several of the structures on the property had been constructed without obtaining the relevant Building Permits.

During 2019 and 2020, the owners worked towards getting relevant documentation prepared and the existing structures privately certified by a Building Surveyor to support lodgement of the required Application for Development Approval and subsequent Building Permit Applications, however no applications were ever lodged.

During June/July 2020, prior to lodgement of the abovementioned documents, the property was purchased by the Applicant. The Applicant was advised of the history of the property and the unauthorised works that existed prior to their purchase of the property. Since taking ownership of the Property, the Applicant has worked with the Shire towards gaining relevant approvals, which has resulted in the lodgement of the subject application and will require retrospective building approvals to be sought at the relevant time.

With regard to the existing structures on the property, approval has only been issued for the large structure as an outbuilding (as identified in *Figure 3 of Attachment 1*). None of the other structures or internal improvements that have been made to the structures since being built have received Shire approval. The Applicant is aware that retrospective approvals will need to be sought prior to further development and/or use of the property occurring.

Proposal

The application proposes to operate primarily as a wedding venue, providing some additional short stay accommodation as well as a general camping area for wedding guests. In addition, it proposes to provide eco-tourism 'glamping' accommodation that could be booked independently (refer **Attachment 1**).

No clearing of native vegetation within the property is proposed, with the Applicant hoping to continue to protect and enhance the native vegetation on site through continuation of planting and weed management. It is the intent of the owners to create a facility which complements the existing environment in an ecologically sustainable way, where visitors can experience the beautiful natural surrounds that the property and broader region has to offer.

Subject to demand, the venue is anticipated to be operated primarily through 'wedding season,' which is considered the Spring and Autumn months. It is proposed that the eco-tourism 'glamping'

accommodation will be available as tourist accommodation when not utilised as part of the wedding venue.

The Applicants feel the natural bush surrounds are considered an idyllic setting for people to connect with nature in a peaceful environment. An additional potential use for the Property is for Wellness Retreats, with this in mind an area within one of the existing sheds is proposed to be utilised as a yoga/meditation studio (as identified in *Figure 4 of Attachment 1*). The proposed Wellness Retreats can be considered to form part of the "Reception Centre" and "Tourist Development" uses.

Location and Access

Access to the property is proposed by Big Tree Road, (formed State Forest track) which can be accessed via Mornington Road (approximately 1.6km) to the north and Sandalwood Road (approximately 1.4km) to the south, both of which then connect with South Western Highway. Big Tree Road is a gravel constructed track that is also identified as a Haulage Route and is maintained by the Shire, in conjunction with DBCA. *Appendix 1* of the Development Application Report (*Appendix 1*) provides a copy of a letter from DBCA, confirming that legal access to Lot 4247 is via Big Tree Road.

Secondary access is available to the north of the Property via Oldham Road, with a short-section of DBCA reserve (approximately 500m) connecting the Property to the southern end of the gazetted Oldham Road. Oldham Road is an unsealed road which connects to Martin Road. Due to the condition of this northern access, it is proposed that this access only be utilised as a secondary access or during emergency circumstances.

Bushfire Attack Level Assessment (BAL)

The Applicant has engaged a Level 3 accredited Bushfire practitioner to conduct a preliminary assessment inclusive of the determination of the BAL of the proposed development, which is included as *Attachment 3*.

Figure 5 identifies that the existing structures on the property are located within a BAL-29 zone, with the proposed structures to be located within a BAL-12.5 zone. Future building permits will assess the suitability of materials for these structures to ensure compliance is upheld.

The Applicant acknowledges the requirement to prepare a Bushfire Management Plan (BMP) and Emergency Evacuation Plan (EEP).

Comment

Land Use

The proposed use of "Reception Centre", which is defined by the Scheme as "*land and buildings used by parties for functions on formal or ceremonious occasions, but not for un-hosted use for general entertainment purposes.*", is a use that is not listed in any of the Zoning and Development Tables and is therefore considered a "Use Not Listed" under Clause 4.2.5(b) of the Scheme.

The proposed use of "Tourist Development" is not currently defined in the Scheme, however it is defined by the Model Scheme Text as:

"means a building, or a group of buildings forming a complex, other than a bed and breakfast, a caravan park or a holiday accommodation, used to provide -

- a) Short-term accommodation for guests; and*

- b) *Onsite facilities for the use of guests; and*
- c) *Facilities for the management of the development.*

As “Tourist Development” is neither defined by the Scheme or listed in the Zoning and Development Tables, it is therefore considered a “Use Not Listed” under Clause 4.2.5(b) of the Scheme.

Clause 4.2.4(b) the Scheme makes provision for a “Use Not Listed” to be considered and provides that Council can *“determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the zone.”*

Table 27 (General Farming) provides the following Policy Statement:

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

The proposed “Reception Centre” and “Tourist Development” land uses may be considered as a *“limited tourist and recreational activity.”* The scale of buildings involved and frequency of use of the site is unlikely to have an adverse effect of the adjoining properties and therefore may be considered to be consistent with the objectives and purpose of the zone.

Access

Access to the property via Big Tree Road off Mornington or Sandalwood Roads may be considered suitable for the proposed development. As detailed above, the formed track is in good condition and regularly maintained by both the Shire and DBCA.

Officers believe further clarification by way of the BMP and EEP and comments sought by the Department of Fire and Emergency Services (DFES) will assist with determining whether this access is suitable for the proposal.

Greater Bunbury Region Scheme (GBRS)

The Property adjoins State Forest reserved land under the GBRS and is therefore subject to consideration under the GBRS through the lodgement of a Form 1 – Application for Planning Approval. Shire Officers have delegation under Section 16 of the *Planning and Development Act 2005* to approve the application where the recommendation and advice of the Department of Planning, Lands and Heritage (DPLH) is accepted or to refuse the application.

The Applicant has not lodged a Form 1 – Application for Planning Approval for consideration under the GBRS as part of this application, which will need to occur prior to the Application being advertised.

Caravan Parks and Camping Regulations 1997

The proposed development includes an area designated for camping which is required to comply with the relevant provisions of the Caravan Parks and Camping Grounds Regulations 1997. Prior to advertising the proposal, the Applicant will need to provide relevant information to demonstrate that the proposed camping facilities will achieve compliance with the Regulations, specifically with regard to the provision of essential services.

Advertising

If Council determines that the proposed “Use Not Listed” (Reception Centre and Tourist

Development) is a use that may be consistent with the objectives and purpose of the zone, the application is required to be advertised pursuant to Clause 64 of the Planning and Development (Local Planning Schemes) Regulations 2015 (Deemed Provisions) and referred to relevant authorities for comments and recommendations pursuant to Clause 68.

If no objections are received during the advertising period, Officers have delegation to determine application as per Delegation 9.1.2.

Additional Information Required

The proposed land uses take advantage of the site attributes and provides for a desired diversity of tourist activities within the Shire. Notwithstanding, Officers have concern that the property is located within a Bushfire Prone Area and is bound by State Forest. As the site is within a Bushfire Prone Area, the application is required to be assessed under State Planning Policy 3.7 - Planning in Bushfire Prone Areas (SPP). The proposed land use is considered to be a vulnerable land use which is *“where persons may be less able to respond in a bushfire emergency”* due to them being unaware of their surroundings. A vulnerable land use proposal must be supported by a BMP and EEP. The BMP and EEP are required to be submitted as part of the application and are therefore required to be submitted prior to advertising of the proposal.

Officers recommend the below additional information is required to be submitted prior to advertising of the proposal:

- Greater Bunbury Region Scheme Form 1 - Application for Planning Approval;
- Bushfire Management Plan in accordance with State Planning Policy 3.7 and the Guidelines for Planning in Bushfire Prone Areas;
- Emergency Evacuation Plan in accordance with State Planning Policy 3.7 and the Guidelines for Planning in Bushfire Prone Areas; and
- Details to demonstrate how the camping area will comply with the Caravan Parks and Camping Regulations 1997 with respect to the provision of essential services to cater for the needs of campers including toilets, showers, and potable water.

