



SHIRE OF
HARVEY



Ordinary Council Meeting **Agenda**

Australind Council Chamber
Tuesday, 28 November 2023
4PM

Shire of Harvey
Ordinary Council Meeting

Dear Councillor,

Notice is hereby given that the next meeting of the Harvey Shire Council will be held in the Australind Council Chamber, Mulgara Street, Australind, on Tuesday, 28 November 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

24 November 2023.

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1. Official Opening

Disclaimer

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

Any statement or insinuation of approval regarding any planning or development application made during an Ordinary Council Meeting, is not to be taken as notice of approval. 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.

Council Members and the Community are reminded that should an exception resolution be passed; this has the effect of making the decision to accept the Officer Recommendation stated in the Agenda as the Council's decision without change.

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 past, present and emerging.

2. Record of Apologies and Leave of Absence

3. Applications for Leave of Absence

4. Reading from a Book of Learning and Wisdom

Read by Cr. Hitchcock

5. Declarations of Members' and Officers' Personal Interest

6. Response to Previous Questions Taken on Notice

Ms. Sheila Ferguson asked the follow questions in relation to the Australind Community Precinct at the Ordinary Council Meeting held Tuesday, 31 October 2023:

Question: At the last Council meeting I asked on what grounds Officers had made the statement that the Master Plan presented to Council for approval, reflected the intent of the community and if Council would advertise the Master Plan for public comment. The CEO's response can be found in the YouTube recording of that meeting but in essence, Shire Officers considered the Community Precinct Reference Group was a sufficient mechanism to obtain community feedback.

Extensive community consultation was undertaken before the Ridley Place Foreshore Master Plan Update was presented by Shire Officers to Council for adoption at the last Council Meeting. This consultation included meetings with stakeholders, consultation with the Australind/Leschenault Place Advisory Group, two public pop-up consultation sessions, exhibiting the plans in the Australind Library and the Australind Senior Citizens Centre and twice uploading the plan to the Shire's website, in January and July 2023, with a link to the "Have Your Say" platform.

Given that there is an Australind/Leschenault Place Advisory Group, the function of which can be likened to the function of the Australind Community Precinct Reference Group, why did Shire Officers consider this extensive community consultation to be necessary and/or desirable for the Ridley Place Foreshore Master Plan Update but not for the Australind Community Precinct Master Plan?

Answer: The Australind Community Precinct Reference Group was established to provide preliminary community input into the Australind Community Precinct project. To date, this group has worked in conjunction with the Australind Leschenault Place Advisory Group to provide the initial input.

The Ridley Place Foreshore Master Plan did not have a specific Reference Group established for the project and engagement was undertaken through different mechanisms.

Further community input will be sought through the detailed design process of the development of the Australind Community Precinct.

7. Public Question Time

8. Petitions/Deputations/Presentations

9. Announcements by Presiding Members or CEO Without Discussion

10. Confirmation of Minutes

Ordinary Council Meeting – Tuesday, 31 October 2023

Recommendation

That the Minutes of the Council Meeting held on Tuesday, 31 October 2023, as printed be confirmed as a true and correct record.

11. Receipt of Minutes and Recommendations from Committees

Bush Fire Advisory Committee Meeting – Monday, 20 November 2023.

Recommendation

That the Minutes of the Bush Fire Advisory Committee Meeting held on Monday, 20 November 2023, as printed be received.

Audit Committee Meeting – Tuesday, 21 November 2023.

Recommendation

That the Minutes of the Audit Committee Meeting held on Tuesday, 21 November 2023, as printed be received.

12. Officer's Reports

12.1. Chief Executive Officer

Item No.:	12.1.1.
Subject:	Diploma of Local Government by Councillor Robyn Coleman
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Governance Support Officer
Authorising Officer:	Chief Executive Officer
File No.:	F/08/00038
Attachments:	Nil

Summary

On Friday, 3 November 2023 Councillor Robyn Coleman requested to be enrolled in the Diploma of Local Government provided by the Western Australian Local Government Association (WALGA). The Diploma gives Elected Members the opportunity to expand their skills and knowledge by developing a deeper understanding of legislative and regulatory requirements and how they apply to the roles and responsibilities of an Elected Member. The Diploma is nationally recognised within the Australian Qualification Framework and consists of 10 units of competency.

It is recommended that Council approves Councillor Coleman to complete the Diploma of Local Government.

Background

Shire of Harvey Policy 1.2.7 – Council Member Training and Professional Development specifies that:

“In addition to mandatory training, Council Members are encouraged to identify their individual continuing professional development needs to enhance their effectiveness and address skill gaps as required. When determining their professional development activities, Council Members should consider the current or future strategic direction and activities of the Shire and its priorities and the skills that will be needed to assist with decision making.

The Shire will support Council Members to complete the Diploma and the Costs associated with the Diploma if this is the preferred option for the Council Member, provided that there is sufficient Council Member Training Budget.”

Comment

WALGA are taking enrolments for their next intake of students for the Diploma of Local Government beginning Monday, 20 May 2024 and has recommended starting the enrolment process in early 2024 to secure a place in the course.

Councillor Coleman has previously completed the Council Member Essential course which will be recognised as prior learning by WALGA.

In order to complete the Diploma, Councillor Coleman will need to complete the following units:

- LGAMEM001 – Meet elected member responsibilities
- LGAMEM002 – Perform elected member functions

- LGACOR011 – Analyse financial reports and budgets
- PSPGEN075 – Build and maintain community relationships
- LGAMEM003 – Contribute to high level strategic decision making
- PSPPCY001 – Contribute to policy development
- PSPGEN032 – Deal with conflict
- BSBPEF502 – Develop and use emotional intelligence
- LGACOR010 – Oversee asset management strategy
- LGAPLA003 – Assess development applications and implement planning scheme.

Statutory/Policy Environment

Local Government Act 1995

- Section 5.128 Policy for Continuing Professional Development

Policy 1.2.7 – Council Member Training and Professional Development

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.

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 **Compliance** or **Financial** if the Diploma is not completed. The risk is mitigated by the Administration adhering to the Shire's Councillor Training policy resulting in a **Low** risk being present.

Budget Implications

The Shire of Harvey (the Shire) has provided \$30,000 in the 2023–2024 Annual Budget for Council Members to complete their mandatory training requirements as Elected Members. The cost of the course including the credit for prior learning is \$10,170. This cost can be paid upfront or split into two

payments which can be paid over a period of two years. The Shire has spent \$20,000 on Councillor Training this financial year leaving \$10,000 in the budget. It is recommended that the course fees be paid over two financial years to ensure there are sufficient funds available in the budget for Councillors to attend training. By splitting the payment, the Shire will pay \$5,085 in the 2023–2024 financial year and \$5,085 in the 2024–2025 financial year.

Authority/Discretion

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

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. Approves Councillor Robyn Coleman to complete the Diploma of Local Government through the Western Australian Local Government Association.
2. Pays for the cost of the Diploma over two financial years; \$5,085 in the 2023–2024 financial year and \$5,085 in the 2024–2025 financial year.

Item No.:	12.1.2.
Subject:	Lease – Harvey Districts Creative Arts Centre Incorporated
Proponent:	Shire of Harvey
Location:	Lot 3 on Plan 3366 and known as 15 Gibbs Street, Harvey and Lot 14 on Diagram 16069 and known as 78 Young Street, Harvey
Reporting Officer:	Coordinator Governance and Risk
Authorising Officer:	Chief Executive Officer
File No.:	C/Z/008
Attachments:	<ol style="list-style-type: none"> 1. Lease Expired 30.6.2023 [12.1.2.1 - 32 pages] 2. Policy 1.1.13 - Community Lease Policy [12.1.2.2 - 13 pages] 3. Draft Lease [12.1.2.3 - 45 pages]

Summary

Lot 3 on Plan 3366 and Lot 14 on Diagram 16069 are both freehold lots owned by the Shire of Harvey (the Shire).

The Harvey Districts Creative Arts Centre (HDCAC) is responsible for the management of the premises located at 15 Gibbs Street, Harvey (Arts Centre) and 78 Young Street, Harvey (Old Church) and is known as Lot 3 on Plan 3366 and Lot 14 on Diagram 16069.

The current lease agreement (refer **Attachment 1**) expired on 30 June 2023 and the HDCAC has requested a new lease agreement be established.

It is recommended that Council approves a new Lease for the Arts Centre to the HDCAC and authorises the Chief Executive Officer to execute the Lease.

Background

The HDCAC have operated a creative arts centre in the Shire of Harvey at the Arts Centre and the Old Church since 1997.

The HDCAC is a not-for-profit community group in the locality of Harvey within the Shire for the purpose of organising and promoting a creative arts centre.

The HDCAC currently have approximately 39 members and the current membership fee for each member is \$30.00 per year and \$5.00 each session that a member attend.

The HDCAC hold activities and classes in the Arts Centre which includes card making, crochet, embroidery, handcraft, and quilting activities and classes. The Arts Centre is open on the following days and times each week:

Wednesday 9.00am – 2.00pm

Friday 10.00am – 3.00pm

Saturday 9.00am – 3.00pm .

On 1 July 2018, the Shire entered into a lease agreement with the HDCAC for a period of three years expiring on 30 June 2021 with two lease extension option terms for the periods 1 July 2021 to 30 June 2022 and 1 July 2022 to 30 June 2023 (refer **Attachment 1**).

Comment

The HDCAC has confirmed verbally to the Shire that it wishes to renew the lease agreement.

The Shire maintains the Old Church and has been made aware that the premises is being underutilised by the HDCAC. The HDCAC uses the Old Church for an exhibition once every two years and to store some items including quilting display hangers and a fridge. Shire Officers have informed the HDCAC that the Shire intends to take back control of the building. The HDCAC can apply to hire a Shire building for a fee for their exhibition to occur.

The HDCAC have paid for and installed specific exhibition lighting and an alarm system at the Old Church in approximately 2005. It is not recommended that these items be relocated from the Old Church to the Arts Centre. To acknowledge the outlay cost of these items by the HDCAC, it is recommended that the Shire waives the initial hire fee of a Shire building for the HDCAC's first exhibition when the application is received.

The HDCAC are planning to hold workshops to increase interest and membership numbers, this may include other user groups using the Arts Centre. The lease allows for this to occur on the condition that; the user group provides a current public liability insurance certificate for the minimum amount of \$20,000,000; and that the Shire consents prior to use.

As the lease agreement has not been renewed since 2018, the new lease agreement is required to incorporate the Shire's Community Lease Policy (Policy 1.1.13). On Tuesday, 18 April 2023, Council adopted the revised Community Lease Policy (refer **Attachment 2**) which includes the Shire of Harvey Property Management Framework, Appendix 1 – Schedule of Maintenance Obligations. The Lease being offered to the HDCAC has been drafted in accordance with the Policy and includes Appendix 1.

The HDCAC is a Tenant that will be moving into the Harvey Precinct Building (HPB) once complete. The Lease includes a condition that the Lease will be surrendered by the HDCAC once they have moved into the HPB.

The Lease Agreement allows for rent to be charged to HDCAC at a rate of \$1.00 paid annually and in advance on the first day of each Lease year.

The Shire may not hold the key for access to the Arts Centre due to the locks being changed and the Shire will request a key from HDCAC prior to the execution of the Lease. The key will be retained by Shire.

If the Lease is issued to the HDCAC, Shire Officers will complete an inspection of the Arts Centre prior to the execution of the Lease.

Statutory/Policy Environment*Local Government Act 1995*

- Section 3.58 – refers to the disposal of property, including leasing.

Local Government (Functions and General) Regulations 1996

- Clause 30 (2)(b) – refers to the property disposals that are exempt from 3.58 of the Act.

Council Policy 1.1.13 – Community Lease Policy

- This Policy provides an outline of 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*.

Council Policy 1.1.2 – Common Seal

- This Policy provides for the execution of legal documents that require the affixing of the Shire Common Seal.

The Department of Local Government, Sport and Cultural Industries (DLGSC) is currently undertaking Local Government Reform to ensure good record keeping and public visibility within local governments. As part of the reform, it is intended that leases will be provided to the public in the form of an online register with the change due to be enacted in 2024.

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 2.2	<i>Create a community where people are safe.</i>
Objective 2.3	<i>Active and resilient community groups and volunteers.</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.

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

Risk Management

The Risk Theme Profile identified as part of this report is **Business and Community Disruption**. The consequences identified are **Reputational** and **Property**. The risks are mitigated by having a Lease Agreement drafted in alignment with the Shire of Harvey Policy 1.1.13 – Community Lease Policy and consultation with HDCAC. The Risk Consequence rating associated with this matter is **Moderate** and the Likelihood is **Unlikely**, resulting in a **Moderate** risk being present.

Budget Implications

Waiver of hire fee of approximately \$500 for a Shire building for the first exhibition to be held by the HDCAC.

