



SHIRE OF  
**HARVEY**



# Agenda Briefing Session **Agenda**

**Harvey Council Chamber**

**Tuesday, 11 April 2023**

**4PM**

**Shire of Harvey**  
**Agenda Briefing Session**

Dear Councillor,

Notice is hereby given that the next meeting of the Harvey Shire Council will be held in the Harvey Council Chamber, Young Street, Harvey, on Tuesday, 11 April 2023 commencing at 4pm.

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

Yours faithfully,

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

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

06 April 2023

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## **1. Official Opening**

### **Disclaimer**

Agenda Briefing Sessions are used to inform Councillors on the items of business to be presented and discussed at the forthcoming Ordinary Council meeting.

These meetings are open to members of the public who may request to present a deputation to Council relating to an item on the Agenda.

No decisions are made at these meetings, although Councillors can request additional information or alternative wording be provided, to allow for motions to be prepared for consideration at the forthcoming Ordinary Council meeting.

Any statement regarding any planning or development application made during an Agenda Briefing Session, is not to be taken as notice of approval. 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.

An audio and visual record will be made, by means of livestreaming, of these proceedings and uploaded to the Shire's YouTube page for viewing.

### **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, present and emerging.

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

### **Leave of Absence:**

Cr. Paul Beech

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

## **4. Deputations**

## 5. Officer's Reports

### 5.1. Chief Executive Officer

<b>Item No.</b>	<b>5.1.1.</b>
<b>Subject:</b>	<b>Community Lease Policy</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Manager Governance and Strategy</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>F/36/00002</b>
<b>Attachments:</b>	1. Policy 1.1.13 – Community Lease Policy – Version 2 [5.1.1.1 - 13 pages]

### Summary

For Council to review and adopt the revised Community Lease Policy.

### 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 section 3.58 of 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.

Council at its Ordinary Meeting of Council held on Tuesday, 27 July 2021, adopted the first Community Lease Policy for the Shire recognising the need to standardise the way in which Council leases properties, especially to those groups who are considered exempt from the disposition of property legislation sited in section 3.58 of the *Local Government Act 1995* and might enter into a community lease with the Shire. The aim of the Community Lease Policy was to create some guiding principles to assist the Shire in managing both existing and proposed community leases. The Shire of Harvey will always seek to comply with the policy, bearing in mind that some variation may be required given the varying nature of each property and Lessee.

At its Ordinary Meeting held on Tuesday, 28 February 2023, the Administration brought before Council a Lease Agreement for decision for the Harvey Brunswick Leschenault Football Club (HBL). While negotiating the lease agreement with the Club, the Shire simultaneously entered into discussions with the HBL to consider the funding arrangements for the lighting at the Oval, of which HBL are a main user. In favour of supporting the future asset needs for the facility, the Administration made a recommendation to Council to include provisions within the lease for an on-going financial contribution for major capital replacement items, guided by information received within the Shire's Sport and Recreation Strategy planning as well as the pending lighting upgrade.

In lieu of resolving to enter into the Lease Agreement with HBL, Council resolved an Alternative Motion:

*"Moved: Cr. Campbell Seconded: Cr. Bromham*

*That Council defer this report to the March 2023 Ordinary Council Meeting in order to allow the Shire Officers to amend the Community Lease Policy, to include provisions for maintenance and capital replacement reserves for community leased buildings.*

*Carried 7-6 Casting Vote Shire President 23/005"*

The draft Community Lease Policy was brought to Council's Concept Forum for work shopping on Tuesday, 6 April 2023. Council and the Executive Leadership Team workshopped the Policy to arrive at the Policy which is presented to Council today.

## **Comment**

The revised Community Lease Policy has three key changes which will have effect on all future leases drafted by the Shire, as well as create consistency in existing leases where some responsibilities were ambiguous or discretionary. The paragraphs which have undergone review are provided below:

### **3.1.1 – Payment of Rent and other moneys**

Whilst the rental amount will remain at \$1 per annum, the Shire will categorise community lease types, which, in accordance with a schedule of maintenance obligations provided in the Policy, may require a financial contribution from the lessee to maintain that facility. Whilst this position is now formalised through the policy, it has been the case that a majority of Leases have existed in this arrangement. Lease holders will also continue to pay the service charges connected to the leased area.

### **3.1.2 – Repairs and Maintenance**

More detailed maintenance obligations specific to the Facility, including a clear determination of responsibilities will be provided in the maintenance schedules of individual Leases. The Schedule should be considered a working document which assists the Shire in providing clarity to the lease holders with regard to maintenance expenses.

In general however, the **Shire will be responsible for:**

- Scheduled inspections of infrastructure servicing the Facility (such as Heating Ventilation and Air Conditioning (HVAC) and fire services).
- Lessor repairs arising from scheduled inspections, unless caused by the Lessee.
- Replacement of infrastructure servicing the Facility, where that infrastructure has reached the end of its useful life, unless this occurs prematurely where caused by the Lessee.
- Structural and capital repairs and replacement, unless caused by the Lessee.

In accordance with the "Schedule of Maintenance Obligations" detailed in Appendix 1 within the Policy, the Shire may require Lessees to reimburse the Shire for all or part of the annual cost of maintenance items in accordance with the "Community Lease Category" type. There are tenant and Shire responsibilities which are listed in the schedule where the community group becomes responsible for either undertaking the maintenance or be requested to contribute financially toward the Lessor maintenance activity.

**The Lessee will be responsible for** day-to-day, ongoing and minor maintenance as detailed in the schedule of maintenance obligations included at Appendix 1 within the Policy and in accordance with the lease type.

Where a maintenance item is not listed in the "Schedule of Maintenance Obligations" of the Lease, this should be assumed to be an obligation of the Lessee.

Maintenance Fees will be reviewed annually, including by reference to the Shire's actual costs for its allocated tasks under the Lease.

### 3.1.3 – Capital Replacement, Refurbishment, Renovations or Improvements

Capital replacement, refurbishment, renovations or improvements to facilities will be prioritised by decision of Council through the Shire's Budget and Forward Capital Works planning processes. At the discretion of the Shire, Lessees may be requested to contribute to the project financially, by other such contribution in kind, or by way of raising funding through grants or other means. Lessee driven or requested replacement, refurbishment, renovation or improvement will be the financial responsibility of the Lessee.

Council is asked to adopt the Revised Community Lease Policy and those changes as included highlighted in **Attachment 1**.

The Administration puts forward a policy which does not provide the requirement for a sinking fund or reserve, however noting that in line with the Community Lease Policy there may be circumstances where Lessees will be required to fund future infrastructure and which will require financial budgeting to account for these requirements.

### Statutory/Policy Environment

This Policy proposes to outline standard lease provisions and guiding principles for the lease of Reserves or Facilities vested in the Shire of Harvey to bodies, exempt from the requirements of Section 3.58 of the *Local Government Act 1995* by Regulation 30(2)(b) of the Local Government (Functions and General) Regulations 1996, being charitable, benevolent, religious, cultural, educational, sporting or other like nature bodies, whose members are not entitled or permitted to receive any pecuniary profit from the bodies' transactions.

### Strategic Framework

The Shire's Strategic Community Plan 2021–2031, states:

- |                      |  |
|----------------------|--|
| <i>Goal 5:</i>       | <i>A representative leadership that is future thinking, transparent and accountable.</i>         |
| <i>Objective 5.1</i> | <i>Effective communication and engagement with the community.</i>                                |
| <i>Objective 5.2</i> | <i>Build partnerships and work collaboratively to amplify the outcomes that can be achieved.</i> |
| <i>Objective 5.3</i> | <i>Accountable leadership supported by a professional and skilled administration.</i>            |
| <i>Objective 5.4</i> | <i>Sound governance, including financial, asset and risk management.</i>                         |
| <i>Objective 5.5</i> | <i>Integrated strategic planning and reporting to drive continuous improvement.</i>              |
| <i>Objective 5.6</i> | <i>A customer centred approach to everything we do.</i>  |

### Community Engagement

#### Community Participation Goal

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

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

*Collaborate:* To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.

**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.

*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.

*Collaborate:* We will work together with you to formulate solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.

**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 regarding the preparation of Leases. The Risk is mitigated by ensuring appropriate consultation with lease holders prior to lease renewal. The Risk Consequence is **Moderate** and the **Likelihood** Unlikely resulting in a **Moderate** level of risk.

**Budget Implications**

The budget implications for Community Lease buildings will be included in the Shire's Annual 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 adopts the revised Community Lease Policy as attached to this report as **Attachment 1**.



<b>Item No.</b>	<b>5.1.2.</b>
<b>Subject:</b>	<b>Executive Services Policy Review</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Governance Compliance Officer</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>CC/P/0008</b>
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Executive Services Current Policies [5.1.2.1 - 86 pages]</li> <li>2. Executive Services Amended Policies [5.1.2.2 - 12 pages]</li> <li>3. Executive Services Revoked Policies [5.1.2.3 - 16 pages]</li> </ol>

## Summary

The Shire of Harvey determines a policy to be general rules or principles adopted by Council to provide clear direction to the Shire Administration, ensure the community is aware of the reason behind administrative and Council decisions, and to be familiar with the logic behind individual decisions.

As part of the ongoing review of Council policies and compliance functions, a review of the Executive Services policies has been completed by Shire Officers.

Council is requested to review the existing Executive Services policies (refer **Attachment 1**) and consider the proposed amendments to these policies (refer **Attachment 2**) and the proposed revocation of some of these policies (refer **Attachment 3**).

## Background

Policies set a guiding direction for the management of the Shire and establish a fair, transparent and cohesive approach to decision making. Policies develop as Council consider and address issues, or as a result of external changes such as amended or new legislation and should continue to develop through a process of review and refinement.

The objectives of Council policies are to:

- Provide Council with a formal written record of policy decisions
- Enable Council to maintain a process to continually review policy decisions and to ensure these decisions are remaining in alignment with community expectations, current legislation and other industry trends
- Provide Shire Officers with clear direction to respond to issues and act in accordance with Council decisions and direction
- Enable Council Members to adequately manage enquiries relating to the role of Council in particular situations
- Enable community members to obtain immediate direction on matters of Council policy.

To ensure good governance, all policies shall be reviewed at a minimum of every three years and a report presented to Council detailing any proposed changes. This does not limit the review of individual policies during the year if identified as requiring review or amendments prior to the due date or if required by legislation.

All policies should be assessed for review based on the following requirements:

- Implications of statutory requirements
- Implications for operational effectiveness and efficiency
- Potential for negative impact on operational activity, strategic objectives, environmental/economic factors and reputation.
- Complex procedures or technical information
- Change is likely to occur.

The existing policies are provided for reference (refer **Attachment 1**).