Conclusion

It is considered that the proposed “Use Not Listed” (Reception Centre and Tourist Development) may be consistent with the objectives and purpose of the “General Farming” zone. Additional information, generally relating to bushfire mitigation and proposed camping requirements, is required to be submitted prior to advertising the proposal. Officers therefore recommend that Council determine the proposed “Use Not Listed” may be consistent with the objectives and purpose of the zone and require the additional information to be submitted prior to advertising commencing.

At the completion of advertising, should no adverse submissions be received, Officers have delegation to determine the application in accordance with Delegation 9.1.2.

Statutory/Policy Environment

State Planning Policy 3.7 (Planning in Bushfire Prone Areas)

The subject site has been identified as being within the Bushfire Prone Area and must be assessed under SPP 3.7 as a vulnerable or high-risk land use. The policy requires a Bushfire Management

Plan and Emergency Evacuation Plan which needs to be jointly endorsed by the Shire and the Department of Fire and Emergency Services.

Planning and Development (Local Planning Schemes) Regulations 2015

- Schedule 2 – Deemed Provisions, Clause 1 – Terms used:

“complex application means —

- (a) “an application for approval of development that is a use of land if the use is not specifically referred to in the zoning table for this Scheme in respect of the zone in which the development is located;”*

- Schedule 2 – Deemed Provisions, Clause 64 – Advertising Applications:

(1) “The local government —

- (a) must advertise a complex application for development approval in accordance with subclause (3);”*

(3) “For the purposes of subclause (1)(a), a complex application is advertised by doing all of the following —

(a) publishing in accordance with clause 87 —

- (i) a notice of the proposed development in the form set out in clause 86(3); and*
- (ii) the application for development approval; and*
- (iii) any accompanying material in relation to the application that the local government considers should be published;*

(b) giving notice of the proposed development —

- (i) to the owners and occupiers of every property that is within 200 m of the proposed development; and*
- (ii) to any other owners and occupiers of properties in the vicinity of the proposed development who, in the opinion of the local government, are likely to be affected by the granting of development approval;”*

(6) The period to be specified in a notice published or given, or on a sign erected, in accordance with subclause (3) in relation to a complex application is —

(a) the period of 28 days after the day on which the notice of the application is first published under subclause (3)(a); or

(b) A longer period agreed in writing between the applicant and the local government.”

Greater Bunbury Region Scheme

In May 2014 the Western Australian Planning Commission sought a Resolution under Clause 27 of the GBRS which required development of land zoned under this Scheme to have the planning approval of the DPLH before it is commenced or carried on.

Of relevance to this application was Part B - *“to require any development which is on land zoned under the Greater Bunbury Region Scheme, and which is of a kind or class set out in Schedule 1, to be approved by the WAPC before the said development is commenced or carried out”*.

Schedule 1 – Development on zoned land requiring planning approval of the Resolution included *“Point 4. Land abutting other Reservations - all development on land abutting a port installations, public purposes, railways, state forests or waterways reservations”*.

The property is zoned (Rural) under the GBRS and adjoins State Forest. Under Clause 27 of the GBRS the Application is required to be considered by the DPLH under the GBRS for Development Approval by way of Form 1 – Application for Development Approval.

Shire of Harvey District Planning Scheme No.1

- Clause 4.2.4 Zoning and Development Tables

“If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the land use categories then Council may: -

(b) Determine by absolutely majority that the proposed use may be consistent with the objectives and purpose of the zone and there after following the advertising procedures of Clause 64 of the Deemed Provisions in considering an application for consent. In approving such an application, the local government may apply any conditions or development standards it deems necessary”.

- Table 27 – Zoning and Development Standards for the General Farming Zone -

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

- Schedule 11 – Interpretations

“Reception Centre – Means land and buildings used by parties for functions on formal or ceremonious occasions, but not for un-hosted use for general entertainment purposes.”

Shire of Harvey Delegations Register

- Delegation 9.1.1 - Advertising of Applications

This delegation provides Delegation to Officers to advertise development applications.

- Delegation 9.1.2 - Development Applications

Part (9) provides Delegation to Officers to approve an application for a Use Not Listed, subject to no objections being received during advertising of the application.

- Delegation 9.1.2(9)

“The Chief Executive Officer is delegated authority to approve an Application for Development Approval for a ‘Use Not Listed’ that Council has determined ‘may be consistent with the purpose and objectives of the zone [cl.68].

Approval for a ‘Use Not Listed’ under Delegation (9) is subject to no objections being received during advertising of the application.”

Strategic Framework

The Shire's Strategic Community Plan 2017 – 2027, states:

- Objective 1: To be a diverse and innovative economy supporting a range of local employment opportunities.*
- Outcome 1.1 Increased planning and opportunities for diverse socially and environmentally responsible commercial, agricultural and industrial enterprises, and residential development.*
- 1.1.6 Support and promote diverse and small-medium sized businesses.*
- Outcome 1.2 Develop the Shire as a tourist destination based on the Shire's distinct characteristics and natural assets and qualities.*
- 1.2.10 Maintain a range of high-quality facilities to encourage tourist and resident visitation.*
- Objective 2: We have a balanced respect for our natural assets and build environment, retaining our lifestyle values and community spirit.*
- Outcome 2.3 Land use provisions within the rural, industrial, and urban areas reflect current and future needs.*
- 2.3.1 Continue to implement integrated environmental, social and land use planning which will:*
- Minimise land use conflict;*
 - Protect significant vegetation, where possible.*

Community Engagement

Community Participation Goal

Consult: To provide the public feedback on analysis, alternatives and/or decisions.

Promise to the Community

Consult: We will keep you informed, listen to, and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision. We will seek your feedback on drafts and proposals.

Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The consequence could be **Environmental**, **Reputational** or **Compliance** if an incorrect assessment of the land use occurs, insufficient community engagement occurs, incorrect advice is given or a relevant 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.

Authority/Discretion

Quasi-Judicial: When Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include development applications, building permits, applications for other permits/licenses (e.g., under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.

Voting Requirements

Officer's Recommendation 1 - Absolute Majority.

Officer's Recommendation 2 – Simple Majority.

Officer's Recommendation 1 or 2

That Council, pursuant to Clause 4.2.4(b) of the Shire of Harvey's District Planning Scheme No.1, determines that the proposed "Use Not Listed" detailed in the Application for Development Approval for Lot 4247 (No. 332) Oldham Road, Mornington be considered as a "Reception Centre" and "Tourist Development" which may be consistent with the objectives and purpose of the "General Farming" zone.

BY ABSOLUTE MAJORITY

Moved: Cr. Lovitt

Seconded: Cr. Beech

That Council, pursuant to Clause 4.2.4(b) of the Shire of Harvey's District Planning Scheme No.1, determines that the proposed "Use Not Listed" detailed in the Application for Development Approval for Lot 4247 (No. 332) Oldham Road, Mornington be considered as a "Reception Centre" and "Tourist Development" which may be consistent with the objectives and purpose of the "General Farming" zone.

Carried by Absolute Majority 12-0

21/122

Officer's Recommendation 2 or 2

That Council, with respect to the Application for Development Approval for Lot 4247 (No. 332) Oldham Road, Mornington for the proposed "Use Not Listed" (Reception Centre and Tourist Development):

1. Advises the Applicant that the following additional information is required to be submitted prior to the application being advertised:
 - a) Greater Bunbury Region Scheme Form 1 - Application for Planning Approval;
 - b) Bushfire Management Plan in accordance with State Planning Policy 3.7 and the Guidelines for Planning in Bushfire Prone Areas;
 - c) Emergency Evacuation Plan in accordance with State Planning Policy 3.7 and the Guidelines for Planning in Bushfire Prone Areas; and
 - d) Details to demonstrate how the proposed camping area will comply with the Caravan Parks and Camping Grounds Regulations 1997 with respect to the provision of essential services to

cater for the needs of campers including toilets, showers, and potable water.

2. Notes that the application can be:

- a) Advertised by Officers pursuant to Delegation 9.1.1; and
- b) Approved by Officers pursuant to Delegation No. 9.1.2(9), subject to no objections being received during the public advertising period.