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. Approves the granting of a new lease agreement to Harvey Districts Creative Arts Centre Incorporated for the management of the premises located at 15 Gibbs Street, Harvey and known as Lot 3 on Plan 3366 for a period of two years, commencing 1 July 2023 and expiring 30 June 2025 with a lease extension option term for a period of one year commencing 1 July 2025 and expiring on 30 June 2026 as per **Attachment 3**.
2. Notes that the Lease conditions in **Attachment 3** are in accordance with Community Lease Policy – 1.1.13 including Appendix 1 in **Attachment 2**.
3. Notes that the Lease conditions in **Attachment 3** includes a condition to allow for user groups to use the premises providing consent is given by the Shire prior to use.
4. Notes that the Lease conditions in **Attachment 3** include a condition to allow for the Harvey Districts Creative Arts Centre Incorporated to move into the proposed Harvey Precinct Building.
5. Authorises the Chief Executive Officer to request, obtain and retain a key for the premises from the Harvey Districts Creative Arts Centre Incorporated prior to execution of the Lease.
6. Authorises the Chief Executive Officer to complete an inspection of the 15 Gibbs Street, Harvey and known as Lot 3 on Plan 3366 prior to execution of the Lease.
7. Authorises the Chief Executive Officer to negotiate minor lease terms consistent with Community Lease Policy – 1.1.13 including Appendix 1 in **Attachment 2**.
8. Approves the draft Lease as per **Attachment 3**.
9. Authorises the Chief Executive Officer and Shire President to execute the Lease Agreement and to sign and affix the common seal.
10. Authorises the Shire to waive the hire fee of a Shire building for the first exhibition held by Harvey Districts Creative Arts Centre Incorporated upon receipt of the event application.

Item No.	12.1.3.
Subject:	Lease – Harvey Brunswick Leschenault Football Club Incorporated
Proponent:	Shire of Harvey
Location:	Lot 1 on Diagram 74852 and known as 10–28 George Avenue, Brunswick
Reporting Officer:	Coordinator Governance and Risk
Authorising Officer:	Chief Executive Officer
File No.:	C/A/026
Attachments:	<ol style="list-style-type: none"> 1. Club Rooms [12.1.3.1 - 1 page] 2. Policy 1.1.13 - Community Lease Policy [12.1.3.2 - 13 pages] 3. Letter 31.7.2023 [12.1.3.3 - 2 pages] 4. Letter 13.11.2023 [12.1.3.4 - 9 pages] 5. Draft Lease [12.1.3.5 - 49 pages]

Summary

Lot 1 on Diagram 74852 and known as 10-28 George Avenue, Brunswick is freehold land owned by the Shire of Harvey (the Shire). On this freehold land is the Harvey Brunswick Leschenault Football Club, Club Rooms (Club Rooms) (refer **Attachment 1**).

The Harvey Brunswick Leschenault Football Club Inc. (HBLFC) manage the Club Rooms under a Management Agreement which expired on 30 April 2022. The Shire has been liaising with the HBLFC to formalise a Lease Agreement to the satisfaction of the HBLFC and the Shire.

It is recommended that a Lease be issued to the HBLFC, subject to the conditions detailed in the report.

Background

The HBLFC are a not-for-profit community group in the locality of Brunswick within the Shire for the purpose of organising and promoting sporting, social and other associated recreational activities.

On 1 May 2017, the Shire implemented a Management Agreement with the HBLFC for five years. This agreement expired on 30 April 2022. There was a request from the HBLFC to extend the Management Agreement.

A report was presented to Council at its Ordinary Council Meeting held Tuesday, 24 January 2023, with the recommendation that a Lease be issued to the HBLFC. Council decided that the report was to be deferred to the March 2023 Ordinary Council Meeting to allow Shire Officers to consider amendments to the Community Lease Policy, which may include provisions for maintenance, and also the potential creation of capital replacement reserves for community leased buildings.

At its Ordinary Council Meeting held Tuesday, 18 April 2023, Council adopted a revised Community Lease Policy (Policy) (refer **Attachment 2**) which includes Shire of Harvey Property Management Framework, Appendix 1 – Schedule of Maintenance Obligations. The Lease offered to the Club has been drafted in accordance with the Policy and includes Appendix 1.

At the Ordinary Council Meeting held on Tuesday, 23 May 2023, Officers brought the report back to Council. Council resolved to defer the item to the June Ordinary Council Meeting, to allow for further discussions between the Shire and the HBLFC.

Since the Ordinary Council Meeting in May 2023 Shire Officers met with the HBLFC to discuss the lease conditions on 30 June 2023. In this meeting, there were matters raised regarding capital replacement of the lights at the Brunswick Oval and there was a further meeting arranged with Shire Officers on 31 July 2023 to discuss the lighting project (refer **Attachment 3**).

After the two meetings held the following matters were raised by the HBLFC relating to the Policy (refer **Attachment 2 and Attachment 4**):

1. Term of the Lease to be considered for 21 years.

Response from Officers:

The draft lease will be submitted to Council to consider the extended term of 21 years. The Policy allows for a standard lease term of five years and for a deed of extension to be issued at the discretion of Council for a period of no longer than twenty-one years.

2. Replacement of the Ceiling – HBLFC would like their contribution to be 0%.

Response from Officers:

Appendix 1 in the Policy allows for:

The HBLFC to contribute 50% of the cost to repair any structural damage to ceilings. If damage is caused or contributed to by the Tenant or Tenant's employees and visitors, the Shire may require the HBLFC to reimburse for part or all of the cost of repairing the damage.

The HBLFC is required to contribute 100% of the cost to clean ceilings, as required, and report any structural damage to the Shire.

3. Replacement of Cupboards, blinds, curtains, and mirrors would like their contribution to be 50%.

Response from Officers:

Appendix 1 in the Policy allows for:

The HBLFC may be required to contribute 100% of the cost of the replacement of the cupboards, blinds, curtains and mirrors if replacement is required due to damage caused or contributed to by HBLFC or their employees or visitors.

The HBLFC are required to contribute 100% of the cost to keep cupboards, blinds, curtains, and mirrors clean, always maintained and operable.

4. The upkeep of gardens and surrounds.

Response from Officers:

The gardens and surrounds are not included in the lease area and are the Shire's responsibility.

5. The upkeep of the turf.

Response from Officers:

The turf of the Brunswick Oval is not included in the lease area and are the Shire's responsibility.

6. The upkeep of the irrigation.**Response from Officers:**

The irrigation of the Brunswick Oval is not included in the lease area and are the Shire's responsibility.

7. Air conditioning to include refrigeration, permanent cool rooms only.**Response from Officers:**

The Policy does not allow for refrigeration, permanent cool rooms or otherwise to be included in air conditioning as air conditioning is a fixture of the premises. Refrigeration or cool rooms are considered personal property and community groups are required to maintain, replace, and insure their own personal property.

8. Contact for Shire for Repairs.**Response from Officers:**

The Shire contact for property repairs is the Coordinator Asset Management: propertymaintenance@harvey.wa.gov.au.

Further to the above matters raised, the HBLFC asked if they could be the preferred option for usage of the Brunswick Oval (to be always notified of all preapprovals of any organisations use of the Brunswick Oval) and this is to be at no cost to the HBLFC throughout the Lease. The HBLFC were advised that the lease area included in the Lease does not include the Brunswick Oval.

Comment

Shire Officers are currently not aware of any other issues with the HBLFC's management of the facility, with the current Management Agreement in place since 1 May 2017.

The Policy allows for "*Capital Replacement, Refurbishment, Renovations or Improvements*" to facilities. These improvements are prioritised by a decision of Council through the Shire's Budget and Forward Capital Works planning processes. At the discretion of the Shire, the Shire can request a contribution to the project financially from HBLFC. This can be by contribution 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.

The Lease Agreement allows for rent to be charged to the HBLFC at a rate of \$1.00 paid annually and in advance on the first day of each Lease year and is for a term of six years with an option of three further terms of five years. The Lease Agreement allows for a non-exclusive licence to access the car parking on the land adjacent the Club Rooms during the football season.

It is recommended that Council approves a Lease Agreement (refer **Attachment 5**) with the HBLFC for the term of six years commencing on 1 May 2022 and expiring on 30 April 2028 for the area identified in **Attachment 1**, with the extension option of three further terms of five years each for the dates as follows:

Option 1: 1 May 2028 to 30 April 2033

Option 2: 1 May 2033 to 30 April 2038

Option 3: 1 May 2038 to 30 April 2043

The Shire may not hold the key for access to the Club Rooms due to the locks being changed and the Shire will request a key from HBLFC prior to the execution of the lease. The key will be retained by Shire.

If the Lease is issued to the HBLFC, Shire Officers will complete an inspection of the Club Rooms prior to the execution of the Lease.

The Lease has been drafted in accordance with the Community Lease Policy.

Statutory/Policy Environment

Local Government Act 1995

- Section 3.58 – refers to the disposal of property, including leasing.

Local Government (Functions and General) Regulations 1996

- Clause 30 (2)(b) – refers to the property disposals that are exempt from 3.58 of the Act.
Council Policy 1.1.13 – Community Lease Policy

- This Policy provides an outline of 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*.

Council Policy 1.1.2 – Common Seal

- This Policy provides for the execution of legal documents that require the affixing of the Shire Common Seal.

The Department of Local Government, Sport and Cultural Industries (DLGSC) is currently undertaking a Local Government Reform to ensure good record keeping and public visibility within local governments. As part of the reform, it is intended that leases will be provided to the public in the form of an online register with the change due to be enacted in 2024.

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 2.1</i> | <i>To support people through all stages of life.</i> |
| <i>Objective 2.2</i> | <i>Create a community where people are safe.</i> |
| <i>Objective 2.3</i> | <i>Active and resilient community groups and volunteers.</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.

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.

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 **Business and Community Disruption**. The consequences identified are **Reputational** and **Property**. The risks are mitigated by having a lease agreement drafted by the Shire's legal service providers and discussions with the Harvey Brunswick Leschenault Football Club. The risk consequence rating associated with this matter is **Moderate** and Likelihood is **Unlikely**, resulting in a **Moderate** risk being present.

Budget Implications

Due to the extensive delay in the negotiations with matters surrounding the premises, it is proposed that the cost of the preparation of the Lease Agreement, for the amount estimated at \$2,000, will be paid by the Shire.

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. Approves the granting of a lease agreement to Harvey Brunswick Leschenault Football Club Incorporated for the management of the Club Rooms premises located at Lot 1 on Diagram 74852 and known as 10-28 George Avenue, Brunswick for a period of six years commencing 1 May 2022 and expiring on 30 April 2028 with the option to extend for three further terms for five years each as per **Attachment 5**.
2. Notes that the Lease conditions in **Attachment 5** include a 0% contribution from the Harvey Brunswick Leschenault Football Club Incorporated for the gardens and surrounds, irrigation and turf.
3. Notes that all other the Lease conditions in **Attachment 5** apart from Officer's Recommendation 2 are in accordance with Community Lease Policy – 1.1.13 including Appendix 1 in **Attachment 2**.
4. Authorises the Chief Executive Officer to request, obtain and retain a key for the Club Rooms premises from the Harvey Brunswick Leschenault Football Club Incorporated prior to execution of the Lease.
5. Authorises the Chief Executive Officer to complete an inspection of the Club Rooms and known as Lot 1 on Diagram 74852 and known as 10-28 George Avenue, Brunswick prior to execution of the Lease.

6. Authorises the Chief Executive Officer to negotiate minor lease terms consistent with Community Lease Policy – 1.1.13 including Appendix 1 in **Attachment 2**.
7. Approves the draft Lease Agreement as per **Attachment 5**.
8. Authorises the Chief Executive Officer to pay for the cost to the Shire solicitor for the preparation of the lease.
9. Authorises the Shire President and Chief Executive Officer to sign and affix the Shire of Harvey common seal to the Lease.

Item No.:	12.1.4.
Subject:	Lease – Lot 208 Youth Incorporated
Proponent:	Shire of Harvey
Location:	Lot 208 on Diagram 68728 and known as 5 Mulgara Street, Australind
Reporting Officer:	Coordinator Governance and Risk
Authorising Officer:	Chief Executive Officer
File No.:	C/Z/027
Attachments:	<ol style="list-style-type: none"> 1. Lease Expiry 31 March 2024 [12.1.4.1 - 36 pages] 2. Policy 1.1.13 - Community Lease Policy [12.1.4.2 - 13 pages] 3. Draft Lease [12.1.4.3 - 50 pages]

Summary

Lot 208 on Diagram 68728 is a freehold lot owned by the Shire of Harvey (the Shire).

Lot 208 Youth Incorporated (Lot 208) is responsible for the management of the premises located on 5 Mulgara Street, Australind (Australind Community Centre) Lot 208 on Diagram 68728. The current lease agreement (refer **Attachment 1**) expires on 31 March 2024 and Lot 208 has requested a new lease agreement be established.

It is recommended that Council approves a new Lease of Lot 208 for the Australind Community Centre and authorises the Chief Executive Officer to execute the Lease.

Background

Lot 208 is a not-for-profit community group in the locality of Australind within the Shire for the purpose of organising and promoting a recreational youth and cultural centre.

The Shire of Harvey has a partnership agreement with Lot 208 and has operated in the Shire for 22 years.

On 1 April 2019, the Shire entered into a lease agreement with Lot 208 for a period of five years for the period of 1 April 2019 to 31 March 2024 (refer **Attachment 1**).

As the lease agreement has not been renewed since 2019, the new lease agreement is required to incorporate the Shire of Harvey Community Lease Policy (Policy 1.1.13). On Tuesday, 18 April 2023, Council adopted the revised Community Lease Policy (refer **Attachment 2**) which includes the Shire of Harvey Property Management Framework, Appendix 1 – Schedule of Maintenance Obligations. The Lease offered to the Club has been drafted in accordance with the Policy and includes Appendix 1.

