



SHIRE OF  
**HARVEY**



# Ordinary Council Meeting **Minutes**

**Harvey Council Chamber  
Tuesday, 17 December 2024  
5PM**

## Shire of Harvey Council Minutes

Minutes of the Ordinary Council Meeting of the Harvey Shire Council, held in the Council Chamber, Young Street, Harvey, on Tuesday, 17 December 2024, commencing at 5pm.

### Attendance

Shire President	Ms.	M.	Campbell
	Cr.	A.	Hitchcock
	Cr.	D.	Krispyn
	Cr.	C.	Carbone
	Cr.	M.	Boylan
	Cr.	W.	Dickinson
	Cr.	R.	Coleman
	Cr.	R.	Holly
	Cr.	J.	Bromham
	Cr.	J.	Capogreco
	Cr.	J.	Junio

### Staff

Chief Executive Officer	Ms.	A.	Riordan
Acting Director Infrastructure Services	Mr.	S.	Faber
Acting Director Sustainable Development	Ms.	S.	Saberi
Acting Director Corporate Services	Ms.	K.	Williams
Director Community and Lifestyle	Ms.	S.	Haslehurst
Acting Manager Governance and Strategy	Mr.	B.	Vitale
Manager Public Relations and Communications	Ms.	T.	Palmonari
Manager Information Services	Mr.	A.	Ewing
Manager Finance	Mr.	S.	Chopra
Manager Waste and Safety Services	Mr.	H.	Jones
Manager Community Development	Mr.	B.	Rose
Council Planning and Reporting Officer	Mr.	T.	Stubbings
Governance Support Officer	Ms.	M.	Foster
Senior Governance Compliance Officer	Ms.	F.	Schindler

There were two members of the public and no member of the press present.

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## 1. Official Opening

The Shire President declared the meeting open at 5.00pm.

### 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 and Emerging Elders both past and present.

### Procedural Motion

President Campbell put forth the following:

That Council suspend Standing Orders Part 8 Clause 8.5 "Members to indicate their intention to speak and to rise when speaking" to allow Members to remain seated when speaking; to improve the quality of the audio recording of the meeting.

**Moved: President Campbell**

**Seconded: Cr. Holly**

**That Council suspend Standing Orders Part 8 Clause 8.5 "Members to indicate their intention to speak and to rise when speaking" to allow Members to remain seated when speaking; to improve the quality of the audio recording of the meeting.**

**Carried 11-0**

**24/251**

### Votes:

**For:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Carbone, Cr. Boylan, Cr. Dickinson, Cr. Coleman, Cr. Holly, Cr. Bromham, Cr. Capogreco and Cr. Junio.

**Against:** Nil.

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

**Apologies:**

Nil.

**Leave of Absence:**

Nil.

**3. Applications for Leave of Absence**

Cr. Holly requested a Leave of Absence for Tuesday, 21 January 2025 and Tuesday, 28 January 2025.

**Moved: Cr. Holly**

**Seconded: Cr. Capogreco**

**That Cr. Holly be granted a leave of absence for Tuesday, 21 January 2025 and Tuesday, 28 January 2025.**

**Carried 11-0**

**24/252**

**Votes:**

**For:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Carbone, Cr. Boylan, Cr. Dickinson, Cr. Coleman, Cr. Holly, Cr. Bromham, Cr. Capogreco and Cr. Junio.

**Against:** Nil.

**4. Declarations of Members' and Officers' Personal Interest**

Cr. Wendy Dickinson declared an Impartiality Interest in Item 12.5.1– Investigation into Brunswick Recreation Centre and Cricket Ground Use. Cr. Dickinson declared that she is a member of the Brunswick Agricultural Society and Brunswick Town Team and has declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Wendy Dickinson declared an Impartiality Interest in Item 12.5.2 – Awards, Honours and Prizes Advisory Group. Cr. Dickinson declared that some of the nominees are known to her and that she is a nominator, additionally Cr. Dickinson is also a part of some of the Committees that which were nominated and has declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the item.

President Michelle Campbell declared an Impartiality Interest in Item 12.5.2 – Awards, Honours and Prizes Advisory Group. President Campbell declared that she is a nominator and has declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Robyn Coleman declared an Impartiality Interest in Item 12.5.2 – Awards, Honours and Prizes Advisory Group. Cr. Coleman declared that that some of the nominees are known to her and has declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. John Bromham declared an Impartiality Interest in Item 12.2.2 – Policy and Terms of Reference Review – Bushfire.Cr. Bromham declared that he is a member of the Bushfire Brigade and has declared that he would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. John Bromham declared an Impartiality Interest in Item 12.5.2 – Awards, Honours and Prizes Advisory Group. Cr. Bromham declared that he is a nominator and has declared that he would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Dakota Krispyn declared a Financial Interest in Item 12.2.1 – The Promenade – Time Restricted On-Road Parking. Cr. Krispyn declared that he owns a business within the same area and has declared that he would leave the Chamber for the duration of that item.

Cr. Dakota Krispyn declared a Impartiality Interest in 12.5.2 – Awards, Honours and Prizes Advisory Group. Cr. Krispyn declared that he is a delegate on the Awards, Honours and Prizes Advisory Group and has declared that he would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Craig Carbone declared an Impartiality Interest in Item 12.5.1– Investigation into Brunswick Recreation Centre and Cricket Ground Use. Cr. Carbone declared that he is a member of the Harvey Brunswick Leschenault Football Club and has declared that he would deal with the matter on its merits and stay in the Chamber for the duration of the item.

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

Nil.

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

**Ms. Sheila Ferguson asked the following questions at the Ordinary Council Meeting held Tuesday, 26 November 2024:**

*I have been told I must ask each time if I wish my questions to be recorded in Council's minutes as I ask them and not summarised as permitted by Standing Orders, and if I wish background information I provide to be published in the minutes so the context and meaning of my questions is clear. I now make those requests. As I've said before I am happy to provide an electronic copy so no extra staff resources are required.*

*I have three questions relating to Council Payments, specifically to the Friendship City Agreement.*

*Question 1: The recent visit by Harvey Shire delegates to Moka, the Shire's Friendship City in Japan, was a significant event in the history of this Shire. I thought a report would be made to Council as a matter of course. As this has not happened will you please provide a report on the visit including:*

- a) which Councillors and staff who were supported by Shire funds attended.*
- b) an outline of the program.*
- c) an itemised list of expenditure from Shire funds including for transport, accommodation, meals, drinks, entertainment, gifts and any other payments*
- d) what the outcomes of the trip were.*
- e) the benefits to the residents of the Shire of Harvey.*

Answer 1:

a) Below is a list of those who attended as part of the delegation:

Name	Position
Michelle Campbell	Shire President
John Bromham	Deputy Shire President
Annie Riordan	Chief Executive Officer
Simon Hall	Director Sustainable Development
Anissa Williams	Manager Economic Development
Anton Fimmano	Economic Development Officer

The Shire also paid for the accommodation costs of Kathryn Hopkins of Australind Senior High School in lieu of hiring a translator.