### Comment

To assist Council in reviewing the suite of Executive Services policies, Shire Officers have summarised the policies and proposed amendments and revocations and associated comments as follows:

### Proposed Amended Policies

Policy	Comment
1.1.1 – Council Policy Manual	Administrative changes to recognise a suite of policies rather than a consolidated manual.
1.1.2 – Common Seal	Administrative changes to grammar and references.
1.1.3 – Civic Receptions	Administrative changes to grammar and references.
1.1.6 – Council Meeting Framework	Administrative changes to grammar and references.
1.1.7 – Citizenship Ceremonies	Administrative changes to grammar and references.  Inclusion of dress standards encouraged for persons attending ceremonies.
1.1.10 – Code of Conduct Behaviour Complaint	Administrative changes to grammar and references.
1.1.11 – Public Statement by Council Members and the Chief Executive Officer	Administrative changes to grammar and references.
1.1.12 – Communications and Social Media	Administrative changes to grammar and references.
1.1.14 – Standards of Chief Executive Officer Recruitment, Performance and Termination	Administrative changes to grammar and references.
1.2.1 – Council Member Recognition	Administrative changes to grammar and references. Inclusion of Policy Purpose and Policy Scope.
1.2.2 – Legal Representation – Costs Indemnification	Administrative changes to grammar and references.
1.2.3 – Council Member Fees, Allowances and Expenses	Administrative changes to grammar and references.

	Removal of subparagraph 3.3 – Childcare and 3.5 – Conferences/Seminars/Training and Local Government Week
1.2.5 – Recording and Live Streaming Council Meetings	Administrative changes to grammar and references.
1.2.6 – Council Member and Chief Executive Officer Attendance at Events	Administrative changes to grammar and references. Removal of subparagraph 3.6 – Events authorised in advance register.
1.2.7 – Council Member Training and Professional Development	Administrative changes to grammar and references.
1.2.8 – Chief Executive Officer Performance Management	Administrative changes to grammar and references.
2.1.3 – Risk Management	No changes required.
3.2.3 – International Relations	Administrative changes to grammar and references.

### Proposed Revoked Policies

Policy	Comment
1.1.5 – Council Meetings – Meals	<p>This Policy was originally adopted on 24 March 1997 and last amended on 12 August 2008. It seeks to provide guidance on the provision of meals for Council Members at meetings.</p> <p>Shire Officers considers this Policy an administrative function of the implementation of Account 10108 – Refreshments/Entertainment – Council as adopted in the Annual Budget. There is no strategic direction required by Council on this matter outside of the current processes.</p>
1.1.8 – Agenda Briefings, Concept Forums and Workshops	<p>This Policy was originally adopted on 17 September 2019 and has not been amended since. It discusses the guidelines for the conduct of Agenda Briefings, Concept Forums and Workshops.</p> <p>Shire Officers consider this Policy is not required as there is legislative instruction on these matters provided by the <i>Local Government Act 1995</i> and Shire of Harvey Standing Orders Local Law 2017. Any other current and future matters are either administration functions or should be addressed by Policy 1.1.6 - Council Meeting Framework.</p>
2.1.1 – Use of Council Chambers, Council Meeting Rooms and Facilities	<p>This Policy was originally adopted on 27 May 2014 and last amended on 19 January 2016. It seeks to clarify the use of Shire facilities by external parties and the basis on which these requests will be considered.</p>

	Shire Officers consider this Policy an administrative function. There is no strategic direction required by Council on this matter outside of the current processes.
2.1.2 – Privacy	<p>This Policy was originally adopted on 19 January 2016 and has not been amended.</p> <p>Shire Officer consider this Policy is not required as there is legislative instruction on these matters provided by the <i>Privacy Act 1998</i>, <i>Freedom of Information Act 1992</i> and Office of the Information Commissioner.</p>
2.2.8 – Insurance Cover for Public Events	<p>This Policy was originally adopted on 24 March 1997 and last amended on 22 January 2019.</p> <p>Shire Officers consider this Policy is not required as there is legislative instruction on these matters provided by the Shire of Harvey Activities in Thoroughfares and Public Places and Trading Local Law 2017.</p>
2.2.12 – Canvass of Councillors	<p>This Policy was originally adopted on 24 March 1997 and last amended on 22 January 2019.</p> <p>Shire Officers consider this Policy is not required as there is legislative instruction on these matters provided by the <i>Local Government Act 1995</i> and Local Government (Functions and General) Regulations 1996.</p>

All current Executive Services policies (excluding Policy 1.1.13 – Community Lease Policy) are included as **Attachment 1**.

All proposed amendments to these policies are included as **Attachment 2**.

All proposed revoked policies are included as **Attachment 3**.

Policy 1.1.3 – Community Lease Policy, will be reviewed in a separate report within this Agenda.

## **Statutory/Policy Environment**

### **Local Government Act 1995**

“s.2.7      *Role of council*

(1) *The council -*

(a) *Governs the local government’s affairs; and*

(b) *Is responsible for the performance of the local government’s functions.*

(2) *Without limiting subsection (1), the council is to -*

(a) *Oversee the allocation of the local government’s finances and resources; and*

(b) *Determine the local government’s policies.”*

## Strategic Framework

The Shire's Strategic Community Plan 2021–2031, states:

- Goal 5: A representative leadership that is future thinking, transparent and accountable.*  
*Objective 5.3 Accountable leadership supported by a professional and skilled administration.*  
*Objective 5.4 Sound governance, including financial, asset and risk management.*

## 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 Profiles identified as part of this report is **Providing Inaccurate Advice / Information** and **Failure to Fulfil Compliance Requirements**. The Category of Consequence could be **Compliance** if due processes are not followed, and policies are not amended to reflect internal and external changes. The Measure of Consequence is **Minor** and the Likelihood is **Unlikely** giving an overall Risk Rating of **Low**. This risk will be mitigated through adherence to the policy review schedule and relevant legislative requirements.

## 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. Amends the policies as proposed, contained within **Attachment 2**.
2. Revokes the policies as proposed, contained in **Attachment 3**.

<b>Item No.</b>	<b>5.1.3.</b>
<b>Subject:</b>	<b>Corporate Business Plan 2022–2023 – Quarterly Report, Quarter Three</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Coordinator Corporate Planning and Performance</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>B000388</b>
<b>Attachments:</b>	1. Quarterly Report, Quarter 3 2022–2023 [5.1.3.1 - 53 pages]

## Summary

The Integrated Planning and Reporting Framework and Operational Guidelines (2016) issued by the Department of Local Government, Sport and Cultural Industries (DLGSC) states that it is best practice for local governments to report quarterly progress against the Corporate Business Plan to Council. This Quarterly Report captures the period of 1 January 2023 to 31 March 2023 (Quarter Three).

The Quarterly Report, Quarter Three 2022–2023 (refer **Attachment 1**) is presented to Council to be received.

## Background

Section 5.56(1) of the *Local Government Act 1995* requires all local governments to have a plan for the future of the district, and under the Local Government (Administration) Regulations 1996, all local governments are required to have adopted two key documents – a Strategic Community Plan and a Corporate Business Plan. These documents are supported by informing strategies. Together these documents drive the development of the local government's budget.

The Integrated Planning and Reporting Framework and Operational Guidelines (2016) issued by DLGSC, which guide the Strategic Community Plan and Corporate Business Plan process, require that regular monitoring and reporting of these plans are undertaken. Quarterly updates form part of this key reporting process.

The Corporate Business Plan 2022–2026 sets out the projects and services the Shire aims to deliver over the next four years to work towards achieving the goals identified in the Strategic Community Plan. The Corporate Business Plan is a key business planning tool for the Shire and acts as the intermediary document between the Strategic Community Plan and Annual Budget. It is reviewed and updated every year, with progress and achievements reported on in the Annual Report.

The Corporate Business Plan 2022–2026 was adopted by Council on 26 July 2022.

## Comment

The Quarterly Report is designed to provide information on the progress and milestones of key projects in the Corporate Business Plan 2022–2026.

The projects in the Quarterly Report, Quarter Three 2022–2023 are presented with a commentary on the timeline for completion of the project, progress of the project and updates of specific actions relating to the project.

The targets for the corporate performance indicators are, unless stated otherwise, the annual targets from the Corporate Business Plan. These are part of the review process and are adjusted if targets that provide better clarity are identified.

Quarter Three Summary

Of the 181 projects reported against:

- 8% are 'Completed'.
- 72% are 'In Progress' or 'Ongoing'.
- 2% are 'Behind Schedule'.
- 4% are 'On Hold'.
- 9% are 'Future Year'.
- 5% are 'Not Started Yet'.

Projects reported as 'Behind Schedule', 'On Hold' or 'Not Started Yet' will be monitored and required consideration of changes will be addressed through the budget development and review process, as well as Corporate Business Plan review process. Amendments will be made where necessary.

Progress status	Description	Number	Percentage
<b>Completed</b>	The project or action has been completed.	14	8%
<b>In Progress</b>	The project or action has started and is in progress.	63	35%
<b>Behind Schedule</b>	The project or action has started, but work is behind schedule.	3	2%
<b>Ongoing</b>	For projects or actions that are irregular, ongoing, or do not have a defined start/end date.	66	37%
<b>On Hold</b>	The project or action has started, but work has stalled and has been put on hold.	8	4%
<b>Future Year</b>	The project or action is not due to start until a future financial year.	17	9%
<b>Not Started Yet</b>	The project or action has not yet started but is still expected to start in the current financial year.	10	5%
<b>TOTAL</b>		<b>181</b>	<b>100%</b>

Details of all 181 projects are outlined in the Quarterly Report, Quarter Three 2022–2023 (refer *Attachment 1*).

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

s.5.56 Planning for the future

- (1) A local government is to plan for the future of the district.

## Strategic Framework

The Shire's Strategic Community Plan 2021–2031, states:

*Goal 5: A representative leadership that is future thinking, transparent and accountable.*  
*Objective 5.5 Integrated strategic planning and reporting to drive continuous improvement.*

## 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.

No stakeholder feedback is required for the Quarterly Report however the projects reported on in this report were included in the Corporate Business Plan after extensive community consultation as part of the creation of the Strategic Community Plan.

### Promise to the Community

*Inform:* We will keep you informed.

The received Quarterly Report, Quarter Two 2022–2023 will be available on the Shire's website.

## Risk Management

The Risk Theme Profile identified as part of this report is **Failure to Fulfill Compliance Requirements**. The Consequence could be **Compliance** if the requirements of the *Local Government Act 1995* and *Local Government (Administration) Regulations 1996* are not met in terms of the Shire having a plan for the future of the district. Another potential Consequence could be **Reputational** if the public perceives that the Shire does not have the business planning tools in place to manage ratepayer money in a transparent and accountable manner. The Measure of Consequence is **Minor** and the Likelihood is **Unlikely** giving an overall Risk Rating of **Low**. Both risks will be mitigated through adherence to the Integrated Planning and Reporting framework.