Comment

On 30 June 2023, Lot 208 confirmed to the Shire that it wished to renew the lease agreement.

From recent correspondence received Shire Officers understand Lot 208 allows user groups to use the Australind Community Centre. The lease allows for this to occur providing the Shire consents to the user group and that the user group provides a current public liability insurance certificate for the minimum amount of \$20,000,000, to the Shire prior to use.

The Lease includes a condition to allow for the commencement of Stage 1 of the Australind Community Precinct Building (ACPB). Lot 208 are aware that the Shire has the right to terminate the Lease immediately upon the notification of the date of the commencement of Stage 1 of ACPB to Lot 208. The Lease Agreement allows for rent to be charged to Lot 208 at a rate of \$1.00 paid annually and in advance on the first day of each Lease year.

The Shire may not hold the key for access to the premises due to the locks being changed and the Shire will request the key to the Australind Community Centre from Lot 208 prior to the execution of the Lease. The key will be retained by Shire.

If the Lease is issued to the Lot 208, Shire Officers will complete an inspection of the premises prior to the execution of the Lease.

It is recommended that Council approves a new lease agreement (refer **Attachment 3**) for the Australind Community Centre being granted to Lot 208 for five years commencing 1 April 2024 and expiring on 31 March 2029 with one option term of five years commencing 1 April 2029 and expiring on 31 March 2034.

Statutory/Policy Environment

Local Government Act 1995

- Section 3.58 (1) – refers to the disposal of property, including leasing.

Local Government (Functions and General) Regulations 1996

- Clause 30 (2)(b) – refers to the property disposals that are exempt from 3.58 of the Act.

Council Policy 1.1.13 – Community Lease Policy

- This Policy provides an outline of 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*.

Council Policy 1.1.2 – Common Seal

- This Policy provides for the execution of legal documents that require the affixing of the Shire Common Seal.

The Department of Local Government, Sport and Cultural Industries (DLGSC) is currently undertaking a Local Government Reform to ensure good record keeping and public visibility within local governments. As part of the reform, it is intended that leases will be provided to the public in the form of an online register with the change due to be enacted in 2024.

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 2.1</i> | <i>To support people through all stages of life.</i> |
| <i>Objective 2.2</i> | <i>Create a community where people are safe.</i> |
| <i>Objective 2.3</i> | <i>Active and resilient community groups and volunteers.</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.

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

Risk Management

The Risk Theme Profile identified as part of this report is **Business and Community Disruption**. The consequences identified are **Reputational** and **Property**. The risks are mitigated by having a lease agreement drafted in alignment with the Shire of Harvey Policy 1.1.13 – Community Lease Policy and discussions with Lot 208. The Risk Consequence rating associated with this matter is **Moderate** and the Likelihood is **Unlikely**, resulting in a **Moderate** risk being present.

Budget Implications

Nil.

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. Approves the granting of a new lease agreement to Lot 208 Youth Incorporated for the management of the Australind Community Centre premises located at 5 Mulgara Street Australind and known as Lot 208 on Diagram 68728 for a period of five years, commencing 1 April 2024 and expiring 31 March 2029 with a lease extension option term for a period of five years commencing 1 April 2029 and expiring on 31 March 2034 as per **Attachment 3**.
2. Notes that the Lease conditions in **Attachment 3** are in accordance with Community Lease Policy – 1.1.13 including Appendix 1 in **Attachment 2**.
3. Notes that the Lease conditions in **Attachment 3** include a condition to allow for user groups to use the premises providing consent is provided by the Shire prior to use.
4. Notes that the Lease conditions in **Attachment 3** include a provision that grants the Shire the right to terminate the Lease with Lot 208 Youth Incorporated, effective immediately upon the notification of the date of commencement of Stage 1 of the Australind Community Precinct Building, to Lot 208.
5. Authorises the Chief Executive Officer to request, obtain and retain a key for the Australind Community Centre premises from the Lot 208 Youth Incorporated prior to execution of the Lease.
6. Authorises the Chief Executive Officer to complete an inspection of 5 Mulgara Street Australind and known as Lot 208 on Diagram 68728 prior to execution of the Lease.

7. Authorises the Chief Executive Officer to negotiate minor lease terms consistent with Community Lease Policy – 1.1.13 including Appendix 1 in **Attachment 2**.
8. Approves the draft Lease **Attachment 3**.
9. Authorises the Chief Executive Officer and Shire President to execute the Lease Agreement and to sign and affix the common seal.

12.2. Infrastructure Services

Item No.:	12.2.1.
Subject:	Braidwood Drive, Balwyn Road and Leisure Drive proposed Traffic Safety Improvements
Proponent:	Shire of Harvey
Location:	Australind
Reporting Officer:	Director Infrastructure Services
Authorising Officer:	Chief Executive Officer
File No.:	F/40/01113
Attachments:	1. Traffic Management Proposal [12.2.1.1 - 1 page]

Summary

A number of requests have been received from residents who live along the eastern section of Braidwood Drive in Australind (Kingston Estate) and from Edenlife Management (Leisure Drive and Balwyn Road) requesting that the Shire consider installing traffic management to change driver behaviour in these streets.

This report recommends that Council endorses the proposed traffic management improvements, as shown in **Attachment 1**, consults with affected property owners and receives a further report at the conclusion of the consultation period.

Background**Traffic data**

Following initial complaints, Vehicle Classifiers were deployed along Braidwood Drive in February 2023. The results obtained are included in the following table:

Section	Current Traffic (vpd)	85% speed (kph)*
Burwood Road and Balwyn Road	1,983	58

Note: * Constellation Drive currently has a posted speed of 50kph.

The 85% speed is the speed that 85% of vehicles using a road travel at or less than and is often used to determine the speed environment of a road. In this section of Braidwood Drive the 85% speed is 8kph over the posted speed which while not excessive is still higher than would normally be expected.

Of particular concern however is the maximum speed recorded of 152kph. While all roads that are assessed in 50kph zones have a small element of motorists driving at excessive speeds i.e. between 60kph and 100kph, a speed on 152kph is unusual. Hence residents' concerns regarding the incidence of speed in this street.

Comment

As previously mentioned, residents who live along the eastern section of Braidwood Drive in Australind (Kingston Estate) and from Edenlife Management (Leisure Drive and Balwyn Road) have requested that the Shire consider installing traffic management to change driver behaviour in these streets.

Officers have developed a proposal comprising the installation of speed cushions and associated signage at strategic locations in the road network as shown in **Attachment 1**.

While not all residents are in favour of such devices being installed in close proximity to their properties, vertical displacement devices on roads are the most effective way to slow vehicles and change driver behaviour.

While the enforcement of speed is a WA Police responsibility, it can be argued that the protection of people's amenity and implementing safety improvements is the responsibility of local governments.

While the proposal as shown in **Attachment 1** may be excessive it will achieve the aim of regulating traffic speeds. It is therefore recommended that residents along affected streets be consulted regarding the proposal prior to reporting back to Council with a recommended way forward.

Statutory/Policy Environment

Nil.

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.

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

Budget Implications

Funds totalling \$30,000 have been included in the 2023–2024 Budget for undertaking traffic management works where justified on an as need basis. The estimated cost of the whole proposal as outlined in **Attachment 1** is in the order of \$28,000.

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 proposed Traffic Management proposal Braidwood Drive, Balwyn Road and Leisure Drive, as shown in ***Attachment 1***.
2. Consults with potentially affected property owners along Braidwood Drive, Balwyn Road and Leisure Drive regarding the proposal.
3. Receives a further report on the outcomes of recommendations 1 and 2 above.

Item No.:	12.2.2.
Subject:	Options for additional Office Accommodation
Proponent:	Shire of Harvey
Location:	Various
Reporting Officer:	Director Infrastructure Services and Coordinator Asset Management
Authorising Officer:	Chief Executive Officer
File No.:	B000395
Attachments:	<ol style="list-style-type: none"> 1. Australind Administration Centre Modification DESIGN [12.2.2.1 - 4 pages] 2. Australind Council Chambers Modification CONCEPT PLAN [12.2.2.2 - 2 pages] 3. Transportable Office - 12 x 6 [12.2.2.3 - 1 page] 4. Mulgara House [12.2.2.4 - 2 pages] 5. Council Chamber Conversion CONCEPT PLAN [12.2.2.5 - 2 pages]

Summary

At its Ordinary Meeting held on Tuesday, 26 September 2023, a Notice of Motion was proposed by former Councillor Paul Beech. Council subsequently resolved that the Chief Executive Officer investigate the potential use of the Council Chambers, either in Australind or Harvey, for temporary office accommodation.

The purpose of this report is to discuss options available for additional office accommodation and make recommendations on a way forward.

Background

Ordinary Council Meeting Tuesday, 23 November 2021

Council identified that the location for the Australind Community Precinct together with the Harvey Community Precinct (when constructed subject to the availability of funding) will provide adequate long term office accommodation for Shire Officers.

However, as previously reported to Council, in the short term there is an increasing need for additional office space for both existing and future Shire employees.

Ordinary Council Meeting Tuesday, 21 December 2021

A report was presented to Council to address the shortage of office accommodation for Shire employees. Noting significant increases in the demand for service, namely due to rapid population growth, Officers presented a number of alternative interim office accommodation options for Council's consideration.

At the meeting, Council approved a two-year lease of Shop 2, 3 Mulgara Street, Australind which commenced on 4 January 2022. Due to the continuing need for office accommodation, this lease was recently renewed for another two-year period while Officers continued to investigate options for additional office accommodation.

Ordinary Council Meeting Tuesday, 22 June 2023

Council was advised that a larger, more suitable office space had become available at 1 Mulgara Street, Australind. Following consideration of the report the following decision was made.

“That Council authorises the Chief Executive Officer to negotiate with VPG Property a two-year lease with an option term of two further years for the premises located at 1 Mulgara Street.”

Since June, negotiations with VPG Property for the lease of 1 Mulgara Street have not progressed and other more potentially cost-effective options have been explored by Shire Officers.

Ordinary Council Meeting Tuesday, 26 September 2023

The following notice of motion, prepared by former Councillor Paul Beech, was adopted by Council:

“That Council requests the Chief Executive Officer to investigate the possibility of utilising the Council Chamber either in Australind or Harvey for temporary office accommodation for Officers and reports her findings back to Council in November 2023.”

The reason for the notice of motion was that there are currently two Council Chambers that are each used for a limited time on alternate months and as office space is now critical one Chamber should be sufficient for Council use.

Comment

Current Shire workforce office accommodation

Shire Officers are currently accommodated at both the Harvey and Leschenault Recreation Centres and Libraries. Officers are currently also dispersed at a number of locations as outlined below:

- Harvey Administration Centre located at Uduc Road in Harvey.
- Becher Street building in Harvey.
- Harvey Shire Depot at Wallam Road in Harvey.
- Australind Depot at the Leschenault Leisure Centre.
- Australind Administration Centre located at Mulgara Street, Australind.
- Shop 2, 3 Mulgara Street, Australind (leased premises).

Growing Workforce

As reported to Council at its Ordinary Meeting held on Tuesday, 22 June 2023, the Shire's current workforce comprises 176 Full Time Equivalent (FTE) Officers with an overall total of 256* employees.

Note: * This figure also includes Recreational Centre staff.

The Shire has experienced exceptional growth trends with the total population now over 30,000. In addition, increasing economic development in the region coupled with population growth has meant that the Shire has struggled to maintain human resourcing to cope with external pressures and it has been further hindered by a complex and competitive job market.

Six additional Officers will need to be accommodated in the 2023–2024 year alone.

Additional Office Accommodation Investigations

Prior to the adoption of the September 2023 Notice of Motion, Shire Officers were already investigating options and cost implications for additional office accommodation including but not limited to the following:

- Option 1 – Modifying the existing Australind Administration Centre.
- Option 2 – Maintaining Australind Council Chamber and modify to accommodate additional staff.
- Option 3 – Transportable office to be located in the vicinity of the Australind Administration Centre.
- Option 4 – Extending the current lease at Mulgara House.

Note: All costs outlined in this report exclude GST.

Option 1 – Modifications to the Existing Australind Administration Centre

Works to reconfigure the north east corner of the Australind Administration Centre to accommodate an additional three works spaces have commenced (refer **Attachment 1**). The advantages of this proposal are as follows:

- Creates three additional permanent workspaces.
- Separates thoroughfare from car park access.
- Upgrades can commence immediately.
- Better use of current space.
- Officers located on-site at the Australind Administration Centre.
- Existing Australind office facilities available to additional Officers.
- Moderate scope of works (existing cabling etc.).

The estimated cost of these works is \$35,000.

Option 2 – Maintain Australind Council Chamber / Modify to accommodate staff

This proposal creates eight additional workstations while still maintaining a functional Council meeting space, albeit of a reduced size (refer **Attachment 2**).

The proposal includes the construction of solid soundproof wall approximately 3m from the existing southern Chamber wall. A new door and access panel would allow Officers to enter/exit the work area without interrupting chamber functions. Internal partitions can then be setup to create four offices, each to house two adjustable sit down/stand up desks and any associated furniture.