There were other attendees, including Councillors, however, they all paid for their own travel and accommodation costs.

b) Key events of the trip were as follows:

**Thursday, 3 October 2024**

- Tour – Moka City Office
- Tour – Moka City Complex Exchange Base Facility
- Lunch and Tour – Moka Junior High School
- Green Tea Ceremony and Tour – Moka Hokuryo High School
- Welcome Dinner – Café GEN.

**Friday, 4 October 2024**

- Tour – Moka Primary School
- Tour – Eco Station (waste facility)
- Lunch – Trattoria Cocoro
- Tour – Moka Cotton Factory and Shop
- Welcome Ceremony and Symposium – Moka City Hall
- Photo Session and Welcome Dinner – Hotel Four Seasons Seifu.

**Saturday, 5 October 2024**

- 70th Anniversary Ceremony and Sign Reveal – Moka City Hall
- Lunch – Moka City Office

- Parade and Performance – Moka City Hall
- Dinner – Japanese Restaurant Yutaka.

**Sunday, 6 October 2024**

- Activity – Tuzenjiko River Cruise
- Tour – Former United Kingdom Embassy Villa
- Tour – Toshogu Shrine.

c) The budget is still in the process of being reconciled. The account as at today is as follows:

Item	Amount
Airfares	\$10,058
Gifts	\$ 1,747
Accommodation and Translator Fees	\$ 7,480
Food and Travel	\$ 63
<b>Total</b>	<b>\$19,348</b>

Please note, the City of Moka paid for:

- Transport to and from Tokyo
- Transport within Moka and surrounding areas
- All activities including food and drink while in Moka and surrounding areas.

d) Outcomes of the trip were:

- An inaugural visit to the City of Moka.
- Participation in the City of Moka’s 70th anniversary celebrations.
- Strengthening of relationships between the Shire of Harvey and the schools, staff, and council of the City of Moka. Relationships were also developed with City of Moka’s two other Friendship/Sister cities from the United States of America and Taiwan.
- Visiting and touring of City of Moka facilities, including their Council offices, a shared waste facility, and a new multipurpose library and community building.
- Visiting Moka high school and primary schools that have a relationship with schools within the Shire of Harvey Local Government Area.

e) The visit was the first visit to Moka since the signing of our Friendship Agreement in June 2022, where the two local governments committed to:

**1. Delegations**

The City of Moka and the Shire of Harvey support mutual receptions of visiting delegations.

## **2. Mutual Cooperation and Exchanges**

The City of Moka and the Shire of Harvey support mutual cooperation and exchanges in industry, education, promotion of tourism and other sectors of the community.

## **3. Exchange of Information**

The City of Moka and the Shire of Harvey support the exchange of information concerning history, culture, education and research.

## **4. Goodwill and Friendship**

The City of Moka and the Shire of Harvey support any other exchange activities in all areas for the purpose of promoting goodwill and friendship between the two regions and our respective countries.

The visit directly delivered on the above agreement.

The Shire's delegation visited three schools and met other representatives of education institutions at official events. These interactions will enrich current and future students' experiences, promote international understanding, and provide a pathway for those interested in experiencing Japanese culture.

Since the visit, Harvey Senior High School, Australian Senior High School, and the Western Australia College of Agriculture – Harvey campus have received student exchanges from Moka. We have also welcomed staff from the City of Moka, visiting Harvey on personal holidays.

Another benefit was knowledge sharing between councils. Insights into Moka's development of community precincts, waste management and treatment plants, and their strategies for preserving history and transforming it into tourism will help the Shire of Harvey address local challenges more effectively.

Additionally, discussions around historical traditions and their preservation and educating the younger generation on these practices will be valuable for local cultural initiatives.

Overall, the outcomes of the trip strengthened ties between the Shire of Harvey and Moka, enriched cultural and educational experiences, and promoted global understanding, benefiting both communities.

*Question 2: According to Council Policy 3.2.3 incoming delegations are not subject to Council approval but are to be considered by the Shire President and the Chief Executive Officer who will be "cognisant of the number of delegates, length of time in the shire and the costs involved...". Funding for incoming delegations is through the annual budget process.*

*A delegation from Moka visited in 2023. A four-line report on the visit was included in the agenda for the Council meeting on Tuesday, 27 February 2024 as background information on the proposed outgoing visit to Moka. Will you provide a report on the visit last year by the delegation from Moka including the duration, the number of visitors, an outline of the program and an itemised account of the costs paid by the Shire including for transportation, accommodation, meals, drinks, entertainment, gifts and any other payments?*

Answer 2: Moka delegates were picked up from Perth on Monday 30 October 2023 and departed on Wednesday 1 November 2023. Their program for their visit included:

**Monday, 30 October 2023**

- Lunch and Tour – WA College of Agriculture – Harvey
- Tree Planting – Apex Park, Harvey
- Tour – Shire of Harvey, Harvey Office
- Welcome Function – Harvey Dam and Amphitheatre.

**Tuesday, 31 October 2023**

- Tour – Brownes Dairy, Brunswick Junction Site
- Tour – Harvey Senior High School
- Lunch – Brugan Brewery
- Tour – Visit Big Orange and Harvey River Estate Winery
- Celebration Dinner – Edith Valley.

**Wednesday, 1 November 2023**

- Tour – Australind Senior High School
- Tour – Parkfield Primary School
- Activity – Collie River Cruise
- Lunch – Treendale Farm Hotel.