Moved: Cr. Bromham Seconded: Cr. Campbell

That Council, with respect to the Application for Development Approval for Lot 4247 (No. 332) Oldham Road, Mornington for the proposed “Use Not Listed” (Reception Centre and Tourist Development):

1. Advises the Applicant that the following additional information is required to be submitted prior to the application being advertised:

- a) Greater Bunbury Region Scheme Form 1 - Application for Planning Approval;**
- b) Bushfire Management Plan in accordance with State Planning Policy 3.7 and the Guidelines for Planning in Bushfire Prone Areas;**
- c) Emergency Evacuation Plan in accordance with State Planning Policy 3.7 and the Guidelines for Planning in Bushfire Prone Areas; and**
- d) Details to demonstrate how the proposed camping area will comply with the Caravan Parks and Camping Grounds Regulations 1997 with respect to the provision of essential services to cater for the needs of campers including toilets, showers, and potable water.**

2. Notes that the application can be:

- a) Advertised by Officers pursuant to Delegation 9.1.1; and**
- b) Approved by Officers pursuant to Delegation No. 9.1.2(9), subject to no objections being received during the public advertising period.**

Carried 12-0

21/123

Cr. Jackson entered the Chamber at 4.59pm

Item No.	12.3.3.
Subject:	Shed Conversion to Dwelling
Proponent:	Adam and Natasha Harvey
Location:	Lot 429 (8) Caledonia Rise, Australind
Reporting Officer:	Acting Manager Environmental Health Services
Authorising Officer:	Director Sustainable Development
File No.:	21/09354
Attachments:	<ol style="list-style-type: none"> 1. A4Landscape 202106021338188404 [12.3.3.1 - 1 page] 2. Attachment 2 [12.3.3.2 - 3 pages]

Summary

A request has been received seeking the approval to convert an existing shed into a granny flat/ ancillary dwelling at Lot 429 (8) Caledonia Rise in Australind. 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 429 (8) Caledonia Rise, Australind (**Attachment 1**) is 772.716m² 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 25m² shed is located at the left rear of the property.

Comment**Planning Comment**

The application has been assessed by the Shire's Planning Business Unit and it was deemed not to require development approval.

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 sheds 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 will be converted to:

- Bedroom/Lounge;
- Kitchen; and
- Bathroom/water closet/laundry.

The amenities within this proposed shed conversion comply with the minimum requirements for a dwelling under the *Health (Miscellaneous Provisions) Act 1911*. (**Attachment 2**)

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 Business Unit 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 to be 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.

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

Strategic Framework

The Shire's Strategic Community Plan 2017 – 2027, states:

- Objective2: We have a balanced respect for our natural assets and build environment, retaining our lifestyle values and community spirit.*
- Outcome 2.3 Land use provisions within the rural, industrial and urban areas reflect current and future needs.*
- 2.3.1 Continue to implement integrated environmental, social and land use planning which will:*
- *Minimise land use conflict;*
 - *Protect valuable agricultural land for food production;*
 - *Allow for a diverse range of agricultural, viticultural and aquaculture pursuits;*

- *Provide an awareness of the potential adverse impact of traditional uses of new industries;*
 - *Ensure the use of valuable irrigated land reflects the key principle of sustainable development;*
 - and*
 - *Protect significant vegetation, where possible.*
- Objective 4:** *Strong civic leadership representing the whole of the Shire which engages in effective partnerships and reflects the aspirations of an engaged community.*
- Outcome 4.3** *Good business performance and quality service delivery within the regulatory framework continues to be provided.*
- 4.3.4** *Monitor and ensure compliance with the regulatory framework for local government business.*

Community Engagement

Community Participation Goal

Inform: To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.

Promise to the Community

Inform: We will keep you informed.

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

Authority/Discretion

Legislative: Includes adopting local laws, town planning schemes and policies. It is also when council reviews decisions made by Officers.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. Approves the conversion of the shed at Lot 429 (8) Caledonia Rise, Australind to a dwelling pursuant to Section 144 of the *Health (Miscellaneous Provisions) Act 1911*, subject to:
2. 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.

Moved: Cr. Jackson Seconded: Cr. Burgoyne

That Council:

- 1. Approves the conversion of the shed at Lot 429 (8) Caledonia Rise, Australind to a dwelling pursuant to Section 144 of the *Health (Miscellaneous Provisions) Act 1911*, subject to:**
- 2. 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.

Carried 13-0

21/124

Item No.	12.3.4.
Subject:	Joint South West Design Review Panel
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Manager Special Projects
Authorising Officer:	Director Sustainable Development
File No.:	PS/P/003
Attachments:	<ol style="list-style-type: none"> 1. Joint South West Design Review Panel Memorandum of Understanding V4 [12.3.4.1 - 9 pages] 2. South West Joint Design Review Panel Terms of Reference V4 [12.3.4.2 - 11 pages] 3. Draft Local Planning Policy 4.1.18 - Design Review [12.3.4.3 - 3 pages]

Summary

The average lifespan of a commercial building is in excess of 40 years, and decisions made today have a lasting impact on the quality of the built form of the Shire's towns, villages and agricultural areas. Combining Design Review with the spatial considerations of the development assessment process will ensure a more robust assessment and improved built form and public realm outcomes.

With significant business and tourist investment continuing, the South West is an ideal region to establish a joint panel and one that could potentially become a model for other areas of regional Western Australia. The model is particularly advantageous for local governments that do not have the resources to establish their own panel, or where the 'pool' of expert panel members may be limited within a single local government area.

The local governments of Augusta-Margaret River, Boyup Brook, Bunbury, Busselton, Bridgetown-Greenbushes, Capel, Collie, Dardanup, Donnybrook-Balingup, Harvey and Nannup collectively recognise the potential benefits of establishing a joint DRP in the South West region to assist in the assessment of development applications, structure plans and local planning policy.

It is recommended that Council adopts the Design Review process as detailed in this Report.

Background

Design Review Panels:

Design Review Panels (DRPs) are groups of independent experts who advise on the design quality of a project or development proposal.

DRPs have been operating in Australia for over 20 years and 80% of Perth's metropolitan local governments have established a DRP which are now reinforced through the State Government's Design WA initiative.

Over the last 18 months officers have worked with other local authorities located within the South West region to establish a South West Joint Design Review Panel (SWJDRP). The advantage of this joint DRP approach is that costs are lower for individual authorities and there is a larger pool of experts to draw from with lower risks of conflict of interest.

Outcomes to date:

A Memorandum of Understanding (MOU) (refer **Attachment 1**) and Terms of Reference (TOR) (refer **Attachment 2**) have been prepared by the participating local governments. At this point in time there

is commitment from the following local governments:

- City of Bunbury;
- City of Busselton;
- Shire of Augusta Margaret River; and
- Shire of Collie.

The Shire of Harvey and others within the South West did not enter into the MOU until such time as there was considered a need and the effectiveness of the TOR tested. It is now considered appropriate the Shire becomes formally involved in the process.

To support the process, a Local Planning Policy (LPP) is required to:

- Establish a 'head of power' to create a relationship between the development assessment and design review process;
- Outline the types of applications that may trigger design review; and
- Address fees and charges.

Comment

The Office for the Government Architect (OGA), the Department of Planning, Lands and Heritage and the South West Development Commission are supportive of establishing the SWJDRP.

Documents have already been drafted to assist in establishing the SWJDRP and these include a Memorandum of Understanding, Terms of Reference, and a Local Planning Policy.

While it would be unlikely for the smaller Shires to have many referrals over the course of a year, it is anticipated that the number for Bunbury, Busselton and Augusta-Margaret River could be close to one a month (acknowledging that a single matter could be referred to the SWJDRP 2-3 times over the course of its progress). It is estimated therefore that there would be approximately 12 meetings per year. This is sufficient to include the Shire's applications of which there is approximately six per annum.

The MOU states that participating local governments will contribute equally to the expressions of interest process and ongoing member recruitment costs, after which the SWJDRP will operate on a 'user pays' basis, where costs incurred in considering an item (such as panel member sitting fees) will be borne by the local government presenting that item.

The TOR (that forms an appendix to the MOU) sets out the operational aspects of the SWJDRP, including the role and statue, governance, member appointments and responsibilities, remuneration, and meeting procedures. Resourcing costs and fee recovery are the most significant issues to be resolved. These are most appropriately addressed through each individual local government preparing their own LPP, as referenced within the TOR.