Existing Council Chamber furniture would require modification to allow for the reduction in Chamber size. The new configuration proposed enables the Council Chamber to remain functional, with adequate access and seating space for Council, Shire Officers and the public.

The advantages of this proposal are as follows:

- Upgrades can commence in a timely manner.
- Effective use of current space.
- Officers located on-site at the Australind Administration Centre.
- Existing Australind office facilities available to additional Officers.
- Accessible Chamber facilities remain available for Council and other uses as required.
- Chamber meeting room remains unimpeded and operational.
- Moderate scope of works (existing cabling etc. easily extended).

The estimated cost of this proposal is \$79,000.

Option 3 – The potential purchase of a Transportable office to be located in the vicinity of the Australind Administration Centre

This proposal comprises the purchase of a transportable office to accommodate between four and seven Officers, subject to the size of transportable (refer **Attachment 3**).

The advantages of this proposal are as follows:

- Can accommodate up to to seven Officers based on a 12m x 6m transportable office.
- Officers located on-site near the Australind Administration Centre.
- Existing Australind office facilities available to additional officers.
- Can be sold when not required to recoup some of the purchase costs.

The Disadvantages of this proposal are as follows:

- Long delay in the transportable delivery timeframe.
- Site works required to accommodate transportable.
- Loss of car parking spaces.
- High purchase cost / installation costs (some could be recouped when sold).

The estimated cost of purchasing and installing a 12m x 6m transportable office to accommodate up to seven staff is \$245,000.

Option 4 – Extend the current lease at Mulgara House

Due to the continuing need for office accommodation, the lease of Shop 2, 3 Mulgara Street, Australind which commenced on 4 January 2022 was recently renewed for another two-year period until 10 January 2024. This space currently accommodates seven existing Officers (refer **Attachment 4**).

The cost of lease is \$28,000 per annum, plus approximately \$3,400 in outgoings and management fees.

Notice of Motion Request – Modifying either the Council Chamber either in Australind or Harvey for temporary office accommodation for Officers

There are currently two Council Chambers one in Harvey and one in Australind. Each month all Council meetings for that month (i.e. Council Forum, Council Briefing and Council Meeting) alternate between the two venues.

The Notice of Motion indicated that *“as each of the two Council Chambers are used for a limited time on alternate months and as office space is now critical only one Chamber (either in Australind or in Harvey) may be sufficient for Council use.”*

Due to the large size of the Shire the rationale for having two Chambers was that both the public and Councillors who reside in the North and South of the Shire would be able to attend Council meetings on an equitable basis.

In addition, both Chambers are currently utilised outside of Council meetings by Officers who require additional meeting room space.

As requested, Officers have prepared two options for converting either the entire Australind or Harvey Council Chamber to Office accommodation, providing 16 additional workstations (refer **Attachment 5**).

The advantages of this proposal are as follows:

- Can accommodate up to 16 Officers.
- Existing Australind/Harvey office facilities available to additional Officers.
- Moderate scope of works (existing cabling etc. easily extended).

The disadvantages of this proposal are as follows:

- Councillors / Residents who reside in the North and South of the Shire would be restricted to attending only one location for Council business.
- The Chamber/s would not be available for meetings by Officers.
- Both Chambers can only be accessed through the Council Chamber meeting room(s), therefore the meeting room/s would no longer act as a functional meeting space.
- Of the two Chambers, the Harvey Council Chambers is not a suitable space for staff with accessibility limitations.

The estimated cost of this proposal at the Australind Council Chambers is \$109,000. The estimated cost of this proposal at the Harvey Council Chambers is \$101,500.

Office Accommodation

The total current number of workstations spread over the following locations is 110.

- Harvey Administration Centre – 43 x permanent workstations and 3 x hot desks.
- Becher Street – 8 x permanent workstations, 1 x hot desk and 1 x empty desk.
- Harvey Shire Depot – 25 x permanent workstations and 1 x hot desk.

- Australind Depot – 1 x permanent workstation.
- Australind Administration Centre – 15 x permanent workstations and 4 x hot desks.
- Shop 2, 3 Mulgara Street – 6 x permanent workstations and 2 x hot desks.

As mentioned above, six additional Officers will need to be accommodated in the 2023–2024 financial year. In addition, Officers will present to Council in December 2023 regarding the potential additional positions required in relation to the introduction of the Shire's new Enterprise Resource Planning (ERP) system.

The predominant requirement is for additional office accommodation at the Australind Administration Centre. Current plans are for an additional three workstations to be created at the Australind Administration Centre (Option 1) and possibly eight new workstations by partitioning the Australind Council Chamber (Option 2). Option 1 and Option 2 will potentially create an additional 11 workstations.

Discussion

As mentioned above, six additional staff will need to be accommodated in the 2023–2024 financial year alone. The predominant requirement for additional office accommodation is at the Australind Administration Centre. The current workforce plan has identified an additional four Officers for 2024–2025. These Officers will need to be accommodated somewhere until the new Australind Administration Centre is constructed.

In addition, due to the size of the Shire and the need for meetings with either internal and external Stakeholders in both Harvey and Australind, there is a need for hot desks which are not allocated to a particular Officer but can be used by any Officer as and when required. Hot desks enable Officers to continue to undertake their job away from their allocated desk which may be located at either Harvey or Australind.

Therefore, until a date for the construction and opening of the new Australind Precinct Administration Centre has been determined there will be a need for additional office accommodation in line with the Shire's Workforce and Diversity Plan.

Current plans are for an additional 11 new workstations as follows:

- Option 1 – Additional three workstations at the Australind Administration Centre.
- Option 2 – Additional eight new workstations by partitioning the Australind Council Chamber.

If the Australind Council Chamber was fully converted to office accommodation, there would be up to an additional 19 new workstations created.

Council needs to decide if one Council Chamber i.e. located in Harvey, would be sufficient to conduct the current business of Council.

Statutory/Policy Environment

Nil.

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.

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 Employment Practices**. The Consequence could be **Service Interruption** should there be insufficient or inadequate office accommodation available for Shire Officers to perform the functions required of them. The risk is mitigated by planning short, medium and long term into the future to ensure that adequate office accommodation facilities are available. The risk Consequence identified is **Major** and the Likelihood **Unlikely** resulting in a **Moderate** risk being present.

Budget Implications

The 2023 Budget has allocations as follows for accommodation:

Item	Budget Amount
Mulgara House Lease	\$33,000
Office Accommodation	\$136,500
Office Equipment	\$27,000
Networking for office accommodation	\$55,000
Total Budget	\$251,500

The Options for additional Office accommodation and estimated costs are outlined in the following table.

Note: Depending on the Option chosen the costs outlined below include all items required to create fully functioning workstations with items including carpentry, electrical, painting, partitions, office furniture, phones, IT equipment, approvals, contingencies etc.

Option 1 (in Progress)	Option 2	Option 3	Option 4	Notice of Motion Request	
Australind Administration Centre Modification (3 x New Workstations)	Australind Council Chambers Modification (8 x New Workstations)	Transportable Office 12 x 6 (7 x New Workstations)	Mulgara House Lease Currently extended to 9 January 2026	Australind Council Chamber Conversion (16 x New Workstations)	Harvey Council Chamber Conversion (16 x New Workstations)
\$35,000	\$79,000	\$245,000	\$31,402 p/a	\$109,000	\$101,500

Therefore, the scenarios are as follows:

- Option 1 + Option 2 = **\$114,000** (11 Workstations created)
- Option 1 + Option 3 = **\$280,000** (10 Workstations created)

- Option 1 + Notice of Motion Request (Australind) = **\$144,000** (19 workstations created)
- Option 1 + Notice of Motion Request (Harvey) = **\$136,500** (19 workstations created)

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 that works to provide three additional workstations at the Australind Administration Centre estimated to cost \$35,000 as shown in **Attachment 1** are in progress.
2. Notes that a concept plan has been prepared to create eight new workstations in part of the existing Australind Council Chamber estimated to cost \$79,000 as shown in **Attachment 2**.
3. Approves the creation of eight new workstations, in part of the existing Australind Council Chamber estimated to cost \$79,000 as shown in **Attachment 2** while still maintaining a functioning Council Chamber at Australind.
4. Receives a further report on Office Accommodation as the Shire's Workforce and Diversity Plan is further developed.

Item No.:	12.2.3.
Subject:	Proposed Closure of Road PIN 11624952 as part of an amendment to the existing A Class Reserve 42470 known as Leschenault Peninsula Conservation Park
Proponent:	Shire of Harvey
Location:	Leschenault Peninsula Conservation Park
Reporting Officer:	Director Infrastructure Services
Authorising Officer:	Chief Executive Officer
File No.:	F/40/06736
Attachments:	<ol style="list-style-type: none"> 1. Road PIN 11624952 [12.2.3.1 - 1 page] 2. Harvey Map - A Class Amendments [12.2.3.2 - 1 page] 3. P 3957 Lot 3 and 4 [12.2.3.3 - 1 page]

Summary

The Shire of Harvey (the Shire) has received notice from the Department of Planning, Lands and Heritage (DPLH) seeking Council support to close the road PIN 11624952 to amend the existing A Class Reserve 42470 known as Leschenault Peninsula Conservation Park. The parcels of land involved are detailed in **Attachments 1, 2 and 3**. In order to initiate a road closure the Shire is required to advertise the proposal to service providers, government agencies and adjacent landowners for a period of 35 days. Following the advertising period, the matter is to be brought back to Council for consideration.

Background

DPLH wrote to the Shire in November 2023 following up on a previous request on the creation of Reserves with management to the Conservation and Parks Commission (DBCA) as part of the Kalgulup Regional Park where it is proposed to amend the existing A Class Reserve 42470 known as Leschenault Peninsula Conservation Park by the addition of land which currently comprises an unmade road reserve.

Comment

The *Land Administration Act 1997* sets out the procedure for requesting the closure of road reserves. Map 9 provided by DBCA, the deposited plan for Lots 3 and 4 which identify road reserve PIN 11624952 and an Aerial plan showing subject parcels is included in **Attachments 1, 2 and 3**.

The request by DPLH is outlined in the following table:

Land Description and Proposal	Current Land Tenure	Actions Required	Area
<i>PIN 11624952 (no lot number) include into R42470 (Class A)</i>	<i>Dedicated Road PIN 11624952</i>	<i>Shire of Harvey Advise DPLH if the Shire supports the road closure and is prepared to undertake road closure actions for all of PIN 11624952. Commence road closure actions. DPLH Crown DP Title to be issued Addition to Class A Reserve for 'Conservation Park' (R42470) (minor amendment process for CALM Act reserve with advertising pursuant to s.45(2)(a) of the LAA)</i>	<i>13.33 ha approx.</i>

Statutory/Policy Environment

Land Administration Act 1997

- Section 58 – deals with the closing of roads

Local Government Act 1995

- Section 3.50 – provides a framework under which Council is to proceed with the continuing closure of a thoroughfare. Requirements include advertising to the public of the proposal for a reasonable time to allow submissions, and for these submissions to be considered by Council, giving written notice to prescribed persons of the proposal, in this case 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 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

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 following the required procedure to close the road. The risk Consequence identified is **Minor** and the Likelihood **Unlikely** resulting in a **Low** risk being present.

Budget Implications

All advertising and survey costs are to be borne by the Proponent.

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. Advertises the proposal to close the road PIN 11624952 to amend the existing A Class Reserve 42470 known as Leschenault Peninsula Conservation Park, as shown on **Attachments 1, 2 and 3** for a period of 35 days seeking public comment.
2. Requests comments from all public utility providers, the Department of Fire and Emergency Services and other relevant government departments.
3. Receives a further report on this matter at the close of the advertising period.

12.3. Sustainable Development

Item No.:	12.3.1.
Subject:	Application for Over Height Outbuilding – Lot 14 (No. 11) McMahon Court, Uduc
Proponent:	Advanced Carpentry
Location:	Lot 14 (No. 11) McMahon Court, Uduc
Reporting Officer:	Planning Officer
Authorising Officer:	Director Sustainable Development
File No.:	A5348, P210/23, C291/00184
Attachments:	<ol style="list-style-type: none"> 1. Application [12.3.1.1 - 5 pages] 2. Location Plan [12.3.1.2 - 1 page]

Summary

An Application for Development Approval has been received for an Over Height Outbuilding on Lot 14 (No. 11) McMahon Court, Uduc (refer **Attachment 1**). The application is referred to Council as Officers do not have delegation to make a determination on an outbuilding that has a height in excess of the provisions of Local Planning Policy 4.1.18 – Outbuildings. It is recommended that the application be approved subject to appropriate conditions.

Background

Site Description

Lot 14 (No. 11) McMahon Court, Uduc is zoned “Special Rural – Area 1” under the Shire’s District Planning Scheme No. 1 (the Scheme). The site is of irregular shape with an area of 10.638ha and consists mostly of pasture and native vegetation with a wetland area in the south-east corner (refer **Attachment 2**).

Site History

The site contains a dwelling and various outbuildings that are in the central west portion of the lot. In May 2020, an existing outbuilding was granted development approval under delegation for conversion into a dwelling. At this time, the existing 51m² dwelling was approved as an ancillary dwelling with the converted outbuilding approved as the main dwelling.