There were eight members in the visiting delegations as follows:

Name	Position
Shinichi Ishizaka	Mayor
Takayuki Kushige	Chairman
Takao Yamanaka	Superintendent
Akemi Mizunuma	Section Chief
Hitoshi Takayama	Staff
Miyuki Ueno	Staff
Masayuki Murakami	Staff
Naomi Oka	Interpreter

Itemised account of the costs paid by the Shire are as follows:

Item	Amount
Day Activities	\$ 950
Gifts	\$ 1,453
Translator Fees	\$ 1,934
Two Events – Celebration Dinner and Welcome Function	\$15,641
Travel	\$ 3,385
Refreshments and Lunches	\$ 1,447
Consultant	\$ 800
Other	\$ 446
<b>Total</b>	<b>\$26,058</b>

*Question 3: The minutes of the Council meeting on Tuesday, 19 December 2023 state that an annual allocation of the Friendship City relation is contained within the Shire's budget. What has this allocation been since the relationship was established?*

Answer 3: Annual budgets and actual spend in relation to the Friendship City relationship has been as follows:

Year	Budget	Actual
2025	\$10,000	**\$ 6,172
	*\$20,000	
2024	\$30,000	\$39,234
2023	\$10,000	\$ 1,020
2022	\$10,000	\$ 2,619
2021	\$10,000	\$ 909
2020	\$10,000	\$ 244

*\*On 27 February 2024, Council agreed to allocate \$20,000 of funds in 2024–2025 budget to accommodate a Shire of Harvey delegation to attend Moka City, Japan.*

*\*\*Please note that the 2024–2025 mid-year Budget review is currently being undertaken.*

**7. Public Question Time**

**Ms Pam McGregor asked the following questions:**

*Question 1: I haven't checked the Shire's website since Friday so this question may be superfluous. When will the Tender be added for the refurbishment of the Brunswick Tennis Court?*

Answer 1: The Tender will be advertised on Thursday, 19 December 2024.

*Question 2: Given that the Brunswick Tennis Club was given the go-ahead by the Shire to refurbish the four tennis courts last year and due to some procedures not being followed correctly, the Shire halted work on the refurbishment on 6 December 2023. Why has it taken so long to reach this point?*

Answer 2: Officers have had to gather all of the information in relation to construction drawings as well as conducting testing to ensure that the proposed construction is going to meet compliance longevity. Additionally, a lighting design was needed to allow the Shire to put conduit and footings in for the poles for the future. Collaborating with these consultants can take time as it is imperative that we get the

design correct. The Shire has now gathered all of the necessary documentation and the Tender has been created for advertising on Thursday, 19 December 2024.

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

Mr. Paul Beech addressed the Council in relation to Item 12.5.2 – Awards, Honours and Prizes Advisory Group.

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

The Shire President acknowledged the passing of Mr. James William Offer (Jim Offer) and passed on the Shire of Harvey's deepest sympathy to his family. The Shire passed on its heartfelt appreciation for his years of dedicated service as Shire Councillor from 1993 and as Shire President from 1997 to 2003.

They say the mark of a person is to leave the world a better place when they entered, and Jim certainly made his mark at the Harvey Shire Council.

On moving to Australind, he nominated for one of the Australind Ward Seats and entered the Shire as a Councillor in 1993 and became Deputy President in 1995 before stepping in the Shire President role in 1997. Understanding the need for a unified whole of Shire approach, Jim was instrumental in guiding Council to have alternative Shire Administration facilities made available in both Harvey and Australind.

The hallmarks of his three terms as Shire President was his vision and his excellent public image. He was a great public speaker and his statesman-like address at the opening of the Harvey Dam is one that will always be remembered. His leadership during his tenure was marked by vision, compassion and a strong commitment to community growth and well-being. Under his stewardship the Shire of Harvey experienced significant progress, and his work has left a lasting legacy.

Jim championed initiatives that enhanced local infrastructure and strengthened community services to improve the quality of life for residents. He played a pivotal role in fostering local economic opportunities, supporting industries, small business and agriculture within the Shire.

Jim's legacy is one of service, leadership and dedication. He will be remembered not only for his accomplishments but also for his integrity and unwavering commitment to the people of the Shire of Harvey.

President Campbell acknowledged key events that occurred in the month of December including the Harvey Gala Night, Community Christmas Dinner and Sunset Festival which saw around 2,000 people in attendance. The Shire President stated that these outstanding events were well supported by the local communities, businesses and sponsors and that volunteers and Shire Officers did put in an outstanding effort in ensuring the success of these events.

The Shire President took this time to wish everyone a Merry Christmas:

*"As the year draws to a close I would like to extend out warmest wishes to our wonderful community especially the volunteers; thank you for your continued support in making the Shire of Harvey a truly special place to live, work and play.*

*To my fellow Councillors, Chief Executive Officer and Shire Officers; thank you for all your hard work and dedication throughout the year. Enjoy your well deserved break, stay safe and enjoy the festivities. I look forward to working with you all in 2025."*

**10. Confirmation of Minutes**

Ordinary Council Meeting – Tuesday, 26 November 2024.

**Recommendation**

That the Minutes of the Council Meeting held on Tuesday, 26 November 2024, as printed be confirmed as a true and correct record.

**Moved: Cr. Capogreco**

**Seconded: Cr. Boylan**

**That the Minutes of the Council Meeting held on Tuesday, 26 November 2024, as printed be confirmed as a true and correct record.**

**Carried 11-0                      24/253**

**Votes:**

**For:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Carbone, Cr. Boylan, Cr. Dickinson, Cr. Coleman, Cr. Holly, Cr. Bromham, Cr. Capogreco and Cr. Junio.

**Against:** Nil.

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

Local Emergency Management Committee – Monday, 9 December 2024.

**Recommendation**

That the Minutes of the Local Emergency Management Committee Meeting held on Monday, 9 December 2024, as printed be received.

**Moved: Cr. Bromham**

**Seconded: President Campbell**

**That the Minutes of the Local Emergency Management Committee Meeting held on Monday, 9 December 2024, as printed be received.**

**Carried 11-0                      24/254**

**Votes:**

**For:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Carbone, Cr. Boylan, Cr. Dickinson, Cr. Coleman, Cr. Holly, Cr. Bromham, Cr. Capogreco and Cr. Junio.

**Against:** Nil.

Audit Committee – Tuesday, 17 December 2024.

**Recommendation**

That the Minutes of the Audit Committee Meeting held on Tuesday, 17 December 2024, as printed be received.