Schedule 2, Part 2, Division 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 (Deemed Provisions) contains provisions relating to LPPs. Clause 3(1) provides that the *"local government may prepare a local planning policy in respect of any matter related to the planning and development of the Scheme area."*

Officers have prepared 'Local Planning Policy 4.1.18 - Design Review' (refer **Attachment 3**) to provide guidance on the requirements for proposals to undertake a design review. The LPP seeks to strike a balance in terms of what proposals would trigger a SWJDRP review and generally includes proposals that typically have design elements that impact on the character, amenity and streetscape

of an area.

Normally a development proposal is reviewed three times by a DRP, but this is not mandatory. The proposed LPP provides for three design reviews at no cost to the proponent, provided one of the reviews occurs before the lodgement of an application. This arrangement is intended to incentivise early engagement with the panel, which increases opportunities for SWJDRP feedback to be incorporated into a design at a lower cost to the proponent.

The LPP will require advertising pursuant to the Deemed Provisions, followed by referral back to Council for final approval. The inclusion of additional provisions into the draft new Local Planning Scheme relating to the design review of proposals will be considered by Officers, and if required, appropriate provisions will be included prior to the draft new Local Planning Scheme being referred to Council for adoption.

Statutory/Policy Environment

The following key documents are applicable to the consideration of design review:

- *Planning and Development Act 2005*
- Planning and Development (Local Planning Schemes) Regulations 2015
- State Planning Policy 7.0 Design of the Built Environment
- Design Review Guide
- Shire of Harvey Local Planning Strategy
- Shire of Harvey District Planning Scheme No. 1.

State Planning Policy 7.0 Design of the Built Environment (SPP7.0) states that planning authorities should establish or provide access to design review processes for complex planning proposals. This is set out in the WAPC's "Design Review Guide – Guidance for Local Governments to set up and operate a design review process".

The Planning and Development (Local Planning Schemes) Regulations 2015 enables local government to prepare local planning policies in response to any matter related to the planning and development of the Scheme area and provides the process for adoption of local planning policies.

The Shire of Harvey Local Planning Strategy (2020) provides the following relevant objective:

"Emphasising the importance of a health-built environment through mixed-use planning and the need to create a variety of destinations, transport methods and urban design initiatives..."

Strategic Framework

The Shire's Strategic Community Plan 2017 – 2027, states:

- | | |
|---------------------|--|
| <i>Objective 1:</i> | <i>To be a diverse and innovative economy supporting a range of local employment opportunities.</i> |
| <i>Outcome 1.4</i> | <i>Essential services and infrastructure are available to support the growing community and local economy.</i> |
| <i>Objective 2:</i> | <i>We have a balanced respect for our natural assets and build environment, retaining our lifestyle values and community spirit.</i> |
| <i>Outcome 2.2</i> | <i>Town Centres are welcoming, well presented and development enhances their character and value.</i> |
| <i>Outcome 2.3</i> | <i>Land use provisions within the rural, industrial and urban areas reflect current and future needs.</i> |

- Objective 4: Strong civic leadership representing the whole of the Shire which engages in effective partnerships and reflects the aspirations of an engaged community.*
- Outcome 4.2 Services and infrastructure are provided with a customer focus and reflect the needs of the Shire's residents.*
- 4.2.2 Maintain, review and ensure relevance of Council's policies and local laws.*
- Outcome 4.3 Good business performance and quality service delivery within the regulatory framework continues to be provided.*
- Outcome 4.6 Effective collaboration and shared services with other Local, State and Federal Government agencies, industry and community organisations.*
- 4.6.1 Participate in and seek collaborative resource sharing opportunities.*

Community Engagement

Community Participation Goal

Inform: To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.

Consult: To provide the public feedback on analysis, alternatives and/or decisions.

Promise to the Community

Consult: We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision. We will seek your feedback on drafts and proposals.

Community Engagement

If endorsed by Council, the draft LPP is required to be advertised for public comment for not less than 21 days as per Schedule 2, Part 2, Division 2, Clause 4 of the Planning and Development (Local Planning Schemes) Regulations 2015.

A further report will be brought back to Council at the completion of the advertising period.

Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The risk of not adopting the process outlined is that the Shire will have an alternative assessment process of significant planning to that adopted by adjoining local governments within the southwest. The Consequence could be **Reputational, Financial, or Compliance** if inconsistent assessments and/or decisions are made, misleading advice is given, or a condition missed. The risk is considered **Moderate** and the likelihood **Possible**, given the adoption of this Policy. This results in a **Moderate** risk being present.

Budget Implications

The estimated budget for operating the SWJDRP would be \$33,070 annually based on 12 meetings per year. Under the terms of the MOU the meeting costs would be divided equally between those local authorities *with matters to be considered at a particular meeting*. If three authorities had items every meeting, the total cost to the Shire would be around \$11,000 (one-third of \$33,070).

The initial assumptions to inform the budget are based on half of the meetings having agendas shared (with other local authorities) and half without. This results in a cost of \$16,535, which can be

reviewed once the panel is operational and there is a better understanding of the frequency of the Cities and Shires presenting items and sharing agendas.

Based on the above, a budget allocation of \$8,300 for the 2021 – 2022 financial year will be requested through the budgeting process.

Note: The South West Development Commission indicated that they would provide a \$3,000 grant to assist in establishing the SWJDRP.

Authority/Discretion

Quasi-Judicial: When Council determines an application/matter that directly affects a person's right and interests. The judicial character arises from the obligation to abide by the principles of natural justice. Examples of Quasi-Judicial authority include town development applications, building permits, applications for other permits/licenses (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. Authorises the Chief Executive Officer to finalise the South West Joint Design Review Panel 'Memorandum of Understanding' and 'Terms of Reference' generally in accordance with the documentation contained with **Attachment 1** and **Attachment 2**;
2. Pursuant to Schedule 2, Part 2, Division 2, Clause 3 of the Planning and Development (Local Planning Schemes) Regulations, prepares 'Local Planning Policy 4.1.18 - Design Review' as contained in **Attachment 3**; and
3. Pursuant to Schedule 2, Part 2, Division 2, Clause 4 of the Planning and Development (Local Planning Schemes) Regulations, advertises the proposed draft 'Local Planning Policy 4.1.18 - Design Review' as contained within **Attachment 3** for public comment.

Moved: Cr. Bromham Seconded: Cr. Dickinson

That Council:

1. **Authorises the Chief Executive Officer to finalise the South West Joint Design Review Panel 'Memorandum of Understanding' and 'Terms of Reference' generally in accordance with the documentation contained with *Attachment 1* and *Attachment 2*;**
2. **Pursuant to Schedule 2, Part 2, Division 2, Clause 3 of the Planning and Development (Local Planning Schemes) Regulations, prepares 'Local Planning Policy 4.1.18 - Design Review' as contained in *Attachment 3*; and**
3. **Pursuant to Schedule 2, Part 2, Division 2, Clause 4 of the Planning and Development (Local Planning Schemes) Regulations, advertises the proposed draft 'Local Planning Policy 4.1.18 - Design Review' as contained within *Attachment 3* for public comment.**

Carried 13-0

21/125

12.4. Corporate Services

Item No.	12.4.1.
Subject:	Listing of Accounts Paid - April 2021
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Manager Finance
Authorising Officer:	Director Corporate Services
File No.:	FM/S/006
Attachments:	1. Payments April 2021 [12.4.1.1 - 15 pages]

Summary

Presented by way of attachment is a listing of payments for goods and services for April 2021. It is recommended that Council notes 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 April 2021 is presented as an attachment to this report, as summarised below.

<u>Voucher</u>		<u>Amount</u>
Schedule of Accounts		
	Municipal	
	EFT 54535 - EFT 54955	\$2,598,157.99
	117208 - 117224	\$6,977.14
	DD22224.1 - DD22376.1	\$134,395.83
CBA Credit Cards		\$2,347.46
Electronic Funds Submitted		\$1,356,805.93
Total		<u>\$4,098,684.35</u>

Statutory/Policy Environment

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

Strategic Framework

The Shire's Strategic Community Plan 2017 – 2027, states:

- Objective 4: Strong civic leadership representing the whole of the Shire which engages in effective partnerships and reflects the aspirations of an engaged community.*
- Outcome 4.3 Good business performance and quality service delivery within the regulatory*

- 4.3.4 *framework continues to be provided.*
Monitor and ensure compliance with the regulatory framework for local government business.