Proposal

The application proposes a 99m² colorbond outbuilding measuring 11m x 9m, with a wall height of 5m and a gable roof ridge height of 5.97m (refer **Attachment 1**). It is proposed to be located directly south of the main dwelling (converted outbuilding) and 24m from the western boundary. The Applicant has advised that the additional height is required “to accommodate a caravan and a small truck for storage”.

Advertising

Pursuant to Clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Deemed Provisions), the application was advertised to the adjoining/affected landowners for a period of 14 days, concluding on 20 September 2023. A total of one submission was received which supported the proposal without comment.

Comment

The following comments relate to Part 3 of Council’s Outbuilding Policy 4.1.18 in regard to Outbuildings in the “Special Rural” and “Special Rural and Landscape Protection” Zone.

The proposed outbuilding complies with Part 3, clause 1a) regarding the aggregate floor level not exceeding a maximum floor space area of 10% of the total site area. The wall height, however, exceeds the requirements of Part 3, clause 1b) and 1c) which stipulates a maximum wall height of 3m and a maximum ridge height of 4.5m, unless otherwise approved.

Part 3, clause 2 of the Policy provides for an increase in the wall and ridge heights to a maximum of 3.6m and 5.1m respectively, where the applicant can demonstrate, to the satisfaction of the local government, that:

- a) the increase in height is warranted on the basis of a reasonable need being demonstrated that is related to the domestic use of the property;
- b) the increase in height will not create an adverse impact on the amenity of adjoining properties; and
- c) where the local government has determined that adjoining land may be impacted, the proposal has been advertised to those owners. Upon receipt of any comments the local government shall consider and balance those comments with its technical opinion in the exercise of judgement.

Officers have determined that the increase in wall height will not adversely impact the amenity of adjoining properties given:

- The larger lot sizes
- The nearest dwelling being approximately 200m from the proposed outbuilding
- No objections were received.

Officers have also determined that the increase in the wall and ridge heights can be considered warranted as the Applicant has indicated that the outbuilding will be used for the storage of a caravan and a small truck.

Conclusion

It is considered by Officers that the proposed over height outbuilding is capable of being approved for the following reasons:

- The Applicant has demonstrated a specific need associated with the domestic use of the property to justify the increase in the wall height.
- Officers consider that the increase in the wall and ridge heights will not impact the amenity of the adjacent properties.
- No objections were received during the advertisement period.

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

Statutory/Policy Environment

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

- Schedule 2 – Deemed Provisions,

- Section 64 – Advertising Applications:

Shire of Harvey District Planning Scheme No.1

- Clause 5.3 – Special Rural Development Requirements
- Table 31 – Zoning and Development Standards
- Schedule 4 – Additional Requirements – Special Rural Zone – 4.1 Area 1 – Forestry Road, Uduc

Shire of Harvey Local Planning Policies

- Local Planning Policy 4.1.18 – Outbuildings

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 1.3 Sustainable urban, rural, and industrial development.*

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 **Environmental, Financial, Reputational** or **Compliance** if incorrect advice is given or a condition missed. The risk is considered **Minor** and the likelihood **Unlikely**, given that the report has been thoroughly researched, peer reviewed and provided by a qualified Shire Officer. This results in a **Low** risk being present.

Budget Implications

Nil.

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. Approves the Application for Development Approval for an Over Height Outbuilding on Lot 14 (No. 11) McMahon Court, Uduc, subject to the following conditions:
 - a) The development and/or use shall be in accordance with the attached approved plans, subject to modifications required as a consequence of any condition(s) of this approval. The approved plans shall not be modified or altered without first obtaining approval from the Shire.
 - b) This approval is valid for a period of two years. If the development is not substantially commenced within this period, a new approval must be obtained before commencing or continuing development.
 - c) The approved outbuilding shall not be used for habitable and/or commercial purposes, unless otherwise approved by the Shire.
 - d) The proposed outbuilding is to maintain a minimum 1.2m setback to any septic tank and a 1.8m setback to any leach drain or soak well.
2. Advises the Applicant of the following additional requirements that are not included as conditions of the approval:
 - a) In accordance with the *Building Act 2011*, a Building Permit is required to be obtained prior to the commencement of any works on the site.

Item No.:	12.3.2.
Subject:	Proposed Use Not Listed – Telecommunications Infrastructure – Wokalup, Brunswick and Uduc
Proponent:	Tecon Australia (on behalf of Swoop)
Location:	Lot 161 Heppingstone Road, Brunswick Lot 61 (No. 546) Mitchell Road, Wokalup Lot 4 (No. 415) Forestry Road, Uduc
Reporting Officer:	Manager Planning Services
Authorising Officer:	Director Sustainable Development
File No.:	A5062, P248/23, C291/00212 A16038, P251/23, C291/00210 A13700, P245/23, C291/00209
Attachments:	<ol style="list-style-type: none"> 1. Application - Brunswick [12.3.2.1 - 3 pages] 2. Application - Wokalup [12.3.2.2 - 3 pages] 3. Application - Uduc [12.3.2.3 - 4 pages] 4. Location Plan - Brunswick [12.3.2.4 - 1 page] 5. Aerial Existing Towers - Brunswick [12.3.2.5 - 1 page] 6. Location Plan - Wokalup [12.3.2.6 - 1 page] 7. Location Plan - Uduc [12.3.2.7 - 1 page] 8. Summary of Submissions [12.3.2.8 - 5 pages]

Summary

Three Applications for Development Approval have been received for a 'Use Not Listed' (Telecommunications Infrastructure) on Lot 161 Heppingstone Road, Brunswick (refer **Attachment 1**), Lot 61 (No. 546) Mitchell Road, Wokalup (refer **Attachment 2**) and Lot 4 (No. 415) Forestry Road, Uduc (refer **Attachment 3**). The applications have been advertised for public comment and are referred to Council to determine if the proposed 'Use Not Listed' may be consistent with the objectives and purpose of the zone and to determine the applications as Officers do not have delegation given objections were received.

It is recommended that Council determines the proposed 'Use Not Listed' may be consistent with the objectives and purpose of the zone and approves the applications subject to appropriate conditions.

Background

Brunswick Site

Lot 161 Heppingstone Road, Brunswick is zoned "General Farming" and "Intensive Farming" under the Shire's District Planning Scheme No. 1 (the Scheme) and is also within a "Place of Landscape Value". The portion of the site subject to this application is located within the "General Farming" zone. The site is located 3kms north-west of the Brunswick townsite, is of irregular shape with an area of 173ha and has undulating terrain, being on the western side of the Darling Scarp. The site contains pasture amongst extensive areas of native jarrah and marri forest (refer **Attachment 4**).

The subject land is mostly utilised for grazing and there are no residential buildings or outbuildings. There are four existing telecommunication masts in the middle portion of the lot on raised areas 2.2km from South Western Highway (refer **Attachment 5**). There is a small area of stockyards in the western portion near South Western Highway.

The application proposes a 30m height guyed mast telecommunications tower within an associated fenced enclosure of 5m x 6m. It is intended to improve digital connectivity in the area (refer **Attachment 1**). Subsequent to initial advertising of the application, the location of the proposed tower was amended by the Applicant. The amended location (refer **Attachment 1**) was readvertised for comment.

Wokalup Site

Lot 61 (No. 546) Mitchell Road, Wokalup is zoned “General Farming” under the Scheme and is located within 9.5kms of the Harvey townsite. The site is of irregular shape with an area of 40ha and is mostly flat pasture with scattered vegetation in the north-western portion of the lot (refer **Attachment 6**).

The site contains a residence and associated outbuildings, all of which are located in the south-eastern portion of the lot, adjacent to the intersection of Mitchell and Pinejarup Roads.

The application proposes a 30m high guyed mast, telecommunications tower (refer **Attachment 2**). The Applicant explains that:

“in relation to the context for location, approaches were made to three separate sites in the Wokalup area and the landowners at 546 Mitchell Road were agreeable to the site acquisition. Their land provides Swoop with a good anchor point for line of site to Harvey to the east and Leschenault and Binningup to the west. A site survey confirmed that that the site was suitable, with dark sand suitable for building the tower. Further, it was noted that there is minimal housing in the area.”

Uduc Site

Lot 4 (No. 415) Forestry Road, Uduc, is zoned “General Farming” under the Scheme and is located within 11kms of the Harvey townsite. The site is of regular shape with an area of 46.65ha and is mostly flat with dense vegetation in the southern portion of the lot and scattered vegetation along the western boundary.

The site contains multiple dams and pastures located throughout the site and a residence and associated outbuildings, located in the southern portion of the lot. (refer **Attachment 7**).

The application proposes a 40.6m high guyed telecommunications tower and a 12m x 4m solar array (refer **Attachment 3**). The rope anchors for the tower will be setback 8m from the southern lot boundary and 6m from the western lot boundary. The Applicant originally proposed an alternate location for the tower. The original location plan stated that the tower was to be located in the north-eastern corner of the property. However, the Applicant has stated that the amended location has been selected following consultation with landowners. The amended location (refer **Attachment 3**) was readvertised for comment.

Advertising

For the purpose of reducing assessment timeframes, the application has been advertised pursuant to Clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Deemed Provisions), the applications were advertised to nearby landowners and on the Shire’s website as follows:

Location	Commencement Date	Closing Date
Brunswick Site	1/09/2023	14/09/2023
Brunswick Amended Location	27/09/2023	10/10/2023
Wokalup Site	16/08/2023	13/09/2023
Uduc Site	16/08/2023	13/09/2023
Uduc Amended Location	06/10/2023	03/11/2023

The following table details the submissions received and a summary of the submissions is provided in **Attachment 8**.

Location	Support	Objection	Total
Brunswick Amended Site	0	2	2
Wokalup Site	0	2	2
Uduc Amended Site	0	0	0

Comment

Land Use

The proposed use of “Telecommunications Infrastructure” is defined in the Schemes as:

“premises used to accommodate the infrastructure used by or in conjunction with a telecommunications network including any line, equipment, apparatus, tower, antenna, tunnel, duct, hole, pit or other structures related to the network”

While the proposed use is defined by the Scheme, it is not listed in the Zoning and Development Tables and is therefore considered a ‘Use Not Listed’. Clause 4.2.4(b) makes provision for a ‘Use Not Listed’ to be considered and provides that Council can *“determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the zone”*. The Policy Statement contained within Table 27 (General Farming zone) of the Scheme refers to:

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

The draft Local Planning Scheme No. 2 (draft Scheme) currently proposes the subject land parcels be zoned “Rural” with ‘Telecommunications Infrastructure’ being a ‘D’ use ie a use that can be considered at the discretion of the local government.

The draft Scheme is considered to be a seriously entertained planning proposal and can therefore be given due regard when assessing applications under the current Scheme. As ‘Telecommunications Infrastructure’ is a discretionary use that could be considered under the draft Scheme, Officers consider that the proposed use may be consistent with the objectives of the zone.

Advertising

Brunswick Site

An objection was received from a nearby landowner, based on the Beela Valley being an area of natural beauty and that structures such as this detract from the character and amenity of the area.

The submitter referred to the proposal as an “industrial structure” and that approval of this will encourage further similar structures to be constructed in the area. The objection also refers to wind turbines and the Ferguson Valley as examples of visual degradation of the environment.

Wokalup Site

Objections have been received from two adjacent/nearby landowners, with the most significant points being summarised as follows:

- Objection to the location being in the ‘middle’ of a farm rather than in industrial land or where there is already an existing tower such as at the Dampier to Bunbury Gas Pipeline Tower or a hill that is bushland, not open pasture.

- A neighbour has indicated an intention to live near where the tower site is proposed.
- The chosen location is close to the neighbour's property.
- Reduces the enjoyment of the adjoining farms with the visual proximity of the tower.
- Impacts where a dwelling can be built as it is undesirable to build close to the location of the tower on a neighbouring property.

Uduc Site

The application was advertised prior to receiving amended plans and again once the amended location plan was received. During both advertisement periods, no submissions were received.

Discussion

Swoop will be providing telecommunication infrastructure in the Shire following appointment by the Department of Primary Industry and Regional Development to construct and operate vital telecommunications infrastructure as part of the Regional Connectivity Program.

As per the Program objectives, the proposed telecommunication infrastructure aims to contribute to providing coverage to an additional 5,000 addresses within the Shire of Harvey.

The infrastructure will be funded by Swoop alongside grants from the State and Commonwealth Governments. Following the construction of the proposal, Swoop will be responsible for the operation and ongoing maintenance of the infrastructure.

All three proposals can be considered to be consistent with Section 5 of State Planning Policy 5.2 Telecommunications Infrastructure (the SPP) for the following reasons:

- The infrastructure has been sited to minimise visual impacts wherever possible. The siting of infrastructure has been selected to ensure the proposed infrastructure is not located near significant viewing locations, landmarks, or in a place where there is significant environmental, cultural heritage, social and visual landscape values.
- The location of each proposal has been selected to ensure continuous network coverage is provided to the community.
- They are not considered to be contrary to the rural use of the land, which may continue to operate as such despite the towers.

The Shire's Local Planning Policy 4.1.10 – Structures on Farming Land requires structures to be setback from the boundaries in accordance with the setback requirements for a dwelling under the Scheme, being 20m from all boundaries. The proposals comply with the minimum setback requirements.