## Budget Implications

The cost of the projects and actions contained within the Quarterly Report, Quarter Three 2022–2023 are as per the Annual Budget and Forward Capital Works Program.

## 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 Quarterly Report, Quarter Three 2022–2023 as included as **Attachment 1**.



## 5.2. Infrastructure Services

<b>Item No.</b>	<b>5.2.1.</b>
<b>Subject:</b>	<b>Bushfire Risk Mitigation Coordinator</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Manager Waste and Safety Services</b>
<b>Authorising Officer:</b>	<b>Director Infrastructure Services</b>
<b>File No.:</b>	<b>BRMC-F/40/01817</b>
<b>Attachments:</b>	Nil

### Summary

The Bushfire Risk Management (BRM) program is a state-wide initiative responsible for the development and implementation of local government BRM Plans.

The Shire of Harvey's BRM Plan was completed by the Shire's previous Bushfire Risk Management Coordinator (BRMC) whose position, at the time, was funded by the Department of Fire and Emergency Services (DFES) was adopted by Council at its Ordinary Meeting held on 27 October 2020.

DFES have now presented a proposal for a partly funded BRMC responsible for developing and implementing local government bushfire treatment programs as per the Shire's BRMP.

It is recommended that Council support the BRMC proposal from DFES.

### Background

The Bushfire Risk Management Branch coordinates DFES Bushfire Risk Management Officers (BRMO's) and DFES funded BRMC's embedded in local governments to facilitate the creation of BRM Plans.

Between November 2017, when the Shire of Harvey joined the program, until 30 June 2018 the Shire had a full time BRMC. However, from 1 July 2018 the resource allocation was shared with the Shires of Murray and Waroona as shown below:

Financial year	Local Government BRPC resource allocation		
	Harvey	Murray	Waroona
2018–2019	80%	20%	-
2019–2020	20%	60%	20%
2020–2021	10%	50%	40%
2021–2022	10%	30%	60%

Council endorsed the BRM Plan at its meeting held on 27 October 2020. Following the endorsement, the BRMC assisted the Shire's Coordinator Ranger Services in implementing some of the bushfire treatments until June 2022.

The Coordinator Ranger Services with assistance from Rangers has applied and completed several treatments throughout the Shire through the Mitigation Activity Fund (MAF) Grants Program.

On 26 July 2022, Council endorsed the Shire of Harvey Workforce and Diversity Plan 2022–2026 with the BRMC role identified as a 'priority gap' in year two of the plan.

The BRMC is responsible for developing and implementing local government bushfire treatment programs. The BRMC works closely with relevant stakeholders to identify and prioritise mitigation activities within designated local governments and ensures treatment plans are effectively planned, completed and evaluated.

### **Responsibilities of BRMC**

#### **Mitigation Planning:**

- Review local government(s) bushfire risks to determine treatment priorities, including Annual Scheduled Treatment Plan and three-year Indicative Treatment Plan.
- Liaise with DFES' Bush Fire Risk Management Officer and Community Emergency Services Manager and other relevant stakeholders to confirm and document appropriate treatment strategies for local government bushfire risks within the BRM Plan.
- Prepare, submit and manage Mitigation Activity Fund Grants Program applications to support the provision of funds required to implement local government treatment programs.
- Prepare and obtain approval of planned burning prescriptions, and other necessary applications/permits, that are required to implement mitigation activities.

#### **Mitigation Implementation and Evaluation:**

- Manage contractors to ensure the agreed mitigation works are performed on time, within budget and to the required standards.
- Perform risk re-assessments following the completion of treatment activities and ensure risk assessments have been completed using the current BRM methodology.
- Inform relevant stakeholders of the status of treatment activities and escalate, to DFES' BRMO, all risks and issues that may prevent the successful completion of mitigation works.
- Manage the acquittal of all BRM grant applications, including the MAF, in accordance with the relevant grants program.
- According to experience and availability, facilitate implementation of prescribed burns with local government staff and volunteers.
- Ensure all BRM data, relevant to local government Annual Scheduled Treatment Plan and three-year Indicative Treatment Plan is captured in DFES' Bushfire Risk Management System (BRMS).

#### **Other:**

- Liaise with DFES' BRMO, and other landholders, to support the effective implementation of "tenure-blind" mitigation programs.
- Complete reports and other requests for BRM information, as required, within established timeframes.
- Provide BRM training, where appropriate, to local government staff and volunteers.
- Present relevant local government mitigation programs at Bush Fire Advisory Committee.

- Arrangements for the BRMC to attend bushfires within their jurisdiction are to be discussed and confirmed between the relevant local government, BRMC and DFES region.

### BRMC program funding

BRMC's will be required to plan, implement and evaluate local government mitigation programs. The BRMC is a local government employee that is hosted by one local government. The funding for the BRMC is shared between DFES and the local governments under the following split:

- Year one – DFES pay 50% of BRMC costs
- Years two and three – DFES pay 30% of BRMC costs

The cost to each local government is dependent on how many local governments are involved and the number of days each fortnight the BRMC is allocated to each local government.

### Comment

The Bushfire Risk Management Branch of DFES has presented a proposal to the Shires of Boddington, Harvey and Wandering. At a recent meeting between the local governments and DFES the following split was agreed to in principle based on the number of BRMS Assets and reserves:

	Harvey	Boddington	Wandering
Days / Fortnight	5	3	2

The following table outlines the proposed financial split between the local governments and DFES contribution:

	2023–2024	2024–2025	2025–2026
Harvey (5)	\$38,756	\$56,135	\$58,063
Boddington (3)	\$23,254	\$33,681	\$34,838
Wandering (2)	\$15,503	\$22,454	\$23,225
DFES	\$77,513	\$48,116	\$49,769
<b>Total</b>	<b>\$155,025</b>	<b>\$160,385</b>	<b>\$165,895</b>

These costs include salary, workers compensation, superannuation, leave, IT, vehicle, training, travel and office furniture/fittings.

### Statutory/Policy Environment

The *Emergency Management Act 2005* provides the head of power to direct local governments to comply with the requirements of State emergency management policies where they are given a role within those policies as follows:

*“Section 20 (4)*

*A public authority that is given a role and responsibilities under a State emergency management policy is to comply with the State emergency management policy.”*

## Strategic Framework

The Shire's Strategic Community Plan 2021–2031, states:

- Goal 2: A safe, accessible and connected community where everyone has the opportunity to contribute and belong.*
- Objective 2.2 Create a community where people are safe.*
- Goal 3: A natural environment that is highly valued, protected and enjoyed.*
- Objective 3.2 Manage and protect natural habitats, ecosystems and reserves.*

## 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 the Shire does not adequately attend to an identified risk within the Bushfire Risk Management Plan where there is a bushfire event. This risk is mitigated by adequately resourcing the implementation of the Bushfire Risk Management Plan. The Risk Consequence is considered to be **High** if there is a Failure to fulfil the compliance requirement and the likelihood **Possible** resulting in a **Moderate** level of risk if the implementation of the proposed treatments as part of the Bushfire Risk Management Plan are undertaken.

## Budget Implications

The endorsed BRM Plan allows the Shire to access the State Government's Mitigation Activity Funding (MAF) grants available to local governments. This funding is made available to implement treatment strategies on land managed by the local government.

If the Shire supports, the BRMC role then the following contributions will need to be allocated for future budgets:

	2023–2024	2024–2025	2025–2026
BRMC	\$38,756	\$56,135	\$58,063

## 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 proposal from the Department of Fire and Emergency Services for a Bushfire Risk Management Coordinator.
2. Lists the following amounts for consideration in future Draft Budgets for the employment of a Bushfire Risk Management Coordinator:

<b>2023–2024</b>	<b>2024–2025</b>	<b>2025–2026</b>
\$38,756	\$56,135	\$58,063

3. Authorises the Chief Executive Officer to write to the Bushfire Risk Management Branch of Department of Fire and Emergency Services advising that the Shire of Harvey supports the proposal for a Bushfire Risk Management Coordinator.

<b>Item No.</b>	<b>5.2.2.</b>
<b>Subject:</b>	<b>Playground Replacement and Maintenance Program</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Manager Parks Services</b>
<b>Authorising Officer:</b>	<b>Director Infrastructure Services</b>
<b>File No.:</b>	<b>B000361</b>
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. 15-year Play Structure Replacement Program [5.2.2.1 - 1 page]</li> <li>2. 10-year Play Space Maintenance Program [5.2.2.2 - 1 page]</li> </ol>

## Summary

Council adopted the Play Space Strategy 2021–2026 (the Strategy) at its Ordinary Meeting held on 25 May 2021. The purpose of the Strategy is to provide direction in terms of the sustainable provision and management of accessible, diverse, creative, high quality and fun play spaces that contribute to the developmental and recreational needs of children and their families.

The Strategy analysed current play spaces throughout the Shire and looked at future needs to help plan for provision, maintenance and replacement more effectively.

Presented for Council's consideration is a 15-year playground replacement and 10-year playground maintenance program that will meet the Strategy direction and recommendations. Both programs will require ongoing annual funding provision commencing in 2023–2024, as outlined in the report.

## Background

### Independent Condition audit

An independent condition audit of the Shire's 37 play structures was recently undertaken by a play structure safety auditor which rated the play structures at four levels of condition.

The Shire's current play structures varied in condition across the range of the rating levels utilised within the audit. The rating was applied and averaged over the whole of the play structures within each play space. The number of play structures that fall within each rating are listed below:

<b>Rating</b>	<b>Number of Play Structures</b>
Poor	2
Average	14
Good	20
Excellent	1

Note: One play structure was categorised within two ratings, that being the Portillo Lane play structure in Binningup, rated as a poor/average rating. Poor to Average ratings would be considered as being within the higher priority for replacement category.

The audit also identified the age of each play structure to help formulate a balanced replacement program that considers both the condition and age criteria to formulate the replacement program, that is not based on condition or age alone.

Based on the current age profile the Shire generally has what could be categorised as an aging play structure asset group.

The following is a breakdown of the play structures current age profile.

Age (years)	Number of Play Structures
20 (or older)	11
15–20	9
10–15	11
10 (or less)	6

## Comments

### Replacement timelines

The playground industry standard generally suggests that a play structure asset should be considered for replacement at 15 years of age. Replacement at this timeframe helps achieve modernised play spaces that meet current day trends, needs, safety standards and provide a better than average condition at that time of replacement. If this replacement age range is not adopted, Shire Officers believe it may lead to the provision of outdated and poorer conditioned play structures at the time of replacement.