**BY ABSOLUTE MAJORITY**

**Moved: Cr. Coleman**

**Seconded: Cr. Holly**

**That the Minutes of the Audit Committee Meeting held on Tuesday, 17 December 2024, as printed be received and that Council:**

- 1. Receives the Annual Report as amended as at *Attachment 1*.**
- 2. Adopts the Audit Committee Recommendations therein.**

**Carried by Absolute Majority 11-0**

**24/255**

**Votes:**

**For:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Carbone, Cr. Boylan, Cr. Dickinson, Cr. Coleman, Cr. Holly, Cr. Bromham, Cr. Capogreco and Cr. Junio.

**Against:** Nil.

**12. Officer's Reports**

**12.1. Chief Executive Officer**

<b>Item No.:</b>	<b>12.1.1.</b>
<b>Subject:</b>	<b>Proposed Amendment to Policy 1.1.8 – Recording and Livestreaming of Council Meetings Policy</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Coordinator Governance and Reporting</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>CC/P/0008</b>
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Proposed Amended Policy 1.1.8 [12.1.1.1 - 3 pages]</li> <li>2. Proposed Amended Policy 1.1.8 with tracked changes [12.1.1.2 - 3 pages]</li> </ol>

*The following information is provided in regard to Item 12.1.1.*

**Attachments 1 and 2** have been updated to ensure consistency with the definitions provided in Policy 1.1.8 and reflect current practice.

The first sentence of Subsection 3.1 titled Livestreaming and Recording has been amended from:

*“All Ordinary and Special Council meetings will, wherever technically possible be recorded by the Shire of Harvey (Shire) on audio and visual recording equipment and livestreamed on the appropriate channel.”*

To:

*“All Council Meetings will, wherever technically possible be recorded by the Shire of Harvey (Shire) on audio and visual recording equipment and livestreamed on the appropriate channel.”*

**\*Note:** Policy 1.1.8 defines Council Meeting as Agenda Briefing, Ordinary Council Meetings, Special Council Meetings, Audit Committee Meetings and Annual General Meeting of Electors.

**Summary**

As a result of Local Government Reform, and to comply with the amendments to the *Local Government Act 1995* (the Act) and Local Government (Administration) Regulations 1996 (the Administration Regulations), Policy 1.1.8 – Recording and Livestreaming of Council Meetings requires updating.

Council is requested to consider the amended Policy 1.1.8 – Recording and Livestreaming of Council Meetings as per **Attachment 1**.

**Background**

Policies are general rules or principles adopted by Council to provide clear direction to the Administration, ensure the community is aware of the reason behind administrative and Council decisions, and to be familiar with the logic behind individual decisions.

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

The objectives of Council policies are to:

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

Section 58 of the *Local Government Amendment Act 2023* (the Amendment Act) inserts a new section 5.23A into the Act covering electronic broadcasting (livestreaming) and video and audio recording of Council Meetings.

Section 5.23A(2) of the Act is a power that allows regulations to be made that may require, regulate, or otherwise make provision for any of the following matters:

- Electronic broadcasting of Council Meetings
- Making or retaining recordings of Council Meetings
- Making recordings of Council Meetings publicly available
- Provision of, or otherwise making available, recordings of Council Meetings.

The requirements for livestreaming and recording of Council Meetings are aimed at increasing transparency and accountability in Local Government. This reform will also increase access to Council Meetings.

The Local Government Regulations Amendment Regulations (No. 3) 2023 were published on Wednesday, 18 October 2023. Section 58 of the Amendment Act commenced on Thursday, 19 October 2023, as part of the Local Government Amendment Act 2023 Commencement Proclamation (No. 3) 2023. Part 2A of the Administration Regulations, titled 'Electronic broadcasting and video or audio recording of Council Meetings', will apply to meetings of Council held on or after 1 January 2025.

### **Comment**

The Department of Local Government, Sport and Cultural Industries (DLGSC) has published an explanatory paper for the livestreaming and recording of Council Meetings which is summarised below.

Regulation 14H of the Administration Regulations requires class 1 and 2 Local Governments to broadcast meetings of Council electronically. Electronic broadcasting is defined in section 5.23A(1) of the Act as "*broadcasting by way of the internet or other electronic means*". Another common term for electronic broadcasting is 'livestreaming'.

Class 1 and 2 Local Governments are required to broadcast (livestream) Council Meetings from the Council's usual meeting place. As the term suggests, this is the place where the Council ordinarily holds Council Meetings, noting that Local Governments may sometimes hold meetings in different locations. Local Governments are also required to broadcast meetings conducted entirely by electronic

means (electronic meetings) in accordance with the existing requirements of the Administration Regulations.

### **Recording Requirements**

Regulation 14I of the Administration Regulations requires class 1 and 2 Local Governments to make and retain video and audio recordings of Council Meetings for a period of up to five years. Recordings of Council Meetings must be published on the Local Government's website or another external website with a link placed on the Local Government's website. The recording must be published within 14 days of the meeting taking place. There may be circumstances where Local Governments are required to provide a copy (for instance, downloadable file) of a Council Meeting recording at the request of the DLGSC's Director General.

Both audio and video recordings must be of a quality sufficient to effectively watch (if applicable) and listen to the deliberations and communications that are part of the meeting proceedings. This standard requirement is consistent with the existing requirements for electronic attendance and electronic meetings. Meeting recordings can be regarded in a similar way to the taking of meeting minutes. It is the responsibility of the Council to record the meeting, however, in practice, the Local Government administration will be performing the task of organising the recording.

Local Governments must not publish recordings of closed proceedings of Council Meetings where confidential matters are deliberated by Council (see section 5.23(2) of the Act). As a minimum standard for all classes of Local Governments, audio recordings of closed proceedings of a Council Meeting are required under regulation 14I(2)(a)(ii) of the Administration Regulations. Elected Members may access this audio and/or video recording by requesting a hearing/viewing at the Shire's Administration Office with the Chief Executive Officer in attendance – under no circumstances are audio and/or video recordings of the closed portion of Council Meetings to be distributed internally or externally.

### **Technology Requirements**

Technical specifications for broadcasting and recording Council Meetings are not prescribed to allow Local Governments flexibility to use equipment that best meets their needs. The minimum requirement is that recordings are of a standard that enables people to effectively watch (if a video is required) and listen to Council Meeting proceedings.