Conclusion

It is considered that the proposed 'Use Not Listed' (Telecommunications Infrastructure) may be consistent with the objective and purpose of the "General Farming" zone. Additionally, it is considered that the proposals are consistent with the objectives and rationale of the SPP. Officers therefore recommend that Council determine the proposed 'Use Not Listed' applications may be consistent with the objectives and purpose of the zones and approves the applications subject to appropriate conditions.

Statutory/Policy Environment

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

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

(1) “The local government – “

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

(b) must advertise an application for development approval in accordance with subclause (4) if the application is not a complex application –

i. relates to development that is a class A use in relation to the zone in which the development is located; or

ii. relates to the extension of a non-conforming use; or

iii. relates to development that does not comply with the requirements of this Scheme; or

iv. relates to development of which the local government requires a heritage assessment to be carried out under clause 11(1); or

v. is of a kind identified elsewhere in this Scheme as an application is this required to be advertised; and

(c) may advertise any other application for development approval in accordance with subclause (4).

(2) Subclause (1)(b)(iii) does not apply if the local government is satisfied that the non-compliance with the requirements of this Scheme is of a minor nature.”

State Planning Policy 5.2 –Telecommunications Infrastructure

This Policy provides guidance for the assessment of telecommunications infrastructure in relation to:

- Appearance/visual character
- Siting, location, and design
- Electromagnetic Emissions.

Shire of Harvey District Planning Scheme No.1

- Clause 4.2.4 – Zoning and Development Tables

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

(b) Determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the zone and thereafter follow the advertising procedures of Clause 64 of the Deemed Provisions in considering an application consent. In approving such an application, the local government may apply any conditions or development standard it deems necessary."

Shire of Harvey Local Planning Policy 4.1.10 – Structures on Farming Land

- This Policy requires structures to be setback from the property boundaries a minimum of 20m as if they were a dwelling.

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 1.3 *Sustainable urban, rural and industrial development.*
 Objective 1.4 *Appropriate infrastructure is in place to support economic growth.*

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 Consequences could be **Environmental, Financial, Reputational or Compliance** if an incorrect assessment of the land use occurs or insufficient community engagement occurs. The risk is considered **Minor** and the likelihood **Unlikely**, given that the report has been thoroughly researched, peer reviewed and provided by a qualified Shire Officer. This results in a **Low** risk being present.

Budget Implications

Nil.

Authority/Discretion

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

Voting Requirements

Recommendation 1 of 4 – Absolute Majority

Recommendation 2–4 of 4 – Simple Majority

Officer's Recommendation 1 of 4

That Council, pursuant to Clause 4.2.4(b) of the Shire of Harvey's District Planning Scheme No. 1, determines that the proposed 'Use Not Listed' detailed in the Applications for Development Approval for Lot 161 Heppingstone Road, Brunswick, Lot 61 (No. 546) Mitchell Road, Wokalup and Lot 4 (No. 415) Forestry Road, Uduc, can be considered as "Telecommunications Infrastructure" which may be consistent with the objectives and purpose of the "General Farming" zone.

BY ABSOLUTE MAJORITY**Officer's Recommendation 2 of 4**

That Council:

1. Approves the Application for Development Approval for a 'Use Not Listed' (Telecommunications Infrastructure) on Lot 161 Heppingstone Road, Brunswick, subject to the following conditions:
 - a) The development and/or use shall be in accordance with the attached approved plans, subject to modifications required as a consequence of any condition(s) of this approval. The approved plans shall not be modified or altered without first obtaining approval from the Shire.
 - b) This approval is valid for a period of two years. If the development is not substantially commenced within this period, a new approval must be obtained before commencing or continuing development.
2. Advises the Applicant of the following advice notes that are not included as conditions of the Development Approval:
 - a) In accordance with the *Building Act 2011*, a Building Permit is required to be obtained prior to the commencement of any works on the site.
 - b) The development is required to comply with the *Telecommunications Act 1997* and the Telecommunications Code of Practice 2018.

Officer's Recommendation 3 of 4

That Council:

1. Approves the Application for Development Approval for a 'Use Not Listed' (Telecommunications Infrastructure) on Lot 61 (No. 546) Mitchell Road, Wokalup, subject to the following conditions:
 - a) The development and/or use shall be in accordance with the attached approved plans, subject to modifications required as a consequence of any condition(s) of this approval. The approved plans shall not be modified or altered without first obtaining approval from the Shire.
 - b) This approval is valid for a period of two years. If the development is not substantially commenced within this period, a new approval must be obtained before commencing or continuing development.

2. Advises the Applicant of the following advice notes that are not included as conditions of the Development Approval:
 - a) In accordance with the *Building Act 2011*, a Building Permit is required to be obtained prior to the commencement of any works on the site.
 - b) The development is required to comply with the *Telecommunications Act 1997* and the Telecommunications Code of Practice 2018.

Officer's Recommendation 4 of 4

That Council:

1. Approves the Application for Development Approval for a 'Use Not Listed' (Telecommunications Infrastructure) on Lot 4 (No. 415) Forestry Road, Uduc, subject to the following conditions:
 - a) The development and/or use shall be in accordance with the attached approved plans, subject to modifications required as a consequence of any condition(s) of this approval. The approved plans shall not be modified or altered without first obtaining approval from the Shire.
 - b) This approval is valid for a period of two years. If the development is not substantially commenced within this period, a new approval must be obtained before commencing or continuing development.
2. Advises the Applicant of the following advice notes that are not included as conditions of the Development Approval:
 - a) In accordance with the *Building Act 2011*, a Building Permit is required to be obtained prior to the commencement of any works on the site.
 - b) The development is required to comply with the *Telecommunications Act 1997* and the Telecommunications Code of Practice 2018.

12.4. Corporate Services

Item No.	12.4.1.
Subject:	Financial Statement as at 31 October 2023
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Manager Finance
Authorising Officer:	Director Corporate Services
File No.:	FM/S/006
Attachments:	1. Financial Statements as at 31 October 2023 [12.4.1.1 - 11 pages]

Summary

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

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

	ACTUAL 31 October 2023	BUDGET 2023–2024	VARIANCE
Statement of Financial Performance			
Ordinary Revenue	\$35,178,474	\$39,931,013	\$ 4,752,539
Ordinary Expenditure	\$13,933,967	\$47,439,708	\$33,505,741
Capital Revenue	\$ 1,311,350	\$62,348,478	\$61,037,128
Capital Expenditure	\$ 1,878,137	\$82,128,516	\$80,250,379
End of Period Profit/(Loss)			\$29,485,516
Statement of Financial Position			
Current Assets			\$ 63,753,142
Net Assets			\$841,856,384

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 \$27.44 million and rubbish rates of \$11.79 million including the waste levy were raised in August 2023. The due date for rates payment was 29 September 2023. Approximately 65% of the rates were collected by 31 October 2023 compared to 66% for the previous year.

Cash Flow and Interest Earnings

The Shire holds by way of cash and term deposit \$23.43 million in Municipal funds and \$29.08 million in restricted Trust and Reserve funds. The average interest rate on these funds is 4.90%. New term deposits are attracting an interest rate for 90 days of approximately 4.85%.

Operating Grants and Subsidies

The Shire received \$4.03 million as advance payment for Financial Assistance Grants 2023–2024 in the last quarter of the 2022–2023 financial year. The first instalment of FAGS quarterly grant was also received in August 2023.

Employee Costs

Although these accounts only reflect the first four months of the financial year, it is anticipated employee costs will remain in line with the Workforce and Diversity Plan and Budget 2023–2024.

Material, Contracts, Utilities and Other Expenses

Although these accounts only reflect the first four months of the financial year, it is anticipated the Shire will operate within its means and in line with the Shire's adopted Budget for the 2023–2024 financial year.

Capital Expenditure

The Shire budgeted to spend \$82.13 million on capital projects throughout the Shire in 2023–2024. Major capital work projects budgeted for the financial year 2023–2024 are yet to commence. Expenditure totalling \$1,878,137 on capital works has been reported at the end of October 2023. As major projects are completed, and as the Shire is invoiced for these 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
- 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 by Nature identifying reasons for variances between budgets and actuals.

It should be noted that the Financial Statements for October 2023, actual figures reported for the 2022–2023 financial year do not include the final figures and the end of year adjustments for the year ended 30 June 2023. The final position for the 2022–2023 financial year will be reported in the 2022–2023 Annual Financial Statements.

Statutory/Policy Environment

Local Government Act 1995

- Section 6.4

Local Government (Financial Management) Regulation 1996

- Regulation 34

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**, **Reputation** or **Compliance** if the financial statements are not reported accurately, timely or in the required format. The risk is considered **Minor** and the Likelihood **Unlikely**. 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 October 2023 at ***Attachment 1***.

Item No.	12.4.2.
Subject:	List of Accounts Paid October 2023
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Manager Finance
Authorising Officer:	Director Corporate Services
File No.:	FM/S/006
Attachments:	1. Payments October 2023 v 2 [12.4.2.1 - 21 pages]

Summary

A listing of payments for goods and services for October 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. With the inclusion of Clause 13A in the Local Government (Financial Management) Regulations 1996, a list of payments using the purchasing cards (fuel and store) has also been included.

Comment

The list of accounts paid for October 2023 is presented as an **Attachment 1**, as summarised below.

<u>Voucher</u>	<u>Amount</u>
Schedule of Accounts	
Municipal	
EFT 68159 – EFT 68656	\$ 2,145,166.64
117540–117546	\$ 11,250.20
DD26084.1–DD26155.23	\$ 173,897.29
CBA Credit Cards	\$ 11,018.49
Electronic Funds Submitted	\$ 1,145,363.28
Total	\$ 3,486,695.90

Prepaid Cards Payments included in the Municipal payments above

AMPOL Fuel Card	\$ 917.15
BP Fuel Card	\$ 9,482.68
Puma Fuel Card	\$ 1,288.30
Coles Card	\$ 629.74
Total	\$ 12,317.87

Statutory/Policy Environment

Local Government Act 1995

- Section 5.42

Local Government (Financial Management) Regulation 1996

- Regulation 13
- Regulation 13A

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 5.3</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> |

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 2023–2024 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 October 2023 totalling \$3,486,695.90.

Item No.:	12.4.3.
Subject:	Bunbury Harvey Regional Council Operating Contribution Request 2023–2024
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Director Corporate Services
Authorising Officer:	Chief Executive Officer
File No.:	A007532
Attachments:	1. BHRC Ltr to So H re funding - 22.08.2023 [12.4.3.1 - 1 page]

Summary

The Shire of Harvey and the City of Bunbury are Member Councils of the Bunbury Harvey Regional Council (BHRC) which operates the Stanley Road Waste Management Facility.

On Tuesday, 22 August 2023, the BHRC Chief Executive Officer (CEO), Nick Edwards wrote to the Shire requesting approval, as a BHRC Member Council, to commit to paying in the 2023–2024 financial year an operating contribution of up to \$950,000 to the BHRC.

This item recommends that Council approves, by Absolute Majority, the unbudgeted operating contribution of up to \$950,000 to the BHRC as specified within this report and as a requirement of the BHRC Constitution Agreement.

Background

The City of Bunbury and the Shire of Harvey (the Shire) are Member Councils of the Regional Local Government, BHRC and operate under a Constitutional Agreement signed by both local governments in 1989 and then approved by His Excellency the Governor in 1990.

The Constitutional Agreement, although antiquated, provides the mechanism and responsibility for Member Councils to provide operating and capital contributions as required by the BHRC to perform the operations required by Member Councils.

At the BHRC Ordinary Council Meeting held Thursday, 17 August 2023, and as part of the BHRC Budget adoption, the following comment and recommendation was made:

“Member Contributions

With the diversion of both commercial and municipal waste, BHRC is unable to generate the necessary income to support the full cost of current service provision. As such BHRC requires member operating contributions for the 2023/24 financial of \$1.9M, to ensure the financial sustainability of BHRC.

Recommendation 5: – Financial Contributions for BHRC

Council requires the Chief Executive Officer of the BHRC to formally write to the BHRC Member Councils seeking contributions for the 2023/24 financial year of up to \$6.2M in pursuant of Clause 7. 3 & 7.4(1) of the Regional Council Constitution Agreement for the following:

- (a) Operating deficit contributions of up to \$1.9M.*
- (b) Timber and mattress disposal costs of up to \$3.8M.*
- (c) Potential Lined cell design costs of \$500K.”*

Following this Ordinary Council Meeting, Nick Edwards, CEO of the BHRC sent correspondence to the Shire requesting funding of the \$1.9M as per the recommendation above (refer **Attachment 1**) to be split 50% between the City of Bunbury and Shire equating to an allocation of \$950,000 for the Shire.

Comment

At the Special Council Meeting in August 2023 and prior to receiving the funding request from the BHRC, the Shire adopted its 2023–2024 Budget. This Budget included allocations for capital works at the BHRC but did not include an allocation for any operating subsidies as they were unknown at the time.

It is noted that without the operating financial contributions of the Member Councils the BHRC will not have sufficient funds to pay for its budgeted expenditures. The capital allocation included in the Shire's 2023–2024 Budget is a carried forward allocation from 2022–2023 of \$5,790,916 which is being funded \$4,000,000 from loan funds and \$1,790,916 from the Refuse Management Reserve.