Community Engagement

Community Participation Goal

Inform: To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.

Promise to the Community

Inform: We will keep you informed.

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 2020 – 2021 Budget.

Authority/Discretion

Executive: The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council notes the above list of accounts paid for the period of April 2021 totalling \$4,098,684.35

Moved: Cr. Lovitt Seconded: Cr. Coleman

That Council notes the above list of accounts paid for the period of April 2021 totalling \$4,098,684.35

Carried 13-0 21/126

Item No.	12.4.2.
Subject:	Financial Statements as at 30 April 2021
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Manager Finance
Authorising Officer:	Director Corporate Services
File No.:	FM/S/006
Attachments:	1. Apr 2021 Agenda [12.4.2.1 - 13 pages]

Summary

Presented by way of attachment are the Financial Statements as at 30 April 2021.

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

	ACTUAL 30 April 2021	BUDGET 2020 – 2021	VARIANCE
Statement of Financial Performance			
Ordinary Revenue	\$39,112,350	\$43,575,228	\$4,462,878
Ordinary Expenditure	\$34,086,383	\$50,057,783	\$15,971,399
Capital Revenue	\$2,108,947	\$8,809,126	\$6,700,179
Capital Expenditure	\$3,881,831	\$14,004,898	\$10,123,067
End of Period Profit / (Loss)	\$12,435,323		
Statement of Financial Position			
Current Assets	\$46,318,130		
Net Assets	\$552,651,108		

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

Rates Revenue

Rates revenue of \$22 million and rubbish rates of \$3.4 million were generated in August 2020, and the due date of rates was 25 September 2020. Over 74% of rates were paid by the due date, compared to prior years of around 69%. At the date of this report \$912,321 remains unpaid for rates debtors. For 2020 – 2021 the Shire has not increased the property and rubbish rates, rate in the dollar from 2019 – 2020 in an effort to provide some relief to ratepayers.

Cash Flow and Interest Earnings

The Shire holds by way of cash and term deposit \$13 million in Municipal Funds, \$7 million in Trust Funds and \$24.5 million in Reserve Funds. The average interest rate on these funds is 0.42%. New term deposits are attracting a very low interest rate for 90 days of approximately 0.31%.

Operating Grants and Subsidies

84% of the 2020 – 2021 Financial Assistance Grants has been received with \$2.8 million included in General Revenue.

Employee Costs

The financial statements reflect ten months of the 2020 – 2021 financial year, and it is anticipated employee costs will remain on budget and in line with the Workforce Plan.

Materials, Contracts, Utilities and Other Expenses

The financial statements reflect ten months of the financial year, and it is anticipated the Shire will operate within its means and in line with the Shire's adopted 2020 – 2021 Budget.

Capital Expenditure

The Shire has budgeted to spend \$24.8 million on capital projects throughout the Shire in 2020 – 2021. Capital works are underway in several areas including road and footpath projects as well as building works and recreation works. Expenditure totalling approximately \$7.5 million for these works has been reported at the end of April. As more projects are completed and as the Shire is invoiced for those works the level of reported expenditure will increase. A few projects will be carried forward to the Budget 2021 – 2022.

Attached to the Agenda is the Financial Report for the reporting period which includes the following:

- 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.

The Notes to the Statement of Financial Performance as well as the Notes to the Statement of Financial Position (as attached) include additional information reported on a by Program basis identifying reasons for variances between budgets and actuals.

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

The Shire's Strategic Community Plan 2017 – 2027, states:

Objective 4: Strong civic leadership representing the whole of the Shire which engages in effective partnerships and reflects the aspirations of an engaged community.

- Outcome 4.3 Good business performance and quality service delivery within the regulatory framework continues to be provided.*
- 4.3.4 Monitor and ensure compliance with the regulatory framework for local government business.*

Community Engagement

Community Participation Goal

Inform: To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.

Promise to the Community

Inform: We will keep you informed.

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.

Authority/Discretion

Executive: The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council receives the Financial Statements as at 30 April 2021.

Moved: Cr. Coleman Seconded: Cr. Dickinson

That Council receives the Financial Statements as at 30 April 2021.

Carried 13-0

21/127

Item No.	12.4.3.
Subject:	Renewal of Integrated Enterprise Software
Proponent:	Shire of Harvey
Location:	
Reporting Officer:	Manager Information Services
Authorising Officer:	Director Corporate Services
File No.:	EQ/O/007
Attachments:	Nil

Summary

The Shire's fully integrated enterprise software suite, SynergySoft has been used by the Shire for the past 14 years. This software suite is considered at end of life by its supplier and is being superseded by an updated product referred to as Altus.

The upgrade to Altus comes at a cost and as such now is an appropriate time to assess what new or alternative software suites are available on the market. Of particular interest in this review is the provision of online applications and other additional customer services features.

It is estimated the software replacement will cost upward of \$550,000 and the reviewing to implementation of software will occur over a two financial years period.

It is recommended that an allocation of \$550,000 be included in the draft 2021 – 2022 Budget to commence the process of replacing the Shire's integrated enterprise software suite.

Background

The Shire of Harvey requires integrated software applications for the management of property rates, financial management, works costings, procurement, building, health, planning and a range of other customer and service-based areas.

In 1989 the Shire purchased Collier Klyn's LOGIS software which it utilised for the next 18 years.

In 2007 the Shire moved over to IT Vision's SynergySoft software, which has been the central software suite for the past 14 years.

Comment

The Shire's SynergySoft software is considered at end of life and currently being upgraded by IT Vision to a new suite called Altus.

Although SynergySoft is an old product, it has served well as a central software suite for the Shire and was not deemed a current priority for upgrade. Recently the Shire has been experiencing a number of issues relating to software errors and what is believed to be conflicts between Microsoft upgrades and the SynergySoft software. These issues have resulted in a lack of confidence in general ledger balancing and the integrity of other subsidiary ledgers such as the Bank Reconciliation and Rates Modelling.

Typical issues include SynergySoft shutting down unexpectedly during a batch update, the system freezing during batch entry (payroll, debtors, creditors, receipting, and building modules) which then requires batched to be re-entered. Creditors batch numbers being reset to one and creditor batches not flowing through to bank reconciliations.

The combined level of issues has had a significant impact on work efficiency but has also led to work frustration and as previously stated, results in a lack of confidence in the system.

In the many discussions and support requests with ITVision, it has become very apparent that ITVision is focused on providing a new product (Altus) rather than investing into the old (SynergySoft).

In discussions with other local governments, the concern has been mutual with all others either planning on migrating over to Altus or testing the market to see what products are available and at what cost.

Currently the Shire pays approximately \$82,000 for annual maintenance and subscription costs for SynergySoft.

A quote was obtained for just the Payroll module of Altus which would cost \$65,355 for implementation plus \$40,585 per annum subscription. The current annual Payroll subscription for SynergySoft is \$1,700.

From looking at just the Payroll cost to migrate to Altus, it is evident the cost for a full migration will be significant.

The process of reviewing, awarding the tender, implementing new software and converting historical data and then training Officers is lengthy and expected to roll over two financial years.

Statutory/Policy Environment

Nil

Strategic Framework

The Shire's Strategic Community Plan 2017 – 2027, states:

- Objective 4: Strong civic leadership representing the whole of the Shire which engages in effective partnerships and reflects the aspirations of an engaged community.*
- Outcome 4.1 A long term strategically focused Shire that is efficient, respected and accountable.*
- Outcome 4.2 Services and infrastructure are provided with a customer focus and reflect the needs of the Shire's residents.*
- 4.2.3 Investigate 'smart' technologies to improve service provisions.*
- Outcome 4.3 Good business performance and quality service delivery within the regulatory framework continues to be provided.*

Community Engagement

Community Participation Goal

Inform: To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.

Promise to the Community

Inform: We will keep you informed.

Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The Consequence could be **Financial Compliance** and **Reputation** if the financial systems of the Shire are inaccurate. The Risk Consequence is considered to be **Minor** and the likelihood **Unlikely** resulting in a **Low** risk being present.

Budget Implications

The indicative cost is estimated to be upwards of \$550,000 of which approximately \$400,000 is proposed to be funded from the Shire's Asset Replacement - Office and Equipment Reserve with the balance being funded from the Shire's Municipal Account.

It is anticipated the proposed project would occur over both the 2021 – 2022 and 2022 – 2023 financial years with funds being utilised over both years.

Authority/Discretion

Executive: The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council includes an allocation of \$550,000 in its draft 2021 – 2022 Budget for the review and acquisition of a new integrated enterprise software suite for the Shire of Harvey.

Moved: Cr. Burgoyne Seconded: Cr. Bromham

That Council includes an allocation of \$550,000 in its draft 2021 – 2022 Budget for the review and acquisition of a new integrated enterprise software suite for the Shire of Harvey.

Carried 13-0

21/128

Item No.	12.4.4.
Subject:	Long Term Financial Plan 2021 - 2031
Proponent:	Shire of Harvey
Location:	
Reporting Officer:	Finance Officer – AH
Authorising Officer:	Director Corporate Services
File No.:	EQ/O/007
Attachments:	1. Attachment 1 [12.4.4.1 – 34 pages]

Summary

This report presents the Shire's Long Term Financial Plan (LTFP) 2021 – 2031 as part of the Integrated Planning and Reporting Framework (IPR) requirements prescribed under the *Local Government Act 1995*.

The LTFP highlights the income streams of the Shire as well as future financial impositions. It is a model which aids in the decision making process as to what rates and other funding sources are required to maintain the Shire's existing services and assets as well as the provision of new services or assets.

It is recommended the Long Term Financial Plan 2021 – 2031 be adopted (refer **Attachment 1**).

Background

The LTFP is a ten year rolling plan that informs the Corporate Business Plan in the activation of Strategic Community Plan priorities. The LTFP includes operating forecasts as well as capital items fed from the Shire's Forward Capital Works Plan and other informing strategies. The Plan is built around a number of assumptions relating to population growth, CPI increases, rates increases, utility cost increases etc. Where available assumptions are based on current government approved economic data. Although these assumptions may alter from year to year, they are required to more accurately identify the Shire's sustainability into the future.

The Department of Local Government, Sport and Cultural Industries has provided guidelines for the production of the LTFP as it forms a key document in the Integrated Planning and Reporting process.

At its meeting of 23 June 2020, Council adopted the 2020 – 2030 LTFP (resolution 20/143). This LTFP included financial hardship measures for ratepayers in the Shire as a result of the COVID-19 pandemic. These measures included a 0% increase in rates, and a 0% increase in fees and charges. Along with this relief, Council also agreed to utilise its almost \$2M Cashflow Reserve to add stimulus to the region.

Comment

The LTFP expresses, in financial terms, the activities the Shire intends to undertake over the next 10 years to achieve the outcomes of the Shire's Strategic Community Plan.

Some of the key purposes of the LTFP are:

- To assist in the future planning of the Shire's financial operations in regard to key components such as rate increases, service levels to the community and infrastructure asset replacement / renewal. It also serves to guide the Shire's financial decisions, such as loan indebtedness and internal cash reserve utilisation.
- To act as a financial barometer for future actions and encourages the Shire to think about the

impact decisions made today will have on the Shire's long-term sustainability.

- To be a medium for linking the Annual Budget to the Asset Management Plan, ensuring the Shire is aware of future expenditure needs for renewal or replacement of existing assets.

The LTFP assumes that the Shire intends to maintain its existing assets in a sustainable manner. It also assumes that the Shire will maintain its current service levels (including asset condition levels) and that the Shire is planning for a positive and sustainable future.

Included in the LTFP is the anticipated operating income and expenditure of the Shire plus capital expenditure and income derived from the Shire's existing Forward Capital Works Plan.

The LTFP model is based on various assumptions, one of which is indexation from one year to the next. Officers have included the most current CPI forecast from the WA Department of Treasury with CPI forecast for 2021 – 2022 at 1.75%, 2022 – 2023 at 1.75% and 2.00% in subsequent years.

Although there is still some level of uncertainty around the economic impact of the COVID-19 pandemic, the parameters in this LTFP assume a continued bounce back to the State's economy including ongoing growth to the Shire's population and economy.

In accordance with the Department of Local Government, Sport and Cultural Industries guidelines, the LTFP includes a list of key assumptions including projected rates increases, population growth and CPI levels. The Plan also includes a set of financial indicators with targets and their definitions. The attached LTFP predicts improving or satisfactory financial sustainability over the life of the Plan, with some ratios meeting advanced targets.

Statutory/Policy Environment

Local Government Act 1995, Section 5.56 – deals with planning for the future.

Local Government (Administration) Regulations 1996, Regulation 19DA (3)(c) – develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.

Local Government (Financial Management) Regulations 1996, regulation 5(2)(a) – The CEO is to ensure that the resources of the local government are effectively and efficiently managed.

Strategic Framework

Within the Shire's Strategic Community Plan 2017 – 2027,

- Objective 4: Strong civic leadership representing the whole of the Shire which engages in effective partnerships and reflects the aspirations of an engaged community.*
- Outcome 4.1 A long term strategically focused Shire that is efficient, respected and accountable.*
- 4.1.1 Implement the Integrated Planning and Reporting Framework including the Long Term Financial Plan, Workforce Plan, Asset Management Plans and Corporate Business Plan.*

Community Engagement

Community Participation Goal

Inform: To provide the public with balanced and objective information to assist them in understanding

the problems, alternatives and/or solutions.

Promise to the Community

Inform: We will keep you informed.

Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The Consequence could be **Financial** and **Reputational** should inappropriate or unrealistic assumptions be used in the LTFP model. The Risk is mitigated by reviewing annual comparative figures and comparing the document information to a base year. As such it is considered that a **Low** risk is present.

Budget Implications

The LTFP is a tool which filters projects through to the Annual Budget and guides the Shire in the financial management and decisions it makes towards a sustainable future.

Authority/Discretion

Executive: The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council adopts the Long Term Financial Plan 2021 – 2031 as at **Attachment 1**.

Moved: Cr. Bromham Seconded: Cr. Campbell

That Council adopts the Long Term Financial Plan 2021 – 2031 as at Attachment 1.

Carried 13-0

21/129

Item No.	12.4.5.
Subject:	Specified Area Rate – Landscaping Maintenance
Proponent:	Shire of Harvey
Location:	Treendale Subdivision Estate Treendale District Centre Kingston Subdivision Estate Galway Green Subdivision Estate Lakewood Shores Subdivision Estate
Reporting Officer:	Director Corporate Services
Authorising Officer:	Chief Executive Officer
File No.:	FMB003, FMR013
Attachments:	Nil

Summary

The Shire maintains the common landscape areas of the Galway Green Subdivision Estate, Kingston Subdivision Estate, Treendale Subdivision Estate and the Treendale District Centre to a higher standard than normal and in past years has imposed a specified area rate on the rate payers of these Estates and Centre to cover part of the additional cost of these services.

The Lakewood Shores Golfside Vista (Lakewood Shores) Subdivision in Binningup has previously had its common landscape areas within the subdivision maintained by the developer. As previously reported to Council, the common areas within this subdivision area have now been passed on to the Shire to maintain.

It is recommended the Lakewood Shores Subdivision Estate be maintained in the same fashion as Galway, Kingston and Treendale, via a specified area rate.

It is also recommended that Council include provision in the draft 2021-2022 Budget for a specified area rate (SAR) to the ratepayers within the Galway Green Subdivision Estate, Kingston Subdivision Estate, Treendale Subdivision Estate and the Treendale District Centre and Lakewood Shores Subdivision as detailed in the report below.

Background

For the past decade the Shire has maintained the common landscape areas of the Galway Green, Kingston and Treendale Subdivision Estates to a standard higher than normal throughout the Shire. The cost of this service has been born by the ratepayers within these Estates by way of an imposed specified area rate (SAR).