If livestreaming technology fails, a Local Government may decide to continue with the meeting, however, the Local Government must publish the reasons why the meeting was unable to be broadcast on its official website within 14 days of the meeting taking place.

If technological failure prevents a Council Meeting (or part of a meeting) from being recorded, the meeting may still proceed if the Local Government does everything reasonably practicable to make an improvised recording of the meeting. The quality of the improvised recording must be of a quality sufficient to effectively watch and listen to the deliberations of the Council Meeting. If a Council Meeting is recorded by improvised recording, the Local Government must publish a notice on the Local Government's website stating the following:

- That it was not possible for a recording of the meeting or part of the meeting to be made by means of the Local Government's recording technology (with an explanation of why that was the case).
- That the improvised recording was made by means other than the Local Government's recording technology.
- The means by which the improvised recording was made (for example, the technology used).

- Any deficiencies in the improvised recording (with an explanation of the reasons for those deficiencies).

If a Local Government was unable to make an improvised recording, the Local Government must publish a notice on the Local Government's website stating the following:

- That it was not possible for a recording of the meeting or part of the meeting to be made by means of the Local Government's recording technology (with an explanation of why that was the case).
- That no improvised recording was made.
- That it was not reasonably practicable for the Local Government to make any improvised recording (with an explanation of why that was the case).

### **Electronic and Remote Attendance**

Where a Council member attends a Council Meeting remotely by electronic means, the minimum requirement is for an audio broadcast of that Council member. Although class 1 and 2 Local Governments are required to livestream and record both video and audio of electronic Council Meetings, there is no legislative requirement for a Council member to participate with a live video feed (for example, webcam).

Audio participation is the acceptable minimum standard for Council Members attending meetings remotely. This minimum requirement acknowledges that there are certain circumstances where video participation may not be necessary or practical due to available technology or internet connectivity. For example, if a person's camera fails, or is turned off momentarily, the recording requirements of the meeting have been satisfied if they are in audio contact with all other meeting participants.

Officers note that the Local Government (Administration) Amendment Regulations 2022 introduced new provisions to conduct council meetings electronically, particularly to enable councils to hold up to half of all council meetings by electronic means in a 12-month period; and provide for council members to, with the approval of the mayor, shire president, or majority of the council, attend a council meeting by electronic means.

An elected member may attend up to 50% of meetings by electronic means in a 12-month period. The 50% cap is determined by counting the number of meetings the member has already attended by electronic means in the preceding 12 months. The proposed meeting for which the member has requested to attend remotely is included in the calculation. A decision by the local government to authorise attendance by electronic means can be made with a simple majority. The cap on electronic attendance does not apply to a person with a disability as defined in section 3 of the *Disability Services Act 1993*.

To assist with the decision-making process to authorise remote attendance, the mayor, shire president or council is required to consider whether the location from which the person intends to attend the meeting, and the equipment used, will enable effective communication during the meeting. The authorising authority is required to consider each council or committee member's ability to maintain confidentiality during closed parts of the meeting and the suitability of each person's intended location and equipment to enable effective engagement in council deliberations. The authorising authority must have regard to these matters when deciding to hold and authorise electronic meetings. In effect, this regulation replaces the previous requirements for a suitable place under regulation 14A.

Electronic meetings held outside of emergency circumstances under subregulation 2(c) may only be approved by Council.

### **Meetings at Locations That are Not the Usual Meeting Place**

If a meeting is held outside of the Council's usual meeting place, the minimum requirement for all classes of Local Government is for an audio recording to be made. If a Local Government regularly holds Council Meetings at different meeting locations where recording technology is not installed, appropriate portable recording technology should be utilised to ensure that meetings can be recorded with sufficient quality.

Portable recording technology can also be used for improvised recordings in the case of technological failure.

### **Committee Meetings**

While section 5.23A of the Act provides regulation-making powers to deal with the broadcasting and recording of committee meetings, the requirements set out in the regulations apply only to Council Meetings – Ordinary Council Meetings and Special Council Meetings.

There is no legislative requirement under the regulations to livestream or record Committee meetings, however, Local Governments may choose to do so. It is important to note that the existing requirements for electronic meetings and electronic attendance at meetings continue to apply to Committee meetings.

### **Public Access and Notices**

Local Governments must provide public access to electronic broadcasts and recordings of Council Meetings through their website. Public access may be provided by making a broadcast or recording available to view on the Local Government's website, or alternatively by providing a link on the Local Government's website to the broadcast or recording on another external website. Local Governments are required to provide notice to members of the public that broadcasts and recordings of Council Meetings will be made.

Regulation 14J of the Administration Regulations requires a Local Government to take reasonable steps to notify members of the public in attendance at a Council Meeting, that either or both of the following applies:

- The meeting will be livestreamed
- A recording of the meeting will be made.

The notice must be provided in advance of the meeting taking place. In practice, this may take the form of a sign or notice at the entrance to the Council Chamber. Presiding Members may also wish to notify members of the public in their announcements at the beginning of a meeting. In the case of video broadcasts and recordings, members of the public do not need to be visible but do need to be heard if they are participating in the meeting (for example, public question time).

### **Defamation**

Section 9.57A of the Act provides Local Governments with protection from liability for defamation in relation to broadcasts of Council Meetings. Regulation 14K of the Administration Regulations provides a defamation protection for Local Governments in relation to the electronic broadcasting or recording requirements. As a further practical safeguard, it is recommended that Local Governments do not provide the option for members of the public to provide comments in relation to livestreams or recordings (for example, turning off comments in the settings options for the livestreaming or recording platform).

## **Retention and Disposal of Records**

Regulation 14I of the Administration Regulations requires Local Governments to retain recordings of Council Meetings for a period of five years. Local Governments should retain recordings of meetings in accordance with the *State Records Act 2000*.

To summarise, in regard to electronic broadcasting and video or audio recording of Council Meetings, the Shire of Harvey as a class two Local Government is required to:

- Implement video and audio livestreaming of Council Meetings (open proceedings).
- Not livestream closed proceedings.
- Implement video and audio recording of Council Meetings (open proceedings).
- Implement audio recordings of closed proceedings.
- Install livestreaming and recording technology at the Council's usual meeting place.
- Implement portable technology for meetings held outside of the usual meeting place or in case of a technological failure.