Based on the age profile, the Shire has 20 play structures that are currently 15 years or older and are in the higher priority age group for replacement.

The suggested replacement timeframe of 15 years would also reduce the amount of ongoing maintenance, including the current need to replace individual elements within a play space due to poor condition and safety concerns of that aged infrastructure.

Prior to the Strategy there has been no considered or formal management of the replacement needs of the play space assets within the Shire.

### Shade and Softfall

As part of the Strategy, while analysing the replacement of play structures, Officers have undertaken consideration of shade provision and additional infrastructure.

The program also identifies the requirement at some locations to upgrade the softfall element of the play spaces, more so the rubber softfall area. It is believed some softfall types, sand and mulch may only require replenishment as part of the program. Costings to undertake these additional works have been calculated into the costs provided in years one-three of the program.

### Level 1 Inspections

The Shire undertakes monthly Level 1 Visual Inspections of all its play spaces utilising the relevant Australian Standards, this helps maintain a safe environment for users and identifies any issues that will require maintenance or repairs.

Part of the Play Space Strategy recommendations requested that an analysis be undertaken to determine if the Level 1 Visual Inspections should be undertaken internally by Shire Officers or by an external contractor.

Prior to the 2022–2023 financial year visual inspections and any subsequent maintenance/repair requirements were undertaken in house however these are now undertaken by a qualified contractor due to several reasons including inhouse capacity, qualification requirements, delay in undertaking required maintenance identified.

In 2022 Shire Officers engaged a contractor to undertake the monthly Level 1 Visual Inspection and repairs as a short-term trial which resulted in positive outcomes including an improved level of service and the ability to provide, consistent, routine monthly inspections and maintenance/repairs in a cost effective and timely manner.

## **Proposal**

### **Level 1 Inspections**

It is considered that the provision of this service best sits with an external contractor. There is a financial cost to have this service provided externally, financial provisions have been included within the draft maintenance program being presented for consideration that support this current position of resourcing through a contract continuing.

### **Play structures – 15-year replacement program**

It is proposed that Council initially adopts a 15-year replacement program and 10-year maintenance program.

Officers have considered the practical and financial implications in developing the programs to facilitate the replacement, inspection and maintenance of the Shire's 37 play structures.

To achieve the proposed replacement program, the Shire would need to replace on average 2.5 play structures per annum to achieve the program.

The current play space footprints at each play space have been maintained to provide playground providers with a size of area to be utilised in providing new pricing for the first three years of the replacement program.

Both proposed programs do not consider any additional play structures the Shire has planned for future new developments or developer provided play spaces gifted to the Shire as part of public open space development. Any additional play structures would be added to the proposed programs as required.

A draft capital replacement program of the Shire's play structures is outlined in **Attachment 1**. The program has associated costs for the first three years of the 15-year program and provides a 15-year program that prioritises the current play structures based on the current condition and age profiles of the Shire's play structures.

The approach of costing three yearly blocks will allow Officers to reassess the program periodically and reconsider the condition and age on an ongoing basis. This will also allow for adjustments to the program if required due to condition ratings changes, changing costs, community expectations and provide a mechanism of formal review and possible approval of the program by Council at each three-year timeframe.

Officers will utilise the Play Space Strategy classification hierarchy adopted by Council to drive the indicative replacement costs, planning, community consultation and provision of supporting infrastructure detailed at each level of the three hierarchies.

### **Play structures – 10-year maintenance program.**

The maintenance program as outlined in **Attachment 2**, looks to set the management of the inspection and maintenance side of the assets as per the strategy guidelines.

The program looks to allocate funding and resources to undertake:

- Contracted monthly inspections and repairs



- Manage the current shade provision maintenance requirements
- Three yearly condition assessments
- Twice annual cleaning of the sand softfall areas
- Ongoing maintenance requirements of the misting system at Ridley Park play space.

There is also a small allocation for wearable replacement parts included in the program to manage this portion of the program requirements.

Note: The Shire would look to seek a Request for Quotation for the provision of the inspection and maintenance services and a Request for Tender for the provision of the play structure replacement program in the 2023–2024 financial year if the recommendations are supported by Council.

### **Statutory/Policy Environment**

The play spaces are managed utilising the following Australian Standards and utilise the Play Space Strategy 2021–2026:

- AS 4685.0:2017 Playground equipment and surfacing, Part 0: Development, installation, inspection, maintenance and operation
- AS 4685.1:2014 Playground equipment and surfacing, Part 1: General safety requirements and test methods (EN 1176-1:2008, MOD)
- AS 4685.2:2014 Playground equipment and surfacing, Part 2: Additional specific safety requirements and test methods for swings (EN 1176-2:2008, MOD)
- AS 4685.3:2014 Playground equipment and surfacing, Part 3: Additional specific safety requirements and test methods for slides (EN 1176- 3:2008, MOD)
- AS 4685.4:2014 Playground equipment and surfacing, Part 4: Additional specific safety requirements and test methods for cableways (EN 1176-4:2008, MOD)
- AS 4685.5:2014 Playground equipment and surfacing, Part 5: Additional specific safety requirements and test methods for carousels (EN 1176-5:2008, MOD)
- AS 4685.6:2014 Playground equipment and surfacing, Part 6: Additional specific safety requirements and test methods for rocking equipment
- AS 4685.11:2014 Playground equipment, Part 11: Additional specific safety requirements and test methods for spatial networks (EN 1176-11:2008, MOD)
- AS 4422:2016 Playground surfacing – Specifications, requirements and test method.

### **Strategic Framework**

The Shire's Strategic Community Plan 2021–2031, states:

- Goal 2: A safe, accessible and connected community where everyone has the opportunity to contribute and belong.*
- Objective 2.7 An active and healthy community.*

**Goal 4:** *A liveable, sustainable and well-designed built environment that is accessible to all.*

**Objective 4.1** *Playgrounds and parks are vibrant, accessible and well maintained.*

## 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 incorrect advice is given or infrastructure is not managed or replaced in progressing with the recommended infrastructure improvements and maintenance programs of the Shire's play structures. The Risk is considered **High** and the likelihood **Likely**, that non-compliant or safe play spaces are provided for community use. This results in a **High** risk being present.

## Budget Implications

Each program sets out the annual costs required to undertake the programs ongoing.

### Play structures – 15-year replacement program

Costing for the first three years of the program is outlined in the following table (excluded GST)

Year	Project	Estimated Cost
1	Portillo Lane	\$100,000
	Galway Green	\$400,000
2	Clifton Park	\$190,000
	Binningup Oval	\$140,000
3	Braidwood Drive	\$ 75,000
	Yarloop One Tree park	\$350,000

### Play structures – 10-year maintenance program.

The proposed maintenance program costing for 2023–2024 financial year recommends allocating \$115,000 for the first financial year to implement. Some of these costs are already incurred and funded from the various reserve maintenance allocations.

## 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. Adopts the first three years of the proposed 15-Year Play Structure replacement program (as shown in **Attachment 1**) and considers listing \$500,000 for consideration for year one of the program in the 2023–2024 draft Budget for the replacement of the existing play structures at Portillo Lane and Galway Green, Australind.
2. Adopts year one of the proposed 10-Year Play Space Maintenance program (as shown in **Attachment 2**) and considers listing \$115,000 for consideration in the 2023–2024 draft Budget.
3. Receives further progress reports on both the proposed 15-Year Play Structure replacement program and proposed 10-Year Play Space Maintenance program as the program(s) are progressed.

<b>Item No.</b>	<b>5.2.3.</b>
<b>Subject:</b>	<b>Closure of portion of Ridley Street, Road Reserve – Further Report</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Ridley Street Road Reserve</b>
<b>Reporting Officer:</b>	<b>Director Infrastructure Services</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>C192/00004</b>
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Ridley Street Closure &amp; Amalgamation [5.2.3.1 - 1 page]</li> <li>2. Proposed portion of Ridley Street to be closed [5.2.3.2 - 1 page]</li> </ol>

## Summary

As previously reported to Council part of the proposed future power and lighting upgrade at Brunswick Recreation Ground (BRG) requires the upgrade of the power supply point and to amalgamate the existing supply points into one supply point (from Vincent Street). To facilitate this, the lots that currently make up the BRG are also required to be amalgamated to form one lot. **Attachment 1** outlines the lots to be amalgamated 'in red'.

As part of this requirement a portion of Ridley Street (which currently extends into the BRG) as outlined in 'blue' in **Attachment 1** and also in **Attachment 2** needs to be closed and amalgamated into the new lot.

In accordance with Section 58 of the *Land Administration Act 1997* and in order to initiate a road closure, Council at its meeting held on Tuesday, 22 November 2022 resolved to advertise the proposal to service providers, government agencies and adjacent landowners for a period of 35 days.

This report outlines the process followed and the outcome of the consultation and recommends that the road closure be supported.

## Background

After considering the matter at its Ordinary Meeting of Council, the following decision was made.

*"That Council:*

- 1. Notes that the intention to close a portion of Ridley Street, Brunswick Junction, as shown in Attachment 1, is to amalgamate the closed portion of road reserve into the amalgamation of existing lots that comprise the Brunswick Recreation Ground.*
- 2. Advises the Department of Planning, Lands and Heritage that Option 2 i.e. the Purchase of portion of Ridley Street (part PIN 11898003) at the current unimproved market value for amalgamation into the adjoining lot 1 on Diagram 74852 pursuant to section 87 of the Land Administration Act 1997, is the preferred option.*
- 3. Requests that Landgate provide a Valuation to determine the current unimproved market value of the identified portion of Ridley Street, as shown in Attachment 2.*
- 4. Advertises the proposal to close a portion of the Ridley Street, road reserve, as shown on Attachment 1, for a period of 35 days seeking public comment.*
- 5. Requests comments from all Service Providers, the Department of Fire and Emergency Services and Government Departments.*
- 6. Receives a further report on this matter at the close of advertising period and once a valuation for the portion of Ridley Street, has been received."*

**Comment****Advertising**

A notice was placed in the Harvey-Waroona Reporter on Tuesday, 7 February 2023 and South Western Times on Thursday, 9 February 2023 and a post included on the Shire's website.

All public utility providers were also sent a notice of the proposed closure. At the close of the advertising period on Tuesday, 14 March 2023 the following feedback was received:

- Department of Fire and Emergency Services – No comment required, access to showgrounds is not compromised
- Australian Gas Infrastructure Group – No objections to road closure
- Telstra – No objections to road closure
- Judy Talbot – Concerns as it is the entrance to Showgrounds – Response provided clarification that nothing would physically change on the ground. The clarification was also advertised in the 4 o'clock Report in the Harvey-Waroona Reporter.