Since 2013-2014 the Shire has also imposed a SAR on the ratepayers of the Treendale District Centre to maintain the landscape of the common areas of the District Centre.

In 2020-2021 as a result of COVID-19, there was a freeze on any rate increases including SARs. As such the associated SAR rate-in-the-dollar for 2020-2021 remained the same as that in 2019-2020 which were;

Galway Green	\$0.009232
Kingston	\$0.009252
Treendale	\$0.013521
Treendale District Centre	\$0.008984

As there was no increase to rates for 2020-2021 there was a requirement for the Shire to fund any annual increases to maintenance costs for the Estates from its Municipal Fund.

The Shire's contributions/cost and the SAR applied for the previous three years are as follows:

Galway Green	<u>2018-2019</u>	<u>2019-2020</u>	<u>2020-2021</u>
Shire Contribution/Cost	\$23,526	\$18,468	\$18,364
Specified Area Rate	\$61,474	\$66,532	\$66,636
Number of Lots	393 lots	393 lots	393 lots
Total Contribution/Cost	\$85,000	\$85,000	\$85,000
Kingston	<u>2018-2019</u>	<u>2019-2020</u>	<u>2020-2021</u>
Shire Contribution/Cost	\$53,000	\$55,000	\$59,924
Specified Area Rate	\$179,178	\$185,263	\$188,668
Number of Lots	1152	1173	1195
Total Contribution/Cost	\$232,170	\$240,263	\$248,592
Treendale	<u>2018-2019</u>	<u>2019-2020</u>	<u>2020-2021</u>
Shire Contribution/Cost	\$187,507	\$167,574	\$425,925
Specified Area Rate	\$327,493	\$347,426	\$354,075
Number of Lots	1204	1289	1333
Total Contribution/Cost	\$515,000	\$515,000	\$780,000
Treendale District Centre	<u>2018-2019</u>	<u>2019-2020</u>	<u>2020-2021</u>
Shire Contribution/Cost	\$0	\$0	\$0
Specified Area Rate	\$40,000	\$40,000	\$40,000
Total Contribution/Cost	\$40,000	\$40,000	\$40,000

At the Ordinary Council Meeting in November 2020, Council received an item dealing with the receipt of community open space within the subdivision area of Lakewood Shores from the developer Binningup Nominees Pty Ltd. At that meeting Council resolved to adjust its 2019-2020 Budget to fund landscape maintenance of the community open space of that Estate.

As the Shire looks to continue the maintenance of the common areas of Lakewood Shores, it is recommended the Shire receive contributions from the ratepayers of that Estate as is currently the case with Galway Green, Kingston and Treendale Estate areas.

Comment

The proposed funding to be included in the draft 2021-2022 Budget for the landscape maintenance of the Estate areas are:

Galway Green	2021-2022
Shire's Contribution/Cost	\$31,864
Specified Area Rate	<u>\$68,572</u> (393 lots)
Total Contribution/Cost	\$100,436
Rate-in-the-dollar	\$0.009497
% increase from 2019-2020	2.87%
Kingston	2021-2022
Shire's Contribution/Cost	\$139,808
Specified Area Rate	\$199,479(1246 lots)
Total Contribution/Cost	\$339,287
Rate-in-the-dollar	\$0.009521
% increase from 2019-2020	2.91%

Treendale	2021-2022
Shire's Contribution/Cost	\$170,944
Specified Area Rate	\$381,069(1478 lots)
Total Contribution/Cost	\$552,013
Rate-in-the-dollar	\$0.013875
% increase from 2019-2020	2.62%
Treendale District Centre	2021-2022
Shire's Contribution/Cost	\$0
Specified Area Rate	\$40,000
Total Contribution/Cost	\$40,000
Rate-in-the-dollar	\$0.008274
% increase from 2019-2020	0%
Lakewood Shores	2021-2022
Shire's Contribution/Cost	\$78,688
Specified Area Rate	\$31,256(181 lots)
Total Contribution/Cost	\$109,944
Rate-in-the-dollar	\$0.011175
% increase from 2019-2020	N/A

It should be noted that an additional Municipal Fund allocation in 2020-2021 of \$265,000 was made by the Shire to the landscape maintenance of the Treendale Estate. Much of these funds remain unspent and will be carried forward and expended in 2021-2022. These funds are in addition to the expenditure recommendation in this report.

The proposed SARs above reflect a percentage increase of less than 3% for a two-year period.

In accordance with the above SARs, the dollar impact to an average property with a gross rental value of \$18,500 (average value) is;

Galway Green	\$175
Kingston	\$176
Treendale	\$256
Lakewood Shores	\$207

Statutory/Policy Environment

Local Government Act 1995, Section 6.37 – dealing with the imposition of specified area rates.

Strategic Framework

The Shire's Strategic Community Plan 2017 – 2027, states:

- Objective 2: We have a balanced respect for our natural assets and build environment, retaining our lifestyle values and community spirit.*
- Outcome 2.2 Town Centres are welcoming, well presented and development enhances their character and value.*
- 2.2.3 Continue to provide a high standard of town centre presentation and maintenance.*
- Objective 3: Provide a safe and welcoming community which embraces its diversity and heritage, where everyone is valued and has the opportunity to contribute and*

- belong.*
- Outcome 3.4 *Services, infrastructure and facilities continue to meet community needs.*
- 3.4.1 *Continue to monitor the needs of the community, to ensure access to appropriate services and facilities.*
- Objective 4: *Strong civic leadership representing the whole of the Shire which engages in effective partnerships and reflects the aspirations of an engaged community.*
- Outcome 4.5 *The revenue needs of the Shire are managed in an equitable, proactive and sustainable manner.*
- 4.5.3 *Review rating strategies.*

Community Engagement

Community Participation Goal

Inform: To provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.

Promise to the Community

Inform: We will keep you informed.

Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The consequence could be **Financial** or **Compliance** if incorrect costings or processes relating to budgeting or the imposing of rates is not correct. The risk is considered **Minor** and the likelihood **Unlikely**, given that the report has been thoroughly researched and provided by a qualified Shire Officer. This results in a **Low** risk being present.

Budget Implications

Galway Green Estate

The proposed common area landscape maintenance cost in 2021-2022 is \$100,436.
The proposed SAR rate-in-the-dollar is \$0.009497 which would generate \$68,572 in rates.
The proposed balance to be funded from the Shire's Municipal Fund is \$31,864.

Kingston Estate

The proposed common area landscape maintenance cost in 2021-2022 is \$339,287.
The proposed SAR rate-in-the-dollar is \$0.009521 which would generate \$199,479 in rates.
The proposed balance to be funded from the Shire's Municipal Fund is \$139,808.

Treendale Estate

The proposed common area landscape maintenance cost in 2021-2022 is \$552,013.
The proposed SAR rate-in-the-dollar is \$0.013875 which would generate \$381,069 in rates.
The proposed balance to be funded from the Shire's Municipal Fund is \$170,944.

Treendale District Centre

The proposed common area landscape maintenance cost in 2021-2022 is \$40,000.
The proposed SAR rate-in-the-dollar is \$0.008274 which would generate \$40,000 in rates.

Lakewood Shores Estate

The proposed common area landscape maintenance cost in 2021-2022 is \$109,944.
The proposed SAR rate-in-the-dollar is \$0.011175 which would generate \$31,256 in rates.

The proposed balance to be funded from the Shire's Municipal Fund is \$78,688.

Authority/Discretion

Executive: The substantial direction setting and oversight role of the Council. e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council include provision for the following Specified Area Rates for the common area landscape maintenance in its draft 2021-2022 Budget along with revenue and expenditure amounts as detailed in this report:

- Galway Green Estate using a rate-in-the-dollar of \$0.009497;
- Kingston Estate using a rate-in-the-dollar of \$0.009521;
- Treendale Estate using a rate-in-the-dollar of \$0.013875;
- Treendale District Centre using a rate-in-the-dollar of \$0.008274; and
- Lakewood Shores Estate using a rate-in-the-dollar of \$0.011175.

Moved: Cr. Campbell Seconded: Cr. Bromham

Amendment

Cr. Michelle Campbell proposed the following amendment:

That this decision of Council is conveyed in writing to the affected rate payers of Lakewood Shires Estate Prior to the next financial year rate notice being issued.