Accordingly, Officers have reviewed Policy 1.1.8 – Recording and Livestreaming of Council Meetings and propose the following amendments:

- Minor formatting changes throughout the document
- Amendments to 3.1 – Livestreaming and Recording
- Amendments to 3.2 – Procedure
- Amendments and additions to 6 – Legislation.

The amendment to 3.1 – Livestreaming and Recording will insert the requirements of the new section 5.23A of the Act which deals with electronic broadcasting (livestreaming) and video and audio recording of Council Meetings.

The amendment to 3.2 – Procedure will remove a power which is not supported by legislation.

The amendment to 6 – Legislation will insert new legislative references.

Refer to **Attachment 2** for the current version of Policy 1.1.8 – Recording and Livestreaming of Council Meetings with tracked changes displayed.

## **Statutory/Policy Environment**

### *Disability Services Act 1993*

- Section 3 – definition of disability.

### *Local Government Act 1995*

- Section 5.23 – Meetings generally open to public.
- Section 5.23A – Electronic broadcasting and video or audio recording of council meetings.

- Section 5.94 – Public can inspect certain local government information.
- Section 9.57A – Local government protected from liability for defamation: council proceedings on website.

#### Local Government (Administration) Regulations 1996

- Part 2A – Electronic broadcasting and video or audio recording of council meetings.
- Regulation 14H – Class 1 local governments and class 2 local governments to broadcast council meetings publicly.
- Regulation 14I – Local government to make recordings of council meetings.
- Regulation 14J – Informing members of public of broadcasting or recording.
- Regulation 14K – Defamation.
- Regulation 29 – Information to be available for public inspection.

Shire of Harvey Policy 1.1.8 – Recording and Livestreaming of Council Meetings.

### **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.

This report is included in the Agenda Briefing Session and Ordinary Council Meeting documents, which are uploaded to the Shire's website for public viewing.

#### **Promise to the Community**

*Inform:* We will keep you informed.

The Council resolution will be included in the Ordinary Council Meeting Minutes, which are uploaded to the Shire's website for public viewing.

### **Risk Management**

The Risk Theme Profile identified as part of this report is **Failure to Fulfil Compliance Requirements**. The Consequence could be **Compliance** if the Policy does not comply with legislative requirements. The Risk Consequence is considered to be **Minor** and the likelihood **Unlikely**, given the Policy has been thoroughly researched, peer reviewed and aligns with Department of Local Government, Sport and Cultural Industries' guidance notes, resulting in a **Low** risk being present.

**Budget Implications**

To comply with the requirement to switch between livestream recording for public viewing and audio recording for closed proceedings, audio-visual upgrades in Council Chamber will be undertaken from within Council's adopted Budget.

Audio visual equipment to be used for out of Chamber meetings or as redundant back-up to Council Chamber meeting is anticipated to cost between \$10,000 – \$15,000.

**Authority/Discretion**

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

**Voting Requirements**

Simple Majority

**Officer's Recommendation**

That Council adopts the amended Policy 1.1.8 – Recording and Livestreaming of Council Meetings as contained within ***Attachment 1***.

**Moved: Cr. Dickinson**

**Seconded: Cr. Bromham**

**Amendment Motion**

Cr. Krispyn proposed the following amendment:

That Council amends the Officer's Recommendation for the Recording and Livestreaming of Council Meetings Policy (Policy 1.1.8) to include the following provisions:

1. Annual Review Clause:

That the Administration undertakes an annual review of the livestreaming policy to evaluate:

- The effectiveness and reliability of the technology used.
- Compliance with privacy regulations and protections for individuals in attendance.
- Engagement metrics, including viewership statistics and community feedback.

The findings of this review are to be reported to Council and made publicly available.

2. Technical and Operational Contingencies:

That a contingency plan for livestreaming interruptions or failures be developed, including provisions for immediate public communication and an alternative recording or broadcast method.

Reason: Ensures transparency and community trust through continuous improvement and public accountability. Guarantees compliance with privacy laws and adapts to advancing technology.

**Moved: Cr. Krispyn**

**Seconded: Cr. Coleman**

**Carried 11-0                      24/256**

**Votes:**

**For:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Carbone, Cr. Boylan, Cr. Dickinson, Cr. Coleman, Cr. Holly, Cr. Bromham, Cr. Capogreco and Cr. Junio.

**Against:** Nil.

**Substantive Motion**

**Moved:** Cr. Dickinson

**Seconded:** Cr. Bromham

**That Council amends the Officer’s Recommendation for the Recording and Livestreaming of Council Meetings Policy (Policy 1.1.8) to include the following provisions:**

**1. Annual Review Clause:**

**That the Administration undertakes an annual review of the livestreaming policy to evaluate:**

- **The effectiveness and reliability of the technology used.**
- **Compliance with privacy regulations and protections for individuals in attendance.**
- **Engagement metrics, including viewership statistics and community feedback.**

**The findings of this review are to be reported to Council and made publicly available.**

**2. Technical and Operational Contingencies:**

**That a contingency plan for livestreaming interruptions or failures be developed, including provisions for immediate public communication and an alternative recording or broadcast method.**

**3. Adopts the amended Policy 1.1.8 – Recording and Livestreaming of Council Meetings as contained within *Attachment 1*.**

**Carried 11-0                      24/257**

**Votes:**

**For:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Carbone, Cr. Boylan, Cr. Dickinson, Cr. Coleman, Cr. Holly, Cr. Bromham, Cr. Capogreco and Cr. Junio.

**Against:** Nil.

<b>Item No.</b>	<b>12.1.2.</b>
<b>Subject:</b>	<b>Proposed New Policy 1.1.20 – Regional Price Preference Policy</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Procurement Officer</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>PS/P/004</b>
<b>Attachments:</b>	1. Regional Price Preference Policy [12.1.2.1 - 4 pages]

## Summary

Council is requested to adopt the new Regional Price Preference Policy following the public advertisement period where no responses were received. This report recommends adopting the Policy, which aims to improve local economic development and assist local and regional businesses through the provision of a price preference allowance when evaluating and awarding Tenders under the Shire of Harvey's (the Shire) procurement process (refer to **Attachment 1**).

## Background

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

The objectives of Council policies are to:

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

This Policy has been developed to provide local suppliers an advantage when tendering for Shire contracts. Currently there is a high portion of tenders being awarded to metropolitan based suppliers due to their ability to be more cost effective than local suppliers. Two recent tenders received at least two responses from metropolitan based suppliers and the rates and total tendered price were lower than the local supplier. This is because metropolitan based suppliers can offer lower prices through accessing a larger economic network and closer resources.