**Department of Planning, Lands and Heritage**

A copy of Council's decision was sent to the Department of Planning, Lands and Heritage (DPLH). At the time of writing this report no further correspondence had been received. In addition, Officers have engaged a land consultant to liaise with (DPLH) to progress the matter in particular Clause 2, above which states:

*"That Council advises the Department of Planning, Lands and Heritage that Option 2 i.e. the Purchase of portion of Ridley Street (part PIN 11898003) at the current unimproved market value for amalgamation into the adjoining lot 1 on Diagram 74852 pursuant to section 87 of the Land Administration Act 1997, is the preferred option."*

**Statutory/Policy Environment***Land Administration Act 1997*

Closing of roads is dealt with in accordance with Section 58 of the *Land Administration Act 1997*

*Local Government Act 1995 – Section 3.50*

Provides a framework under which Council is to proceed with the permanent closure of a thoroughfare.

Requirements include advertising the proposal for a reasonable time to allow submissions, and for these submissions to be considered by Council.

Written notice of the proposal shall be provided to prescribed persons including all service providers, emergency services and adjoining land holders and if approved by Council, providing the Commissioner of Main Roads details of the closure.

## Strategic Framework

The Shire's Strategic Community Plan 2021–2031, states:

- Goal 1: A diversified and thriving economy that offers a wide range of business and work opportunities as well as consumer choice.*
- Objective 1.4 Appropriate infrastructure is in place to support economic growth.*
- Goal 5: A representative leadership that is future thinking, transparent and accountable.*
- Objective 5.1 Effective communication and engagement with the community.*

## 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 **Financial**, **Reputational** or **Compliance** if incorrect procedures are followed for acquiring land under the *Land Administration Act 1997*. The risk is mitigated by the engagement of an appropriately qualified consultant to guide the road closure and gazettal process. The risk consequence is considered to be **medium** and the likelihood **Unlikely** resulting in a **Low** risk being present.

## Budget Implications

At this stage the engagement of a consultant will incur a cost to be funded from the Infrastructure Services investigation budget. There may be further cost implications should the Department of Land and Planning require that the closed road reserve is purchased by the Shire. This is yet to be determined.

## 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. Notes the comments received during the 35-day advertising period for the proposed closure of a portion of Ridley Street Road Reserve as shown on **Attachment 1**.

2. Advises the Department of Planning Land and Heritage and the Commissioner of Main Roads WA of its decision.
3. Receives a further report once more details have been received from the Department of Planning Land and Heritage regarding the transfer of a portion of Ridley Street (part PIN 11898003) at the current unimproved market value for amalgamation into the adjoining lot 1 on Diagram 74852.

### 5.3. Sustainable Development

<b>Item No.</b>	<b>5.3.1.</b>
<b>Subject:</b>	<b>Harvey Region Trails and Adventure Master Plan</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Harvey</b>
<b>Reporting Officer:</b>	<b>Tourism Development and Support Industry Office</b>
<b>Authorising Officer:</b>	<b>Director Sustainable Development</b>
<b>File No.:</b>	<b>B000408</b>
<b>Attachments:</b>	1. Harvey Region Trails and Adventure Master Plan [5.3.1.1 - 58 pages]

#### Summary

This report recommends that Council receives the Harvey Region Trails and Adventure Draft Master Plan (Plan) (refer **Attachment 1**) and endorses the Plan for public consultation.

#### Background

In April 2022, the Department of Primary Industry and Regional Development (DPIRD) confirmed \$105,000 excluding GST funding for the development of a Harvey Region Trails and Adventure Master Plan (Master Plan). This Master Plan is a required output from the Harvey Region Tourism Roadmap 2031.

In August 2022, and in line with the Shire of Harvey's procurement processes, the Shire entered into a contractual agreement with Common Ground Pty Ltd to undertake a review of the Harvey Region from a trails and adventure perspective, conduct stakeholder consultation and deliver a list of priority projects and deliver a Master Plan.

To oversee its development and provide appropriate input, a Harvey Region Trails and Adventure Master Plan Project Working Group was established.

The Project Working Group included representatives from:

- Department of Primary Industry and Regional Development
- Alcoa
- Robyn Clarke MLA
- Department of Biodiversity, Conservation and Attractions
- South West Development Commission
- Department of Local Government, Sport and Cultural Industries
- Water Corporation
- Harvey Aboriginal Corporation; and
- Shire of Harvey.

In developing the Master Plan, the consultants undertook the following activities:

- On the ground audits of existing, planned, and potential trails and adventure experiences within the Harvey Region to provide an assessment of potential opportunities



- Extensive stakeholder and community consultation that included Shire of Harvey Place Advisory Groups, local sports clubs, and local trail user groups
- Pinpoint survey and community drop-in workshops
- Development of priority project recommendations and Cost Benefit Analysis for each project based on a multi criteria analysis considering visitor appeal and spend, strategic importance and economic impact
- Presentation of models for ongoing sustainable trail and adventure experiences' management, maintenance, and development.

The result of the above-mentioned process is two key documents:

1. Harvey Region Trails and Adventure Draft Master Plan.
2. Draft Priority Project Cost Estimates. This document remains in draft and will be used operationally as an internal document to inform future stages of this project. Upon completion its recommendations will become publicly available after consideration by Council.

### **Comment**

As per our Community Participation Goals, to Collaborate and Consult with our community, this project adopted an approach of community consultation and collaboration from its initial scope. Community consultation was undertaken through a series of workshops with relevant Place Advisory Groups and Special Interest Groups.

An online survey through a customised Trails portal saw the engagement of the over 300 community members providing recommendations on preferred trails and adventure concepts.

Further collaboration and consultation is sought through the implementation of a Public Comment Consultation Phase. Officers seek Council endorsement to advertise the documents for a public comment period of two weeks with a view to presenting the final Plan (including public comment recommendations and feedback) to the May 2023 Ordinary Meeting of Council.

### **Statutory/Policy Environment**

Nil.

### **Strategic Framework**

The Shire's Strategic Community Plan 2021–2031, states:

- |                      |   |
|----------------------|---|
| <i>Goal 1:</i>       | <i>A diversified and thriving economy that offers a wide range of business and work opportunities as well as consumer choice.</i> |
| <i>Objective 1.1</i> | <i>The Shire is a tourist destination of choice.</i>  |
| <i>Goal 2:</i>       | <i>A safe, accessible, and connected community where everyone has the opportunity to contribute and belong.</i>                   |
| <i>Objective 2.7</i> | <i>An active and healthy community.</i>   |
| <i>Goal 4:</i>       | <i>A liveable, sustainable, and well-designed built environment that is accessible to all.</i>                                    |
| <i>Objective 4.2</i> | <i>A connected and well-maintained network of local roads, footpaths, cycle ways and trails.</i>                                  |

## Community Engagement

### Community Participation Goal

*Collaborate: To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred outcomes.*

### Promise to the Community

*Consult: We will keep you informed, listen to, and acknowledge concerns and aspirations, and incorporate public input, advice, and recommendations into the decisions to the maximum extent possible.*

### Risk Management

The Risk Theme Profile as identified as part of this report is **Inadequate Engagement Practices**. The Consequence could be **Reputational** if the Shire does not adequately involve and engage with the community and stakeholders. This risk is mitigated by a representative membership of the Project Working Group and the thorough consultation process undertaken to develop the Plan. The Risk Consequence is considered **Minor** and the likelihood **Possible** resulting in a **Moderate** level of risk.

### Budget Implications

Budget allocations to implement the Priority Projects will need to be made in the Shire's future Budgets commencing with the first allocation required in the 2023–2024 Financial Year. External funding will be sought from relevant key agencies.

### 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. Receives the Harvey Region Trails and Adventure Draft Master Plan contained in **Attachment 1**.
2. Endorses the Harvey Region Trails and Adventure Draft Master Plan for the purpose of advertising for public comment.
3. Requests the Chief Executive Officer to advertise the Harvey Region Trails and Adventure Draft Master Plan for public comment for a period of two weeks.
4. Receives a further report at the conclusion of the public comment period.

<b>Item No.</b>	<b>5.3.2.</b>
<b>Subject:</b>	<b>Public Health and Wellbeing Plan 2022–2027</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Director Sustainable Development</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>HS/H/0010</b>
<b>Attachments:</b>	1. Public Health Plan [5.3.2.1 - 34 pages]

## Summary

The *Public Health Act 2016* for Western Australia requires local governments to develop local public health plans.

Following comprehensive research of the available information regarding the health of the community within the Shire, the Shire of Harvey Public Health and Wellbeing Plan 2022–2027 (Plan) is presented to Council for adoption in line with the recommendations of the State Public Health Plan for Western Australia 2019–2024.

Responsibilities within the Action Plan are requiring an all of Shire involvement and as such it is recommended that the Plan be adopted as an interim Plan for 12 months to determine if the deliverables are achievable within current and projected budget(s) and resourcing commitments.

Specifically, it is recommended that Council adopts the Shire of Harvey Public Health and Wellbeing Plan 2022–2027, contained within **Attachment 1**, as an interim plan for 12 months.

## Background

### State Public Health Plan for Western Australia 2019–2024

The Department of Health in 2019 released the State Public Health Plan for Western Australia 2019–2024. The Plan provides high level strategic health directions and focuses on promotion and protection strategies.

The State Public Health Plan establishes a vision of the best possible health, wellbeing and quality of life outcomes for Western Australians and is supported by three objectives:

Objective 1 – Empower and enable people to live healthy lives.

Objective 2 – Provide health protection for the community.

Objective 3 – Improve Aboriginal health and wellbeing.

This is the first state public health plan produced for WA to support the future requirements of Part 5 of the *Public Health Act 2016* (refer Statutory/Policy Environment below), requiring each local government to publish a local public health plan that is consistent with the State Public Health Plan.

## Comment

The aim of the Shire of Harvey Public Health and Wellbeing Plan (Plan) is to meet the community expectations and comply with the requirements of Part 5 of the *Public Health Act 2016* (the 'Act'). Aligning the Shire's efforts towards healthier communities within State and National priorities, in partnership with relevant stakeholders, allows for better opportunities to meet community needs.

A three-step process of; evidence gathering, community engagement and strategic alignment, was used to ensure the Plan was created by considering available facts, information and input from the broader community. As a requirement of the Act, the Shire has embraced the three State Public Health Plan Priority Objectives as listed within Background above.

An outcome of the comparison between the local, state and national population statistics regarding the determinants of and risks to public health within the Shire is the need for the Shire to promote and support a healthy community, with a focus on the following:

- Empowering and enabling the community to make healthy lifestyle choices
- Early childhood development and youth engagement
- Provision of safe places to live, work and play
- Prevention and control of infectious disease
- Regulating and managing the built and natural environments to encourage sustainable and healthy living
- Mental Health and wellbeing support.