It is not anticipated that the full capital funds of \$5,790,916 will be required in 2023–2024 and as such it is proposed the requested operating contribution be funded from the Shire's Refuse Management Reserve and the capital expenditure allocation above be reduced by the requested amount leaving a nil financial impact on the bottom line of the Shire's 2023–2024 Budget.

Statutory/Policy Environment

Local Government Act 1995

- Section 6.8 (1)(b) – A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure is authorised in advance by resolution by Absolute Majority.

Strategic Framework

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

<i>Goal 3:</i>	<i>A natural environment that is highly valued, protected and enjoyed.</i>
<i>Objective 3.3</i>	<i>Sustainable resource use and waste management.</i>
<i>Goal 5:</i>	<i>A representative leadership that is future thinking, transparent and accountable.</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>

Community Engagement

Community Participation Goal

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

Promise to the Community

Inform: We will keep you informed.

Risk Management

The Risk Theme Profile identified as part of this report is **Business and Community Disruption** and **Providing Inaccurate Advice/Information**. The Consequence could be **Financial, Reputational** or **Compliance**. The risk is mitigated by the member Councils agreeing to contribute appropriate funding to for BHRC operations. The Risk Consequences is considered to be **Moderate** and the Likelihood **Unlikely**, resulting in a **Moderate** risk being present.

Budget Implications

The BHRC requests an operating contribution from the Member Councils of \$1.9M. As currently neither local government is disposing of waste to the BHRC, a 50:50 split with the City of Bunbury, is in line with the BHRC Constitution Agreement. This leaves the Shire of Harvey to fund from within its 2023–2024 Budget \$950,000.

The Shire's 2022–2023 Budget includes the following BHRC allocation:

- | | |
|-------------------------------------|-------------|
| • Stanley Road Refuse Capital Works | \$5,790,916 |
| • Funded from Loans; and | \$4,000,000 |
| • Refuse Management Reserve | \$1,790,916 |

It is recommended the Council amends the 2023–2024 Budget, which is required to be by Absolute Majority to reflect the following:

- | | |
|--|-------------|
| • Stanley Road Refuse Capital Works | \$4,840,916 |
| • Funded from Loans | \$4,000,000 |
| • Refuse Management Reserve | \$840,916 |
| • Stanley Road Refuse Operating Contribution | \$950,000 |
| • Funded from Refuse Management Reserve | \$950,000 |

Authority/Discretion

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

Voting Requirements

Absolute Majority

Officer's Recommendation

That Council:

1. Agrees to making an operating contribution to the Bunbury Harvey Regional Council of up to \$950,000 for the 2023–2024 financial year.

2. Makes the following amendments to the 2023–2024 Budget:

- Reduce GL. 101306 – Stanley Road Refuse Capital Works by \$950,000
- Allocate to GL. 102122 – Contribution Towards Financial Support BHRC an amount of \$950,000.

BY ABSOLUTE MAJORITY

Item No.:	12.4.4.
Subject:	Bunbury Harvey Regional Council – Equity Split
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Director Corporate Services
Authorising Officer:	Chief Executive Officer
File No.:	A007532
Attachments:	Confidential Attachment 1

Summary

The Bunbury Harvey Regional Council (BHRC) was established in 1990 following the signing of a Constitution Agreement by the Shire of Harvey and the City of Bunbury and then approval by the Governor of Western Australia.

On behalf of and at the discretion of the two Member Councils, the BHRC operates the Stanley Road Waste Management Facility located at Lot 45 (No. 51) Stanley Road, Wellesley – being a Class two Putrescible Landfill site.

In accordance with Accounting Standard AASB 128 – Investments in Associates and Joint Ventures, the Member Councils are required to include as part of their Annual Financial Report their respective share of the Net Assets (Equity) of the BHRC. The BHRC Constitution Agreement, being an old document established prior to this accounting requirement, is somewhat unclear in the determination of the equity split between the Member Councils.

For this purpose, AMD Chartered Accountants were engaged to assist the Shire of Harvey (the Shire) and the City of Bunbury in determining that equity split.

This report recommends Council adopt the equity split identified by AMD Chartered Accountants being 46% Shire of Harvey and 54% City of Bunbury for the purposes of reporting in the Shire's Annual Financial Report.

The report also recommends the Shire adopt the same 46:54 split for all capital costs of the BHRC associated with any legacy issues, rectification of non-compliance issues or works relating to refuse deposited at the BHRC prior to July 2022 and contingent liabilities relative to this period.

From 1 July 2022 and for all new projects at the BHRC it is recommended the two Member Councils adopt a 50:50 split for all operating and capital expenditure requirements until such time as the local governments recommence depositing waste at the facility. At that point the contributions by the Member Councils will be split in accordance with the Constitution Agreement.

Background

The Shire and the City of Bunbury as Member Councils of the Bunbury Harvey Regional Council provide direction and guidance and ensure probity of the BHRC. In accordance with the BHRC Constitution Agreement, both Member Councils, when needed provide operating and capital funding to the BHRC.

There is an accounting requirement to report the Shire's involvement in the BHRC and historically this has been reported as the Shire of Harvey having a 10% share in the BHRC and the City of Bunbury having a 90% share. This was derived from the original contribution from the two Member Councils towards land acquisition and establishment of the BHRC.

The Office of Auditor General provided guidance that the split was now incorrect, and both Member Councils were required to determine and agree on an equity split and report such in accordance with

Accounting Standard AASB 128 – Investments in Associates and Joint Ventures.

The BHRC Constitution Agreement is an old document created prior to this financial reporting requirement and as such is silent relating to the equity split calculation. It does however provide that the split of operating and capital contribution requirements of Member Councils is to be determined by the percentage of waste (tonnage) deposited at the refuse site by the Member Councils.

Following some subjectivity around the method of calculating the equity split by the Member Councils, AMD Chartered Accountants (AMD) were engaged by both local governments to provide guidance on the matter.

AMD provided a report to both local governments including the cost applied to tonnages of waste delivered to the Refuse Site by both Member Councils for the period 2003 through to 2022. These figures were derived from audited BHRC Annual Financial Reports.

Following legal advice, it was determined the calculation should not include waste deposited directly by residents or waste from kerbside collections. The City of Bunbury has provided a kerbside collection for all years forming the calculation. The earliest figures though where the City of Bunbury's kerbside collection has been quantified and could be separated from their normal waste tonnages was from 2013. As such AMD has calculated a percentage split using the BHRC charge for tonnages deposited from 2013–2022 and excluded the years 2003–2012 as reported below which resulted in a 46:54 split.

	City of Bunbury	Shire of Harvey
2013	\$695,393	\$306,334
2014	\$424,580	\$354,854
2015	\$435,769	\$383,827
2016	\$476,810	\$505,503
2017	\$457,854	\$499,080
2018	\$476,868	\$483,457
2019	\$437,114	\$500,990
2020	\$446,418	\$305,018
2021	\$427,359	\$316,766
2022	\$220,344	\$201,624
Total	\$4,498,509	\$3,857,453
% of Total of CoB and SoH	0.54	0.46

Comment

Officers of the City of Bunbury and the Shire have held a number of meetings to determine the appropriate equity split of the BHRC which has highlighted the deficiencies of the existing Constitution Agreement and the need for a more relevant and current agreement.

Value is placed on work and findings of AMD as an independent professional provider of financial advice and although Officers support the findings, it is noted that if tonnages of waste from 2003 to 2012 were also used in the determination, the percentage split for the Shire of Harvey would likely reduce by around 5%.

Statutory/Policy Environment

Local Government (Financial Management) Regulations 1996:

- Part 2 5A – A local government is to comply with the requirements of the Australian Accounting Standards.

Strategic Framework

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

Goal 3:	<i>A natural environment that is highly valued, protected and enjoyed.</i>
Objective 3.3	<i>Sustainable resource use and waste management.</i>
Goal 5:	<i>A representative leadership that is future thinking, transparent and accountable.</i>
Objective 5.3	<i>Accountable leadership supported by a professional and skilled administration.</i>
Objective 5.4	<i>Sound governance, including financial, asset and risk management.</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 **Business and Community Disruption** and **Providing Inaccurate Advice/Information**. The Consequence could be **Financial, Reputational** or **Compliance**. The risk is mitigated by the member Councils agreeing to contribute appropriate funding to for BHRC operations. The Risk Consequences is considered to be **Moderate** and the Likelihood **Unlikely**, resulting in a **Moderate** risk being present.

Budget Implications

The determination of the equity split will have some bearing in the amount of equity reported in the Annual Report in accordance with Accounting Standard AASB 128 – Investments in Associates and Joint Ventures.

It is considered the adopted equity split will also apply to any contingent liabilities, capital costs of the BHRC associated with any legacy issues, rectification of non-compliance issues or works relating to refuse deposited at the BHRC prior to July 2022.

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 Shire having a 46% share in Net Assets (Equity) of the Bunbury Harvey Regional Council.
2. Requests the Chief Executive Officer to establish an agreement with the City of Bunbury, recognising each Member Council's share of Net Assets (Equity) of the Bunbury Harvey Regional Council.

12.5. Community and Lifestyle

Item No.:	12.5.1.
Subject:	Dissolution of the Coastal Communities Reserve Account
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Manager Community and Recreation
Authorising Officer:	Director Community and Lifestyle
File No.:	C/B/028
Attachments:	1. Community Benefits Package Agreement with Water Corp - Signed Agreement [12.5.1.1 - 7 pages]

Summary

The Shire of Harvey (the Shire) received funding from the Water Corporation to be used for the benefit of the Shire's coastal communities in and around the town sites of Binningup and Myalup. The funds have been placed into a specific Coastal Communities Reserve Account for that purpose and are managed by the Shire through the Coastal Communities Fund. The Water Corporation and Southern Seawater Alliance have met with the Shire on 7 March and 10 October 2023 to discuss and request that this account be expended and closed.

This report requests that Council support the dissolution of the Coastal Communities Reserve Account and requests that the Chief Executive Officer (CEO) engages with the communities of Binningup and Myalup to determine which key project(s) should be pursued with the remaining funds.

Background

In 2009, the Water Corporation and the Shire entered into an agreement that the Water Corporation would provide a Community Benefits Package (**Attachment 1**) for the communities that would be potentially impacted by the construction of the Southern Seawater Desalination Plant project. The Shire developed a Coastal Communities Reserve Account to provide funding to community organisations for development and infrastructure projects in and around Myalup and Binningup. In accordance with the agreement the funds are not to be used for normal operational or maintenance activities.

The Community Benefits Package equated to a one-off payment of \$1 million plus GST. This was significantly increased during the construction phase of the project with the agreement of a payment of \$750,000 to the Shire for the soil removed during construction to be disposed of at the Richardson Road Landfill site. This brought the total funds in the Coastal Communities Reserve Account to \$1,750,000 plus interest accrued annually.

Over the past 14 years, \$1,122,094 in payments have been made to support the community in 38 projects across the Coastal Communities, through community organisations including Binningup Christian Youth, Myalup Community Association, Lions Club of Binningup, Binningup Country Club, Binningup Community Association and Binningup Bowling Club.

Comment

The Shire, through the CEO, has been in discussion with the Water Corporation and the Southern Seawater Alliance who have requested that the Coastal Communities Reserve Account be dissolved because it has served its initial intent to support the community during the construction phase of the desalination plant.

The 2023–2024 opening balance for in the Coastal Communities Reserve Account was \$1,315,393, with four projects (see below) having been allocated funding from this account at a total amount of \$299,462, there is a remaining balance of \$1,015,931.

Community Organisation	Project
Binningup Surf Life-Saving Club	Building Upgrade
Myalup Community Association	Consultant fees for Myalup masterplan
Binningup Beach Christian Youth Camp	Replacement of camp shed and storage
Binningup Community Garden	Skatepark concept planning and stabilising dunes

It is proposed that the remaining funds of \$1,015,931, be spent on one or two key infrastructure projects. The projects presented below have been developed based on previous extensive consultation with the coastal communities and/or are already nominated in the Shire's strategic planning documentation. This is important as the final infrastructure will become a Shire asset for maintenance and renewal.

The projects are:

1. Binningup Skatepark and Pump Track
2. Revamp Binningup Community Hall
3. Other (community will have the opportunity to nominate other smaller projects).

Shire Officers will engage with the communities of Binningup and Myalup to identify the communities' preferred project(s).

An alternative is that Council may prefer to dissolve the agreement with the Water Corporation and the Southern Seawater Alliance and keep funds in the reserve to administer annually in line with the Shire's annual Community Grant Program. The Water Corporation and Southern Seawater Alliance has made it known their preference to expend the funds on a legacy project, noting the nature and type of projects historically funded, and hence this has not formed part of the recommendation.

Future financial support for the communities of Binningup and Myalup will be available through the Shire's annual Community Grant Program. The program offers up to \$450,000 worth of grants to community groups annually. The program aims to acknowledge and strengthen the valuable contribution that community groups and organisations make towards the Shire being a vibrant, inclusive and connected community. Council provides annual and ongoing funding to support activities, services and projects that benefit the community, build capacity and contribute to the delivery of the Strategic Community Plan goals and priorities.

Statutory/Policy Environment

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

Strategic Framework

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

- Goal 5: A representative leadership that is future thinking, transparent and accountable.*
- Objective 5.1 Effective communication and engagement with the community.*
- Objective 5.2 Build partnerships and work collaboratively to amplify the outcomes that can be achieved.*

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 are ***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***, therefore it is deemed that there is a ***Low*** risk present.