The Policy provides an advantage during the evaluation stage by taking 10% or 5% off the tendered price. This will provide the local supplier a discount only for the tender evaluation stage. The awarded amount will be the full tendered price.

Following Council's Recommendation at the Ordinary Council Meeting held Tuesday, 22 October 2024, Shire Officers advertised the proposed draft Regional Price Preference Policy in accordance with Regulation 24E of the Local Government (Functions and General) Regulations 1996.

The notice of proposed draft Regional Price Preference Policy was advertised for 21 days from Saturday, 2 November 2024 to Friday, 29 November 2024 by the following processes:

- West Australian, Saturday, 2 November 2024
- South Western Times, Thursday, 7 November 2024
- Shire of Harvey Website via the Have your Say page

The Shire received no comments or responses.

There was a media release issued by the Shire advising of the proposed draft Regional Price Preference Policy, which resulted in articles printed in the following newspapers:

- Bunbury Herald, Tuesday, 12 November 2024
- Harvey Waroona Reporter, Tuesday, 12 November 2024

### **Comment**

Although the implementation of the proposed Policy may result in some products and services procured at a higher cost, this could be balanced with the benefits of supporting local suppliers. The proposed Policy enhances the opportunity for local suppliers to submit tenders and encourages the promotion of local economic development.

The proposed Policy has been developed with reference to Council Policies, the Local Government (Functions and General) Regulations 1996 and templates provided by the Western Australian Local Government Association (WALGA).

Officers recommend that the Regional Price Preference Policy be adopted by Council following the public notice period closing and no responses received.

### **Statutory/Policy Environment**

Local Government (Functions and General) Regulations 1996.

- Part 4A – Regional Price Preference
- Regulation 24E – Regional price preference policies for Local Governments.

### **Strategic Framework**

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

*Goal 5: A representative leadership that is future thinking, transparent and accountable.*

*Objective 5.2 Build partnerships and work collaboratively to amplify the outcomes that can be achieved.*

### **Community Engagement**

#### **Community Participation Goal**

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

Public Notices were published in the local paper and statewide paper asking for feedback and comment from the community.

### **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.

No comments or feedback were received by the Shire.

### **Risk Management**

The Risk Theme Profile identified as part of this report is **Failure to Fulfil Compliance Requirements**. The Consequence could be **Compliance** or **Reputation**. The **Compliance** risk could be that the Policy is not created in line with the relevant regulation and the **Reputation** risk could be that the Shire is not providing reasonable opportunity for local suppliers. The risk is considered **Minor** and the likelihood **Unlikely**, given that the report and Regional Price Preference Policy have been thoroughly researched, peer reviewed and provided by a qualified Shire Officer. The risk is mitigated by utilising templates provided by WALGA and seeking public comment. This results in a **Low** risk being present.

### **Budget Implications**

The cost associated with advertising the proposed Policy in accordance with the regulations has negligible impacts to the adopted budget. There is no ongoing budget implications anticipated for the implementation of this proposed Policy. Shire Officers must still assess and evaluate tenders on the principle of value for money and must remain within the budgets as allocated within those years adopted budget.

### **Authority/Discretion**

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

### **Voting Requirements**

Simple Majority

### **Officer's Recommendation**

That Council:

1. Notes that no submissions were received during the advertising period of the Regional Price Preference Policy.
2. Adopts the proposed Policy 1.1.20 – Regional Price Preference Policy.

**Moved: Cr. Capogreco**

**Seconded: Cr. Dickinson**

***Cr. Coleman left the Chamber at 5.48pm.***

***Cr. Coleman entered the Chamber at 5.50pm.***

**Amendment**

Cr. Krispyn put forth the following amendment:

That Council:

- 2. Requests the addition of a clause for a periodic review of two years to assess the Policy's impact on local business and procurement efficiency.

**Moved: Cr. Krispyn**

**Seconded: Nil.**

**Motion Lapsed**

**Moved: Cr. Capogreco**

**Seconded: Cr. Dickinson**

That Council:

- 1. **Notes that no submissions were received during the advertising period of the Regional Price Preference Policy.**
- 2. **Adopts the proposed Policy 1.1.20 – Regional Price Preference Policy.**

**Lost 5-6**

**24/258**

**Votes:**

**For:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Dickinson and Cr. Capogreco.

**Against:** Cr. Carbone, Cr. Boylan, Cr. Coleman, Cr. Holly, Cr. Bromham and Cr. Junio.

**Foreshadowed Motion**

Cr. Junio put forth the following:

That Council defer the Item to the Ordinary Council Meeting held in March 2025, to allow Council to workshop the Policy and allow Officers to provide additional information for consideration.

**Moved: Cr. Junio**

**Seconded: Cr. Coleman**

**That Council defer the Item to the Ordinary Council Meeting held in March 2025, to allow Council to workshop the Policy and allow Officers to provide additional information for consideration.**

**Lost 1-10**

**24/259**

**Votes:**

**For:** Cr. Junio.

**Against:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Carbone, Cr. Boylan, Cr. Dickinson, Cr. Coleman, Cr. Holly, Cr. Bromham and Cr. Capogreco.

**12.2. Infrastructure Services**

<b>Item No.:</b>	<b>12.2.1.</b>
<b>Subject:</b>	<b>The Promenade – Time Restricted On-Road Parking</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>The Promenade, Australind</b>
<b>Reporting Officer:</b>	<b>Acting Director Infrastructure Services</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>F/40/13859</b>
<b>Attachments:</b>	1. Respondent Results [12.2.1.1 - 1 page]

**Summary**

At the Ordinary Council Meeting held on Tuesday, 24 September 2024, Council authorised the Chief Executive Officer (CEO) to undertake consultation with local businesses and the Treendale Shopping Centre Management, regarding the proposed time restricted parking for The Promenade. Council also required the CEO to provide a further report at the conclusion of the consultation period.

Shire of Harvey (the Shire) Officers hand delivered an “Invitation to Comment” to local businesses and the Treendale Shopping Centre Management. Shire Officers also added the invitation for public comment on its social media platforms.

The Shire received a total of 10 responses, all of which were gathered through the social media platforms. All 10 responses received (**Attachment 1**) did not support the proposal to introduce timed parking on The Promenade.