The community engagement undertaken by the Shire demonstrates an alignment with the statistical analysis, with the areas of need being summarised under the following four categories.

1. Safety
2. Health
3. Facilities
4. Services

To progress the desired Public Health and Wellbeing outcomes for the Shire, the Plan introduces an Action Plan comprising of three Priority Areas including specific Objectives being:

### **Priority Area 1 – Connected Community**

*“A connected community is resilient. People have opportunities to come together and celebrate success and support one another in creating a sense of safety, well-being and belonging.”*

**Objective:** Support health and safety for all stages of life including those most vulnerable.

### **Priority Area 2 – Sustainable Environment**

*“A liveable, sustainable, well-designed built and protected natural environment that is accessible to all.”*

**Objective:** Ensure facilities, business operations, infrastructure and ecosystems meet public health needs.

### **Priority Area 3 – Healthier Profile**

*“A liveable, sustainable, well-designed built and protected natural environment that is accessible to all.”*

**Objective:** Create and promote opportunities for people to participate in public health.

The Plan introduces Responsibilities within each of Priority Areas that encompass the day-to-day operations of each of the Shire's Directorates, given this and as the Plan is new to the Shire's planning and reporting framework it is recommended that the Plan be adopted as an Interim Plan to determine if the deliverables are achievable within current and projected budget(s) and resourcing commitments.

### **Statutory/Policy Environment**

Part 5 of the *Public Health Act 2016* has been designed to complement the integrated planning process required under section 5.56 of the *Local Government Act 1995*, to support and drive ongoing improvements to the health and wellbeing of local communities

### **Strategic Framework**

The Shire's Strategic Community Plan 2021–2031, states:

- |               |  |
|---------------|--|
| Goal 2:       | <i>A safe, accessible and connected community where everyone has the opportunity to contribute and belong.</i> |
| Objective 2.1 | <i>To support people through all stages of life.</i>   |
| Objective 2.7 | <i>An active and healthy community.</i>  |
| Goal 4:       | <i>A liveable, sustainable and well-designed built environment that is accessible to all.</i>                  |
| Objective 4.1 | <i>Playgrounds and parks are vibrant, accessible and well maintained.</i>                                      |
| Goal 5:       | <i>A representative leadership that is future thinking, transparent and accountable.</i>                       |
| Objective 5.2 | <i>Build partnerships and work collaboratively to amplify the outcomes that can be achieved.</i>               |

### **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**

*Collaborate:* We will work together with you to formulate solutions and incorporate your advice and recommendations into the decisions to the maximum extent possible.

### **Risk Management**

The Risk Theme Profile identified as part of this report is **Failure to Fulfil Compliance Requirements**. The Consequence could be **Financial Impact, Compliance or Reputational** should Council not adopt the recommendation. The risk is considered **Minor** and the likelihood **Unlikely**, given that the report has been thoroughly researched and peer reviewed, conditions being recommended to comply with legislative requirements, and a future business case being required, resulting in a **Low** Risk being present.

### **Budget Implications**

Nil, many of the Action Plan Responsibilities can be delivered within the Shire's existing Budget and staffing capabilities.

**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. Adopts the Shire of Harvey Public Health and Wellbeing Plan 2022–2027, contained within ***Attachment 1***, as an interim plan for 12 months.
2. Refers the Shire of Harvey Public Health and Wellbeing Plan 2022–2027 to the Department of Health for endorsement as an interim plan for 12 months.
3. Receives a further report in 12 months reporting on the Responsibilities within the Action Plan contained within the Shire of Harvey Public Health and Wellbeing Plan 2022–2027.

## 5.4. Corporate Services

<b>Item No.</b>	<b>5.4.1.</b>
<b>Subject:</b>	<b>Financial Statements as at 31 March 2023</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Manager Finance</b>
<b>Authorising Officer:</b>	<b>Director Corporate Services</b>
<b>File No.:</b>	<b>FM/S/006</b>
<b>Attachments:</b>	1. Financial Statements as at 31 March 2023 [5.4.1.1 - 12 pages]

### Summary

The Financial Statements as of 31 March 2023 are provided at **Attachment 1**.

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

	<b>ACTUAL</b> 31 March 2023	<b>BUDGET</b> 2022–2023	<b>VARIANCE</b>
<b>Statement of Financial Performance</b>			
Ordinary Revenue	\$37,822,920	\$44,453,800	\$ 6,630,880
Ordinary Expenditure	\$35,254,562	\$53,281,007	\$18,026,445
Capital Revenue	\$ 3,831,360	\$45,670,557	\$41,839,197
Capital Expenditure	\$ 7,457,149	\$46,851,464	\$39,394,315
End of Period Profit/(Loss)			\$6,218,377
<b>Statement of Financial Position</b>			
Current Assets	\$ 40,458,498		
Net Assets	\$562,860,064		

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 \$24.7 million and rubbish rates of \$4.37 million were raised in August 2022. The due date for rates payment was 30 September 2022. Approximately 92% of the rates were collected by 31 March 2023.

#### Cash Flow and Interest Earnings

The Shire holds by way of cash and term deposit \$8 million in Municipal funds and \$29.71 million in restricted Trust and Reserve Funds. The average interest rate on these funds is 4%. New term deposits are attracting an interest rate for 90 days of approximately 4.10%.

**Operating Grants and Subsidies**

As of 31 March 2023 94% of the 2022–2023 Financial Assistance Grants have been received.

**Employee Costs**

Although these accounts reflect the first 9 months of the financial year, it is anticipated that employee costs will remain in line with the Workforce Plan and Budget 2022–2023.

**Material, Contracts, Utilities and Other Expenses**

Although these accounts reflect the first nine months of the financial year, it is anticipated that the Shire will operate within its means and in line with the Shire's adopted budget for the 2022–2023 financial year.

**Capital Expenditure**

The Shire budgeted to spend \$46.85 million on capital projects throughout the Shire in 2022–2023. Expenditure totalling \$7,457,149 on capital works has been reported at the end of the March 2023. As more projects are completed, and as the Shire is invoiced for those works, the level of reported expenditure will increase.

**Attachment 1** provides the Financial Report for the reporting period which includes the following:

- Statement of Financial Performance by Directorates
- Statement of Financial Performance by Nature & Type
- Statement of Financial Position
- Notes to the Statement of Financial Performance
- Total Municipal Revenue and Expenditure – Graph
- Statement of Cash at Bank – Loans
- Statement of Cash at Bank – Reserves
- Statement of Cash at Bank – Bonds and Deposits
- Statement of Cash at Bank – Trust
- Current Ratio – Graph
- Outstanding Rates – Graph
- Aged Debtors Summary – Graph
- Current Account Coverage – Graph
- Statement of Investments.

The Notes to the Statement of Financial Performance, include additional information reported on by Nature and Type 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 2021–2031, states:

- Goal 5:*                *A representative leadership that is future thinking, transparent and accountable.*
- Objective 5.3*       *Accountable leadership supported by a professional and skilled administration.*
- Objective 5.4*       *Sound governance, including financial, asset and risk management.*

## **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 of 31 March 2023 at **Attachment 1**.

<b>Item No.</b>	<b>5.4.2.</b>
<b>Subject:</b>	<b>List of Accounts Paid – March 2023</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Manager Finance</b>
<b>Authorising Officer:</b>	<b>Director Corporate Services</b>
<b>File No.:</b>	<b>FM/S/006</b>
<b>Attachments:</b>	1. Payments March 2023 [5.4.2.1 - 22 pages]

## Summary

A listing of payments for goods and services for March 2023 is provided as **Attachment 1**. 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 the Chief Executive Officer), Council has resolved to delegate to the Chief Executive Officer (Delegation No: 2.2.1) the exercise of its powers to make payments from municipal and trust funds.

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

## Comment

The list of accounts paid for the period of March 2023 is presented as **Attachment 1**, as summarised below.

<u>Voucher</u>		<u>Amount</u>
Schedule of Accounts		
Municipal	EFT 64878 – EFT 65451	\$4,403,214.92
	117471–117485	\$ 10,308.73
	DD25178.1–DD25278.24	\$ 178,351.85
CBA Credit Cards		\$ 10,469.37
Electronic Funds Submitted		<u>\$1,014,547.35</u>
<b>Total</b>		<b><u>\$5,616,892.22</u></b>

## 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 2021–2031, states:

- Goal 5: A representative leadership that is future thinking, transparent and accountable.*
- Objective 5.3 Accountable leadership supported by a professional and skilled administration.*
- Objective 5.4 Sound governance, including financial, asset and risk management.*

## **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 2022–2023 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 list of accounts paid at **Attachment 1** for the period of March 2023 totalling \$5,616,892.22.

## 5.5. Community and Lifestyle

<b>Item No.</b>	<b>5.5.1.</b>
<b>Subject:</b>	<b>Leschenault Leisure Centre Detailed Design Report</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Leschenault Leisure Centre</b>
<b>Reporting Officer:</b>	<b>Director Community and Lifestyle</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>B000155</b>
<b>Attachments:</b>	Nil

### Summary

This report presents the draft Leschenault Leisure Centre (LLC) Detailed Design Development Report (**Attachment 1**) for additional indoor courts at the LLC. The Officer is seeking Council support for the design and staging options that signify this project as shovel ready.

### Background

The LLC, located in Australind, is the premier leisure centre in the Shire of Harvey and a leading South West regional sporting facility. An ageing and outdated centre is restricting use of the centre, does not meet the sporting and recreational demands of the current and growing population and does not meet the inclusivity and safety standards required by community.

At its Ordinary Meeting held on Tuesday, 24 September 2019, Council endorsed the Leschenault Recreation Park Master Plan that identified the LLC Court Expansion Project as one of the key projects to be pursued. On Tuesday, 27 April 2021, Council endorsed the Needs Assessment, Feasibility and Concept Plan and supported the proposed capital upgrades to the LLC be included in Council's Forward Capital Works Plan.

On Tuesday, 24 November 2021, Council awarded Tender T092021 to Hodge Collard Preston to complete the Design Development and Documentation for the upgrades. The LLC Court Expansion Working Group and the Sport and Recreation Advisory Group have guided the development of the projects and Council have been provided regular project updates at Concept Forums held in April, August, September and December of 2022.

The Shire engaged an economic consulting firm to complete a Cost Benefit Analysis (CBA) report on the design and staging and evaluate the economic benefits of this project. The CBA estimated that, due to population growth, the required number of court-based games/matches for basketball and netball will increase by a further 19.4% over the next decade, and by almost 50% by 2041.