Budget Implications

The dissolution of the Coastal Communities Fund will expend the remaining \$1,015,931 in the Coastal Communities Reserve Account. This will mean the Coastal Communities Reserve Account which was specifically developed to manage these funds will have a balance of \$0. The amount will continue to show in the Annual Budget until it has been expended.

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 dissolution of the Coastal Communities Reserve Account.
2. Requests the Chief Executive Officer to engage the communities of Binningup and Myalup to determine which project(s) the community should be pursued.

Item No.:	12.5.2.
Subject:	Australia Day Awards 2024
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Community Development Officer
Authorising Officer:	Director Community and Lifestyle
File No.:	CR/F/012
Attachments:	Confidential Attachment 1

Summary

This report seeks consideration of the nominations for the 2024 Australia Day Awards to be presented at the Australia Day functions held in Australind, Harvey, Binningup and Brunswick Junction.

Background

Since 2003, the Australia Day Council of Western Australia has coordinated the Community Citizen of the Year Awards in partnership with local governments throughout the State. The Awards comprise four categories:

- Community Citizen of the Year
- Community Citizen of the Year Award – Youth (under 25 years of age)
- Community Citizen of the Year Award – Senior (over 65 years of age)
- Active Citizenship – Group or Event.

Nominations for the 2024 Australia Day Community Citizen of the Year Awards opened 1 September and closed 31 October 2023. The Australia Day Council requires notification of the award recipients in the various categories by 30 November 2023.

The Shire's Awards, Honours and Prizes Advisory Group met on 14 November 2023 to consider the nominations and recommend award recipients. A copy of the Minutes of that meeting are tabled as per **Confidential Attachment 1**.

Comment

Advertisements were placed in local papers, the Shire website and social media accounts inviting nominations for the awards. Nominations for award categories received by the closing date of 31 October 2023, and corresponding scoring and recommendations presented by the Awards, Honours and Prizes Advisory Group, are tabled as per **Confidential Attachment 1**.

Statutory/Policy Environment

Policy 3.1.1 – Honours and Awards.

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 2.3 Active and resilient community groups and volunteers.*

Objective 2.6 *The creative talent and cultural diversity of the community is recognised, supported and celebrated.*

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 the awards are not presented to worthy recipients. This risk is mitigated through the scoring and review process of the Awards, Honours and Prizes Advisory Group. The risk consequence is assessed to be **Moderate** and the Likelihood **Unlikely** resulting in a **Moderate** risk being present.

Budget Implications

The annual cost to the Shire to be a member of the Australia Day Council and participate in the Australia Day Awards is \$720.

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 nominations for the Australia Day Awards 2024 as per **Confidential Attachment 1**.
2. Presents the above awards at the 2024 Australia Day functions held in the Shire with the announcement of the award recipients being embargoed until the awards have been presented.

Item No.:	12.5.3.
Subject:	Request for unbudgeted funds – Leschenault Mens Shed
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Director Community and Lifestyle
Authorising Officer:	Chief Executive Officer
File No.:	F/37/00113
Attachments:	Nil

Summary

On Tuesday, 31 October 2023 the Leschenault Men's Shed contacted the Shire of Harvey (the Shire) requesting \$25,000 of Shire funding by way of a grant in lieu of a previously requested Self-Supporting Loan Agreement. The funds are anticipated to be used to bitumise the parking area and surrounds of the new building.

This report recommends that Council maintains its previous decision to support the Leschenault Men's Shed by way of a Self-Supporting Loan Agreement for the reasons outlined in this report.

Background

The Leschenault Men's Shed (LMS) have been finalising the construction of an expanded shed facility located at the Leschenault Recreation Park. A schedule of quotes and funding model for the total project cost of \$611,463 was provided in September 2022 and presented in that table below:

Lotterywest	\$366,878
South West Development Commission	\$50,000
Leschenault Men's Shed	\$50,000
Shire of Harvey	\$60,000
Self-Supporting Loan	\$84,585
TOTAL PROJECT COST	\$611,463

At the time, Lotterywest had provided feedback to the LMS that they will support a total of 60% of the total project cost instead of the 76% that was nominated in the original funding model. This meant there was an \$84,585 shortfall in funding to proceed with the Shed expansion project. The LMS then approached the Shire for additional funding support.

At the Ordinary Council Meeting held on Tuesday, 20 September 2022, it was endorsed, in part,

"That Council:

3. Authorise the Chief Executive Officer to enter into a loan agreement with the Leschenault Men's Shed for an amount of \$84,585."

The report outlined further mitigating strategies that could be put in place, including:

- The LMS have included a 40% contingency on the project which totals \$101,911 to which they are confident they will not need the full amount of the contingency and hence not need to draw down on the full amount of the proposed loan.
- The Shire will continue to work with the LMS to identify and apply for grant opportunities as they become available.

- Failing the ability of the LMS to pay back the loan within the terms of the proposed agreement, or success of the previous two dot points, the Shire would assume responsibility for the loan.

Comment

Construction of the shed has progressed, and practical completion is expected to be scheduled in the coming weeks. The LMS Committee report to the Shire that they have been successful in reducing the total estimated project cost. It is now known that the total estimated shortfall of the expected \$84,585 has been reduced to \$25,000. The LMS have requested that instead of entering a self-supporting loan agreement with the Shire, that the \$25,000 be made available through grants.

In line with the previous Council report of September 2022, the Shire has been supporting the LMS to apply for available grants. In June 2023 the LMS were advised they are not eligible to apply to the Albemarle Community Investment Program for applications that involve infrastructure or facility upgrades. Further to this, the LMS are ineligible to apply for additional funding from Lotterywest. There are no other known grants that support the nature of this project at this time.

The Shire's annual Community Grant Program criteria excludes organisations with current funding from making an additional application. However, on occasion, Council has supported community organisations outside of the Community Grants Program Guidelines based on a case-by-case assessment.

At the Special Council Meeting held on Tuesday, 8 August 2023 to set the Annual Budget, Council resolved that the Community Grant Reserve will have \$50,000 and anything above that will be transferred to Plant Reserve, therefore the reserve has a \$50,000 balance. At the Ordinary Council Meeting held on Tuesday, 26 September 2023, Council endorsed that \$20,000 of the reserve be reallocated to the Brunswick Tennis Club court resurfacing project because the scope of the project had increased. As the Community Grant Reserve has a current pending balance of \$30,000 and is not a finite resource, together with the risk of setting precedence, it is therefore not recommended that the \$25,000 request from LMS is reallocated from this fund.

In addition to the funds successfully received to support the construction of the shed expansion as outlined in the table above, the Shire has budgeted additional funds to support a further \$48,000 for the upgrade to sole power supplies at this location. This will enable the LMS to install solar panels at a later date. The Shire has already provided the LMS with the grant criteria to the Federal Government Community Energy Upgrade Fund Program that opens in December 2024, for the procurement of solar panels, once the power has been upgraded.

There is an increasing prevalence of community organisations seeking Council support for unbudgeted funds and a tightening fiscal environment with increasing costs in general and capital expenditure. Whilst the LMS continues to be a strong community minded organisation that supports several other organisations within the Shire, it is a recommendation of this report that Council considers its loan borrowing capacity and enters into the loan agreement with the LMS.

Council Policy 2.2.7 – Loans (Self-Supporting) nominates that guarantors will be required for all self-supporting loan. Whilst there is currently no guarantor in place for this proposal it is suggested that ongoing advocacy to attract external financial support is ongoing.

Statutory/Policy Environment

Policy 2.2.7 – Loans (Self-Supporting)

Age Friendly Strategy 2022–2027

Strategic Framework

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

- | | |
|---------------|---|
| Goal 1: | <i>A diversified and thriving economy that offers a wide range of business and work opportunities as well as consumer choice.</i> |
| Objective 1.4 | <i>Appropriate infrastructure is in place to support economic growth.</i> |
| Goal 5: | <i>A representative leadership that is future thinking, transparent and accountable.</i> |
| Objective 5.4 | <i>Sound governance, including financial, asset and risk management.</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 **Financial** if Council was to approve either unbudgeted funds or a self-supporting loan and if the Leschenault Men's Shed were to default on the loan. Mitigating strategies for a self-supporting loan agreement of \$25,000 are ongoing grant applications and external funding support. Given the indicative amount of the loan agreement, the risk is considered **Low**.

Budget Implications

The 2023–2024 Annual Budget includes an allocation for a self-supporting loan.

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. Authorises the Chief Executive Officer to continue to enter into a loan agreement with the Leschenault Men's Shed, noting the new amount of \$25,000.
2. Waives the condition "Guarantors, legally bound by contract, will be required for all self-supporting loans" outlined in the Council Policy 2.2.7 – Loans (Self-Supporting).

3. Authorises the Chief Executive Officer and Shire President to affix the Common Seal to the Loan Agreement between the Shire of Harvey and the Leschenault Men's Shed to conduct extensions to their Shed.

13. Elected Members Motions of Which Previous Notice Has Been Given**Update Notice of Motion – Cr. Carbone**

That Council considers abolishing the Welcome to Country and Acknowledgment of Country at the Shire of Harvey and requests the Chief Executive Officer bring the relevant policy to Council for review.

Officers Comment

Council's Policy 1.1.9 – Welcome to Country and Acknowledgement of Country was adopted at the Ordinary Council Meeting held on Tuesday, 25 June 2019 (19/151). This Policy guides all operational activity to implement the Shire of Harvey's (the Shire) Strategic Community Plan direction 2.4 Noongar people are at the centre of conversations and associated objectives outlined in the Corporate Business Plan 2023–2027. As part of the Shire's commitment to periodically review Council policies, the Shire's Community Development Team have been consulting with Elders in the Shire of Harvey community regarding the existing Welcome to Country and Acknowledgement Policy, which is due for renewal. Consultation with Elders, Aboriginal Corporations and people in the Shire proposed the reviewed Policy position would provide increased clarity to honour First Nations peoples. The reviewed Policy was scheduled for the November Ordinary Council Meeting 2023. The Administration will take direction from Council with regard to the decision of this motion.

14. Notice of Motion for Following Meeting

Cr. Carbone put forth the following notice of motion to be places in the Ordinary Council Meeting held in December 2023.

That Council, in response to the City of Moka's invitation to attend their 70th anniversary in November 2024, requests the Chief Executive Officer to:

1. Prepare a report for consideration with budget for a Shire delegation visit to Moka.
2. Inform local school offering Japanese, and/or have existing relationships with Moka, if the Shire's proposed delegation visit and encourages their joint attendance.

15. Questions by Members of Which Due Notice Has Been Given**16. Reports of Members****17. New Business of an Urgent Nature Introduced by Decision of Meeting**

18. Matters Behind Closed Doors**18.1.1. Tender T092023 – Supply and Delivery of Limestone Subbase Road Material**

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 relates 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.:	18.1.1
Subject:	Tender T092023 – Supply and Delivery of Limestone Subbase Road Material
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Director Infrastructure Services
Authorising Officer:	Chief Executive Officer
File No.:	T092023
Attachments:	Confidential Attachment 1

Summary

Tender T092023 – Supply and Delivery of Limestone Subbase Road Material closed on Friday, 6 October 2023 and at the close of Tender, one tender was received.

It is recommended that Council awards Tender No. T092023 as per the confidential Officers Recommendation for Supply and Delivery of Limestone Subbase Road Material in accordance with the submitted schedule of prices.

Voting Requirements

Simple Majority

18.1.2. Tender T102023 – Supply and Delivery of Gravel Basecourse

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 relates 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.:	18.1.2
Subject:	Tender T102023 – Supply and Delivery of Gravel Basecourse
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Director Infrastructure Services
Authorising Officer:	Chief Executive Officer
File No.:	T102023
Attachments:	Confidential Attachment 1

Summary

Tender T102023 for the Supply and Delivery of Gravel Basecourse Material closed on Friday, 6 October 2023 and at the close of Tender, one tender was received.

It is recommended that Council awards Tender No. T102023 as per the confidential Officers Recommendation for Supply and Delivery of Gravel Basecourse in accordance with the submitted schedule of prices.

Voting Requirements

Simple Majority

18.1.3. Tender T122023 – Provision of New Playground Equipment – Portillo Lane, Lakewood Shores Estate, Binningup and Galway Green Estate, Australind

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 relates 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.:	18.1.3
Subject:	Tender T122023 – Provision of New Playground Equipment – Portillo Lane, Lakewood Shores Estate, Binningup and Galway Green Estate, Australind
Proponent:	Shire of Harvey
Location:	Various
Reporting Officer:	Manager Parks Services
Authorising Officer:	Director Infrastructure Services
File No.:	T122023
Attachments:	Confidential Attachment 1
	Confidential Attachment 2
	Confidential Attachment 3
	Confidential Attachment 4

Summary

Tender T122023 for the Provision of New Playground Equipment at Lakewood Shores Estate, Binningup and Galway Green Estate, Australind was advertised on Friday 8 September 2023 and at the close of Tender on Friday, 13 October 2023 three Tender submissions were received.

It is recommended that Council awards Tender T122023 as per the confidential Officers Recommendation in accordance with the submitted schedule of prices.

Voting Requirements

Simple Majority

19. Closure of Meeting