Substantive Motion

Moved: Cr. Campbell Seconded: Cr. Coleman

That Council:

1. **Include provision for the following Specified Area Rates for the common area landscape maintenance in its draft 2021-2022 Budget along with revenue and expenditure amounts as detailed in this report:**
 - **Galway Green Estate using a rate-in-the-dollar of \$0.009497;**
 - **Kingston Estate using a rate-in-the-dollar of \$0.009521;**
 - **Treendale Estate using a rate-in-the-dollar of \$0.013875;**
 - **Treendale District Centre using a rate-in-the-dollar of \$0.008274; and**
 - **Lakewood Shores Estate using a rate-in-the-dollar of \$0.011175.**
2. **That this decision of Council is conveyed in writing to the affected rate payers of Lakewood Shores Estate prior to the next financial year rate notice being issued.**

Carried 13-0

21/130

12.5. Community and Lifestyle

Nil.

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

Nil.

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. Paul Beech reported on his attendance at the following:

May:

- Harvey Community Resource Centre Committee Meeting
- Alcoa Community Consultative Network Meeting

June:

- Harvey Recreation and Cultural Centre Advisory Group Meeting
- Citizenship Ceremony
- WA Week Dinner

Cr. Michelle Campbell reported on her attendance at the following:

May:

- Leschenault Progress Association

June:

- Citizenship Ceremony
- Morrissey Board of Management Meeting

Cr. Amanda Lovitt reported on her attendance at the following:

June:

- Disability and Access Inclusion Plan Meeting with Cr. Coleman

Cr. Wendy Dickinson reported on her attendance at the following:

May:

- Harvey Visitor Centre Board Meeting
- Bunbury Harvey Regional Council

June:

- Citizenship Ceremony
- Harvey Shire Honours and Awards Dinner at the Yarloop CRC

Cr. John Bromham reported on his attendance at the following:

February:

- Leschenault Bush Fire Brigade Training and Meeting
- Concept Forum
- Youth Strategy Working Group
- Agenda Briefing Session
- Lot 208 Board meeting
- Leschenault Bush Fire Brigade Training
- Tourism Strategy Workshop
- Community Safety and Crime Prevention Group Meeting
- Ordinary Council Meeting
- CLC Meeting
- LPA Meeting Settlers Hall

March:

- Youth Strategy Workshop in Australind
- Leschenault Bush Fire Brigade Training and Meeting
- Leschenault Brigade Photo
- Stakeholder Meeting
- Strategic Community Plan Workshop
- Concept Forum
- WALGA training in Perth
- Town Planning Practice The Essentials – WALGA Course in Perth
- Community Safety and Crime Prevention Group Meeting Australind
- Audit committee Meeting
- Agenda Briefing Session
- Lot 208 Board Meeting

April:

- Leschenault Bush Fire Brigade Training
- Arts and Culture Advisory Group Meeting
- Ordinary Council Meeting
- Leschenault Bushfire Brigade Training and Meeting
- Code of Conduct Council Workshop
- Leschenault Bushfire Brigade AGM
- Agenda Briefing Session
- Leschenault Bushfire Brigade Training
- Draft Timeline Youth Strategy Meeting/Briefing
- Ordinary Council Meeting
- LPA Meeting Settlers Hall

May:

- Forward Capital Works Plan Briefing
- Council Investigation of Resources at the Shire of Augusta-Margaret River and the City of Busselton
- Leschenault Bush Fire Brigade Training and Meeting
- Binningup CSCP Engagement
- ANZAC Service Binningup
- Concept Forum
- Water Security Briefing
- South32 Briefing and facilities tour
- Lot 208 Board Meeting

- Agenda Briefing Session
- Leschenault bushfire Brigade Training
- CLC Meeting Worsley Refinery
- Farewell Hon. Colin Hold MLC
- Community Safety and Crime Prevention Meeting Australind
- Visitor and tour of Binningup Surf Club
- Ordinary Council Meeting

June:

- Acknowledgement of Youth Strategy Meeting
- WALGA Course – Perth
- Integrated Strategic Planning The Essentials – WALGA Course in Perth
- Concept Forum
- Citizenship Ceremony

17. Seal Register

Officers 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:

Prepared By

- | | |
|---|----------------|
| • Harvey Football Club Lease Agreement | Julie Pantaleo |
| • Section 70A – Transfer of Land Act – Lot 23 (2)
Hosier Court, Australind | Ashlee Rose |

Moved: Cr. Lovitt Seconded: Cr. Burgoyne

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:

Prepared By

- | | |
|---|----------------|
| • Harvey Football Club Lease Agreement | Julie Pantaleo |
| • Section 70A – Transfer of Land Act – Lot 23
(2) Hosier Court, Australind | Ashlee Rose |

Carried 13-0 21/131

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

That a new business of an urgent nature introduced by decision of meeting as Item 19.2.1 be put on the agenda.

Moved: Cr. Gillett Seconded: Cr. Beech

Carried 13-0 21/132

19. Matters Behind Closed Doors**Moving Behind Closed Doors**

Moved: Cr. Burgoyne Seconded: Cr. Bromham

That Council Moves Behind Closed Doors in accordance with Section 5.23(2)(a) a matter affecting an employee or employees, (b) the personal affairs of any person and (e)(iii) a matter if disclosed would reveal information about the business, professional, commercial or financial affairs of a person.

Carried 13-0

21/133

Council moved behind closed doors at 5.15pm

Cr. Tania Jackson left the Chamber at 5.15pm.

19.1. Community and Lifestyle**19.1.1. Harvey District Tourist Bureau Management Agreement and Community Budget Submission**

Item No.	19.1.1.
Subject:	Harvey District Tourist Bureau Management Agreement and Community Budget Submission
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Director Community and Lifestyle
Authorising Officer:	Chief Executive Officer
File No.:	A002446
Attachments:	1. Attachment 1 Management Agreement [19.1.1.1 - 7 pages] 2. Attachment 2 HDTB Budget Submissions [19.1.1.2 - 36 pages]

Moved: Cr. Bromham Seconded: Cr. Adams

That Council:

1. Receives the Harvey District Tourist Bureau annual grant submissions for the Australind Visitors Centre and Harvey Visitors Centre provided in *Attachment 2*; and
2. Considers supporting Officers Recommendation Option 2 that is consistent with the Harvey Regional Tourism Development, Visitor Servicing and Signage Strategic Report.

Carried 12-0

21/134

Cr. Tania Jackson entered the Chamber at 5.19pm

19.2. Executive Services

19.2.1. Code of Conduct Behavioral Complaint

Item No.	19.2.1.
Subject:	Code of Conduct Behavioural Complaint
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Code of conduct Complaint Officer
Authorising Officer:	Chief Executive Officer
File No.:	CC/U/0640
Attachments:	1. Confidential Attachment 1 2. Confidential Attachment 2 3. Confidential Attachment 3 4. Confidential Attachment 4 5. Confidential Attachment 5 6. Confidential Attachment 6

Council Meeting Adjourned at 5.50pm

Council Meeting Recovered at 6.04pm

Moved: Cr. Gillett Seconded: Cr. Lovitt

That Council:

1. Receive the Confidential Report from the Shire of Harvey Code of Conduct Complaints Officer and endorses the findings and recommendations of the Investigation Panel as provided at *Attachment 5* and *Attachment 6*; and
2. Request the Code of Conduct Complaints Officer to bring a further Confidential Report to Council at the Ordinary Council Meeting of July 2021 with any further information in relation to the actions required of this resolution.

Carried 8-5 21/135

Returning from behind closed doors

Moved: Cr. Burgoyne Seconded: Cr. Lovitt

That Council Return from Behind Closed Doors.

Carried 13-0 21/136

Council returned from behind closed doors at 6.42pm

20. Closure of Meeting

There being no further business to discuss, the meeting was declared closed at 6.42pm.
I, Cr. Paul Gillett certify that the aforesaid Minutes of the meeting held on Tuesday, 22 June 2021, are a true and correct record of that meeting on Tuesday, 22 June 2021.



Cr. Paul Gillett
Shire President