This report seeks Council support for the design, staging and proposed funding strategy as the project is now considered shovel ready.

### Comment

The project has progressed to be investment ready and has strong regional support to progress. The LLC Court Expansion project has a significant level of community support and is expected to deliver several social and economic benefits to the Shire and the wider region. The project is also strongly aligned with federal, state, regional and local strategic frameworks, as well as two of Lotterywest's priority areas under the Community Investment Framework.

The proposed two-stage project will demolish two courts to be replaced with four fully compliant courts. The result will be six fully compliant courts, including a show court, retractable grandstand with a mezzanine level for events and functions, upgraded ablution facilities, storage amenities and

refurbishment works to enhance the LLC's accessibility standards and increase inclusivity. From a cost perspective, it would be preferable to undertake the upgrade in a single stage. Alternatively, the staged approach ensures that two courts always remain operational which reduces inconvenience to facility users and employees and assists with service continuity, therefore a staged approach is recommended.

The project has been estimated to cost \$30,609,000, to be funded through contributions from the Shire of Harvey, Lotterywest, industry partners, community investment and state and federal governments.

To date the Shire has secured \$3 million in funding from the State Government, of which part of that funding has contributed to the design development documentation, with an additional \$1.5 million committed by Council in the Annual Budget. The Shire's Forward Capital Works Plan 2022–2023 – 2026–2027 lists borrowings of \$11.5 million for Stage 1 and \$3 million for Stage 2. However, with a high number of key projects in progress, the Shire will be seeking investment support up to \$26,609,000 for this project to progress.

The LLC plays an important role in providing an effective return to the local community in reducing incidences of chronic health outcomes and improving the community's general health and wellbeing. It also contributes to social connectivity, education and enhanced productivity outputs. It is estimated the LLC provides a total annual social value of \$1,0901,000 (Report completed by Parks and Leisure Australia, Edith Cowan University, Leisure Institute of WA Aquatic and the LLC in 2018). Whilst primarily a community project for social and recreational benefit, the CBA also reports strong economic and tourism returns.

The CBA estimates that the present value of the benefits of the project will range from \$37.1 million at the 10% discount rate through to \$60.88 million at the 4% discount rate. During construction stages, the CBA found that the project will yield a direct and indirect economic output of \$59.47m over the two stages, will support an annual average of \$5 million in income, \$9 million in economic value-added contribution to the state economy, and approximately 49.5 FTE jobs. Post construction, the result of the analysis is that event related visitor impacts will generate a direct and indirect economic output of nearly \$3 million per year, will support over \$900,000 in additional income, contribute nearly \$1.5 million to the regional and state economies and support 20 FTE. These figures are independent of the operating income and expenditure of the LLC.

Operationally, the LLC is a community asset provided by the Shire, is not expected to make a profit, it currently operates at a deficit and is supported annually by a Shire subsidy. Based on current and projected income and expenditure, this project is expected to slightly reduce the operating deficit in the first 12-months of project completion. While total expenses at the LLC are anticipated to increase from \$3,117,045 to \$3,632,700 as a result of this project, total income is also expected to increase from \$1,662,493 to \$2,209,950. As such, the amount the Shire is required to subsidise the LLC will decrease over time.

These results indicate an effectively even split between economic and social related benefits of this project going ahead. Further demonstrating the strength of this project is the fact that the Benefit Cost Ratio (BCR) are above 1.0 under all discount rates, with the BCRs ranging from 1.19 at the 10% discount rate, to an attractive 1.81 at the 4% discount rate.

Critical to the project progressing is that funding is secured from all parties. The Shire has met with key local industries and invited them to enter a funding partnership with Council to support grant applications that will make up the total project costs. Most notably is the opportunity for these industries to consider their community investment to this project. There are a number of accommodation precincts progressing that will significantly increase the population in Australind, of which one site is located within a 2km drive of the LLC that is expected to be completed by February 2024. A partnership between the Shire and key local industry partners will actively contribute to supporting community wellbeing and ensure that critical investment occurs within the region, whilst strengthening and supporting the objectives of industry partners to establish and invest in social infrastructure.

Pending the potential outcome of investment discussions with industries, the Shire will then seek the short fall in funding from state and federal governments and Lotterywest. Of which the federal government is introducing two new regional investment programs, the regional Precincts and Partnerships Program and the Growing the Regions Program that will replace the former Building Better Regions Fund program. The Growing the Regions Program is focused to deliver investment in regional infrastructure and community projects for regional local governments and not-for-profit organisations through an open and competitive grants process. The criteria and timelines for this grant are still to be announced. This project is listed within regional frameworks, and is currently the only known shovel ready project in the South West for recreational development.

Information provided by the Quantity Surveyor appointed to this project suggests that the tender price spikes of up to 40% by the end of the 2021–2022 financial year, that were experienced by the Perth market, have started to become more predictable. There is no indication that costs are forecast to decline, hence the investment strategy has been based on the total project costs as it is currently known and identified relative to the design and staging options of this report.

### **Statutory/Policy Environment**

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

### **Strategic Framework**

The Shire's Strategic Community Plan 2021–2031, states:

- |                      |  |
|----------------------|--|
| <i>Goal 2:</i>       | <i>A safe, accessible and connected community where everyone has the opportunity to contribute and belong.</i> |
| <i>Objective 2.7</i> | <i>An active and healthy community.</i>  |
| <i>Goal 4:</i>       | <i>A liveable, sustainable and well-designed built environment that is accessible to all.</i>                  |
| <i>Objective 4.5</i> | <i>Shire buildings, gardens and grounds are fit for purpose and well maintained.</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 **Providing Inaccurate Advice/Information**. The Consequence could be **Reputational** if there are further delays with the proposed upgrade of the LLC and **Financial** if insufficient funds are available. The Risk Consequence is considered to be **Moderate** and the likelihood **Unlikely** resulting in a **Moderate** risk being present. The risk is mitigated by not advertising for tenders until further funding is confirmed.

**Budget Implications**

The Shire's 2022–2023 Budget lists \$1.5 million and the Shire's Forward Capital Works Plan 2022–2023 – 2026–2027 lists borrowings of \$11.5 million for Stage 1 and \$3 million for Stage 2.

**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. Endorses the design and staging options provided in **Attachment 1** that identify the Leschenault Leisure Centre Court Expansion Project as shovel ready.
2. Receives a further report once funding has been confirmed.

<b>Item No.</b>	<b>5.5.2.</b>
<b>Subject:</b>	<b>Community Resource Centre Funding Review</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Director Community and Lifestyle</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>F/M/B/003</b>
<b>Attachments:</b>	1. CRC Funding Review – The Collab Effect [5.5.2.1 - 48 pages]

## Summary

There are three Community Resource Centres (CRCs) within the Shire of Harvey that each receive funding through the Shire's annual Grant Funding Program. The Harvey CRC (HCRC), Brunswick Junction CRC (BJCRC), and the Yarloop CRC (YCRC). Each centre operates independent of each other and receive Shire funding towards their operations.

The Grant Funding Program has completed its first year of implementation since the first review of the Program, and opportunities for improvement were identified together with Council's resolution to review the Partnership Agreement category. The focus of this report is to examine Council's financial contribution to the three CRCs. The Shire engaged the services of an independent consultant to review and provide recommendations, of which it is recommended that Council endorse to continue with the five-year partnership agreements and to develop community key performance indicators to measure and evaluate the effectiveness of the partnership.

## Background

Community Resource Centres (CRCs) are not for profit organisations that are independently owned and operated by their local community. The state government program has been running since 1991 and has grown to over 100 rural networks. CRCs focus on connecting people, access to government and community services, public information, community, business and economic development activities.

CRCs provide a range of essential services that are highly valued and well used by community and well regarded through partnership opportunities with the Shire. They provide active and safe spaces and a range of intergenerational services that are readily accessible. The CRCs complement a place-based approach which aligns with the Shire's Strategic Community Plan.

CRCs receive funding by an annual application process to state government. This is commonly through a contractual arrangement with the Department of Primary Industries and Regional Development (DPIRD) to conduct the Regional Traineeship Program. CRCs also receive funding through contractual arrangements with the federal government, most often the Department of Human Services and the Department of Veteran's Affairs. Other revenue sources are from user pays services, membership fees and one-off grants for projects from private donors, businesses and industries. Whilst not legislatively required, Council has historically made a financial contribution to the three CRCs which is an important contribution to the services delivered as well as an investment in the community.

Prior to 2021, the CRCs had individual arrangements with the Shire to source funding. The HCRC would apply for funding through the former Grant Funding Program on an ad hoc basis most commonly for infrastructure projects or program requirements that required additional funding. The BJCRC has traditionally applied through the Grant Funding Program and received an amount of \$30,000. This was for the delivery of youth programs and a volunteer library service in Brunswick Junction. The Shire has historically nominated \$7,000 in its Annual Budget for the YCRC to deliver Youth Connect in school holidays.



The newly reviewed Grants Funding Program 2022–2023 introduced a Partnership Category. This category included the HCRC and BJCRC, each receiving \$30,000 recurrent for five-years. Through consultation with the YCRC the best approach was determined to stay with the \$7,000 allocation in the Shire's Annual Budget. This was primarily due to capacity and may be reconsidered later.

At the request of Council to review the Partnership Category, the Shire engaged the services of an independent consultant who has provided a CRC Funding Review Report (refer to **Attachment 1**), which has aided in developing the recommendations in this report.

### **Comment**

The Shire has a long-standing relationship with all the three CRCs and values the opportunity to codesign and deliver services to meet the changing needs of community. It is evidenced that the current service model for the CRC program provides a great degree of value for money for what is delivered.

Some of the most notable acknowledgements of the CRCs contribution in the local context was the YCRCs role in emergency response and the long tail recovery from the Yarloop Fires, and similarly the role of all three CRCs during the unprecedented COVID–19 pandemic. The length of service and partnership between the Shire and the CRCs and the CRCs and the community are considered key strengths in their capacity to act in these instances. CRCs provide distinct social impact and value, are passionate about their community and provide critical social support services to the Shire of Harvey population. There is, however, some duplication of service delivery with CRCs providing services in the areas of economic and social development that would normally be the responsibility of other funded federal, state or local government agencies.

Opportunities for consideration to strengthen the CRC service and funding model is to continue with the five-year partnership agreement as a medium-term commitment. This is considered to assist the CRCs in pursuing additional funding from other sources. This review has highlighted some specific opportunities for consideration in each location.

### **Brunswick Junction**

This review investigates the current style and structure of BJCRC library services and recommends the BJCRC library service come under the Shire of Harvey public library service so the community can access a larger tailored collection. The BJCRC would continue to utilise Council's financial contribution through the Partnership Category to implement library and youth programs and activities that the Shire's library and community development teams would normally provide to avoid duplication of services, for example CoderDoJo and school holiday programs.

The Shire of Harvey is a member and the current Chair of the South West Library Consortia (SWLC). The consortia is a model that enables the community to access more than 100,000 stock. The BJCRC library collection is limited to donated items that may not be meeting the current demographic needs, nor are they refreshed and maintained with the same service standards that the Shire's public library service is conducted.

To facilitate this change, it will be required to install the Shire's Library Management System (LMS) onsite using a VPN/Software as well as extract and transfer data from BJCRC LMS to the Shire's LMS. Freight costs will cover delivery of items between BJCRC and other libraries in the SWLC and across the state. Staff training costs will assist in training BJCRC staff until they become familiar with the system. The need for a dedicated library Officer at this location may be considered in future workforce planning as the population increases.

There are currently more than 30 CRCs that have a collocated public library service in partnership with their local governments. It is estimated that if the BJCRC library services becomes a part of the Shire public library service an initial cost of \$10,000 would be required to implement changes. It is proposed

that these costs be considered as part of the Shire's Annual Budget. These are identified as a guide in the table below:

Item	Estimated Cost \$
Install library management system VPN/software etc.	3,000
Migration of library data records to Symphony Library Management System	3,000
Freight (pa recurrent)	2,000
BJCRC staff training (pa recurrent)	2,000
<b>Total</b>	<b>10,000</b>

This recommendation is supported in the Library Vision 2030 document and has been requested for consideration by the Library Advisory Group and the Brunswick and Surrounding Areas Place Advisory Group. The \$30,000 grant contribution would continue to support the BJCRC to provide library and community programs in this location. This recommendation reduces service duplication of public library services, maintains ownership and place-based service delivery and builds upon the relationship between the community and the CRC. The Brunswick and surrounding community can enjoy the benefits of a larger selection of books and items that they otherwise wouldn't have access to unless they travel to the Shire's existing library services in Australind, Harvey, Yarloop and Binningup. If supported, the transition of library services at this location could occur during the 2023–2024 financial year.

### Harvey

A key recommendation arising from the consultation in this location was to explore the opportunity for the provision of a community bus. This type of service is frequently mentioned at advisory groups as it may be considered to assist in building the capacity of local community groups and to assist in community connectedness. It is also referenced in Shire strategies such as the Age Friendly 2027, Voices of Youth 2026 and the Library Vision Report 2030 and Officers are investigating options in preparation of a report to Council at a later date.

The HCRC has been evolving to address socially complex challenges that multiple stakeholders and tiers of government continue to face, such as homelessness and volunteerism. The HCRC has also been instrumental in bringing people together to deliver Aboriginal Language Classes. A key recommendation for this location would be that Council continues its financial contribution through the five-year partnership agreement that will support the HCRC to provide essential services, advocacy and support to people at risk of homelessness or requiring housing support and to assist volunteer run organisations and volunteers to connect through face-to-face services and via an online referral system.

### Yarloop

The YCRC faces unique challenges and an evolving community. The role of YCRC building and staff is through the provision of social connectedness. The YCRC has recently stopped running youth services and have not sought to draw on funds allocated to them in the Shire's Annual Budget. They have expressed their intention to focus more on community arts and women's mental health. The key recommendation during the consultation period was that the Shire and the YCRC partner to successfully attain DPIRD traineeship funding.

All three CRC's stated that the DPIRD funding enables each centre to "just keep the doors open". Based on the findings, it is the Officer's recommendation that Council consider continuing with the current five-year partnership agreements with BJCRC and HCRC and to develop place specific community key performance indicators as part of that agreement. Such KPIs will aim to measure and report on the social return on investment that will assist in evaluating community outcomes as part of these partnerships. It is also a recommendation of this report to continue with the annual allocation of

\$7,000 for the YCRC.

### **Statutory/Policy Environment**

Nil.

### **Strategic Framework**

The Shire's Strategic Community Plan 2021–2031, states:

<i>Goal 5:</i>	<i>A representative leadership that is future thinking, transparent and accountable.</i>
<i>Objective 5.2</i>	<i>Build partnerships and work collaboratively to amplify the outcomes that can be achieved.</i>

### **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 **Reputational** should Council not adopt the recommendations. The consequence rating is considered **Minor** and the likelihood **Unlikely**. Risks have been further mitigated through the appointment of an independent consultant to complete the review and report; therefore it is deemed that there is a **Low** risk present.

### **Budget Implications**

The report seeks Council's endorsement to continue to support the provision of \$30,000 of funding through the five-year partnership agreement to Brunswick Junction Community Resource Centre and the Harvey Community Resource Centre, and the annual allocation of \$7,000 for the Yarloop Community Resource Centre.

### **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. Receives the Community Resource Centre Funding Report (***Attachment 1***).
2. Continues to support the provision of \$30,000 of funding through the five-year partnership agreement to Brunswick Junction Community Resource Centre and the Harvey Community Resource Centre, and the annual allocation of \$7,000 for the Yarloop Community Resource Centre.
3. Authorises the Chief Executive Officer to develop conditions of the five-year partnership agreement with each Community Resource Centre that includes service level community Key Performance Indicators to report on community outcomes.
4. Endorses the transition of library services at the Brunswick Junction Community Resource Centre to a public library service to commence in the 2023–2024 financial year.

<b>Item No.</b>	<b>5.5.3.</b>
<b>Subject:</b>	<b>Partnership Agreement Peel Thunder</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Director Community and Lifestyle</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	
<b>Attachments:</b>	1. Peel Thunder FC 13.3.23 – 25.9.23 [ <b>5.5.3.1</b> - 4 pages]

## Summary

A request has been received from Peel Thunder Football Club (Peel Thunder) to waive fees for costs included to hire Leschenault Recreation Park Oval 1 for two hours a week during the 2022–2023 AFL season. The report further requests Council support to develop a Partnership Agreement between Peel Thunder and the Shire of Harvey that considers waiving fees for use of the Leschenault Recreation Park Oval 1 for two hours each week during the 2023–2024 and 2024–2025 AFL seasons, in return for the community investment Peel Thunder are making into the local community that includes the provision of a weekly bus service.

## Background

In 2022 Peel Thunder met with the Shire to discuss opportunities to utilise Shire owned and operated facilities. The discussion acknowledged the geographical convenience of these facilities together with the number of new junior recruits residing within the Shire and surrounding areas. During the 2022–2023 preseason and season Peel Thunder hosted:

- Colts and Futures Development Camp. A two-day camp at the Leschenault Leisure Centre (LLC) for male players (16–19 year-olds).
- Community Clinic. A half day clinic attended by 80 local community members. Players delivered drills sessions that were guided by Peel Thunder coaching staff to local community members at the LLC.
- There was also a development camp and clinic held in partnership with Harvey Brunswick Leschenault Football Club for women's and junior girls to participate.

Additionally, Peel Thunder nominated the LLC as the South West Hub and training sessions for their players were held on Monday evenings. Players are required to attend two training sessions each week on Monday and Thursday and then attend game day on the weekend. For the players to have the opportunity to attend one of those training sessions close to home, and eliminate transport and accommodation costs, is hugely beneficial to both players and the club.

This was further supported by Peel Thunder who provided an inaugural bus service to collect 35 players from the nominated stop of Raymond Road (at the Collie turn off) for a return trip to attend training at the club every Thursday.

## Comment

The total fees for usage of ovals in the AFL season was \$2,414.30 (**Attachment 1**). If Council are to consider waiving these fees as part of a two-year partnership agreement between Peel Thunder and the Shire, it will ensure that those funds will be redirected into the bus service to ensure this service can continue in the future.

Peel Thunder has a vision of Building a Stronger Community through Football and actively works with the Shire to provide opportunities for the local community and the two local AFL clubs. The Community

Clinic was attended by up to 80 local community members within the Shire of Harvey. It was successful from the club's perspective and from those that attended.

In consultation with Peel Thunder, it is considered that this Partnership Agreement is a suitable mechanism that would continue to support investment into the local community and facilities and ensure that the bus service can continue. The suggested timeframe for the Partnership Agreement, is to be the next two seasons.

### **Statutory/Policy Environment**

Section 6.12(1)(b) of the *Local Government Act 1995* allows Council to grant concessions.

### **Strategic Framework**

The Shire's Strategic Community Plan 2021–2031, states:

*Goal 2: A safe, accessible and connected community where everyone has the opportunity to contribute and belong.*  
*Objective 2.7 An active and healthy community.*

### **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 **Ineffective Management of Facilities/Venues/Events**. The Consequence could be **Reputational** if the fees are not waived. The risk is considered **Minor** and the likelihood **Likely**. This results in a **Moderate** risk being present.

### **Budget Implications**

This report request the Council waive the fees and charges to an amount of \$2,514.30 for the financial years of 2022–2023, 2023–2024 and 2024–2025.

### **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. Waives the Leschenault Recreational Park fees for the use of Oval 1 for a period of two hours per week to Peel Thunder Football Club for the 2022–2023 season as identified in ***Attachment 1***.
2. Authorises the Chief Executive Officer to enter a Partnership Agreement with Peel Thunder Football Club for the AFL seasons run over 2023–2024 and 2024–2025, that includes the use of Oval 1 for a period of two hours per week in exchange for Peel Thunder Football Club to continue to provide a weekly bus service made available to local members.

## 6. Notice of Motion for Following Meeting

## 7. Matters Behind Closed Doors

### 7.1. Infrastructure Services

#### 7.1.1. COB/5427 – Southwest Regional Waste Management Services

Reason for Confidentiality as per *Local Government Act 1995*:

s.5.23(2)(c): “a contract entered into, or which may be entered into, by the local government and which related to a matter to be discussed at the meeting

s.5.23(2)(e)(iii): “a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government.

Item No.	7.1.1
Subject:	COB/5427 – Southwest Regional Waste Management Services
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Manager Waste and Safety Services
Authorising Officer:	Director Infrastructure Services
File No.:	F/40/01816
Attachments:	Confidential Attachment 1

### Summary

The City of Bunbury (the City) on behalf of the Shires of Harvey, Capel, Donnybrook-Balingup, Nannup, Collie, and Bridgetown-Greenbushes, issued a Tender Exempt Procurement COB/5427 with a view to engaging a suitably qualified and experienced Contractor to undertake a range of Waste Management Services for South West Regional Waste Group of participating local governments.

The City of Busselton committed a financial contribution to the process as an interested party.

At the close of Tender three submissions were received, and it is recommended that Council accept the recommended submission as shown in **Confidential Attachment 1** subject to minor variations to be negotiated.

### Voting Requirements

Simple Majority



**8. Closure of Meeting**