This report recommends not to introduce time restricted parking along The Promenade between Grand Entrance and The Boulevard in Australind at this time.

**Background**

The Promenade in Australind currently has 97 parking bays made up of a mix of 90° angle parking bays and parallel parking bays. There are plans to change the configuration of The Promenade to separate the parking area from the through road to improve safety for users as well as improving east/west traffic and in turn improve the use as a District Distributor Road, the original designation of this road when originally constructed. This proposal once implemented will reduce the number of on-road parking bays to 75.

Requests from several businesses have been received for the introduction of time restricted parking in the on-road parking area along The Promenade in Australind between The Boulevard and Grand Entrance. It has been reported that some motorists either park all day and/or for extended periods of time in these bays to the detriment of those wishing to park for shorter periods while attending shops and businesses located along The Promenade.

The following proposed time restrictions were suggested for consideration:

- 1P time restriction to be in force daily between 8.00am to 6.00pm in the parallel parking bays
- 2P time restriction to be in force daily between 8.00am to 6.00pm in the 90° angle parking bays
- Two 2.5 ACROD bays to be included near the main entrance of the shopping centre.

## Comment

On-road parking that is managed under time restriction encourages parking turnover, while ensuring members of the community and visitors have enough time to fulfil their visit to the adjoining businesses.

The suggested parking timeframes was for short to medium term parking nearer to the businesses on The Promenade i.e. 1P and 2P. Longer term/unrestricted parking is available at the rear of the Treendale Shopping Centre which comprises a total of 252 parking bays for shoppers' parking.

In addition, on-road parking is intended to improve the provision of accessible parking, delivery to local business, adjacent land uses and should not generally be allocated for exclusive use.

To effectively achieve the regular turnover of vehicles it would require the ongoing support of the Shire's Rangers or potential new authorised Parking Officers. Currently, Rangers do not have sufficient resources to effectively undertake these enforcement requirements. Consideration would need to be given to exclude some current Ranger duties to allow efficient management and enforcement of the timed parking. Additional consideration could be given to employing additional resources either as Rangers or Parking Officers for this location; however, this would be seen as a low priority within the Shire's Workforce and Diversity Plan.

## Conclusion

Due to current resource constraints impacting effective enforcement of time-restricted parking, these parking bays will depend on users self-managing by adhering to the rules to avoid penalties.

Officers believe that without management or enforcement, implementing time-restricted parking at this time would offer little to no real benefits.

While only ten responses were received (**Attachment 1**) none of these were in support of the timed parking on The Promenade.

Given the scheduled redevelopment of The Promenade, vehicle turnover will be reassessed once the works are completed.

## Statutory/Policy Environment

Shire of Harvey Parking Local Law

- Section 1.9 – “a local government may, by resolution, prohibit or regulate by signs or otherwise the stopping or parking of any vehicle or any class of vehicles in any part of the parking region...”

## 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 4:       | <i>A liveable, sustainable and well-designed built environment that is accessible to all.</i>                                     |
| Objective 4.2 | <i>A connected and well maintained network of local roads, footpaths, cycle ways and trails.</i>                                  |

## **Community Engagement**

### **Community Participation Goal**

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

Shire Officers hand delivered an "Invitation to Comment" to local businesses and the Treendale Shopping Centre Management seeking their feedback regarding the time restricted parking proposal. Shire Officers also added the invitation to comment on its social media platforms for public comment.

### **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.

The Council resolution will be included in the Ordinary Council Meeting Minutes, which are uploaded to the Shire's website for public viewing.

## **Risk Management**

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The consequence could be **Reputational** if Council decides not to support the request for implementing restricted on-road parking zone without first consulting with affected businesses. The Risk Consequence is considered to be **Minor** and the Likelihood **Unlikely** resulting in a **Low** level of risk. The Risk is mitigated by Council supporting the Officer's recommendation.

## **Budget Implications**

Not applicable at this stage, however, should the proposal be approved, the estimated cost of the signs/poles/line marking would be in the order of \$2,500. It would also require a provision for installation that would be in the order of \$2,500.

Officers have estimated it would require approximately two to three hours per day to undertake one parking enforcement patrol and subsequent administration. This includes the onground work as well as travel to and from the location.

The estimated cost to undertake one parking enforcements per day would be \$210. Costs per week would be \$1,050.

## **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 resolves not to introduce time restricted parking along The Promenade between Grand Entrance and The Boulevard in Australind at this time.

***Cr. Krispyn left the Chamber at 6.07pm.***

**Moved: Cr. Bromham**

**Seconded: Cr. Capogreco**

**That Council resolves not to introduce time restricted parking along The Promenade between Grand Entrance and The Boulevard in Australind at this time.**

**Carried 8-2**

**24/260**

**Votes:**

**For:** President Campbell, Cr. Hitchcock, Cr. Boylan, Cr. Coleman, Cr. Holly, Cr. Bromham, Cr. Capogreco and Cr. Junio.

**Against:** Cr. Carbone and Cr. Dickinson.

***Cr. Krispyn entered the Chamber at 6.10pm.***

***Ms. Haslehurst left the Chamber at 6.10pm.***

<b>Item No.:</b>	<b>12.2.2.</b>
<b>Subject:</b>	<b>Policy and Terms of Reference review – Bushfire</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Manager Waste and Safety Services</b>
<b>Authorising Officer:</b>	<b>Acting Director Infrastructure Services</b>
<b>File No.:</b>	<b>F/10/00019</b>
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Current Bush Fire Policies and ToR [12.2.2.1 - 37 pages]</li> <li>2. Bush Fire Policies and ToR as Amended [12.2.2.2 - 14 pages]</li> <li>3. Revoked Policies [12.2.2.3 - 23 pages]</li> </ol>

**Summary**

The Shire of Harvey (the Shire) determines a policy to be general rules or principles adopted by Council to provide clear direction to the Shire’s Administration, to ensure the community is aware of the reasons that informs administrative and Council decisions.

As part of the ongoing review of Council polices and compliance functions, Council is requested to:

- Review the existing Bushfire policies and Terms of Reference contained in **Attachment 1**.
- Endorse the proposed amendments to these policies and Terms of Reference as shown in **Attachment 2**.
- Endorse the revocation of existing policies as contained in **Attachment 3**.

**Background**

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

The objectives of Council policies are to:

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

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

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

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

Clear and comprehensive Terms of Reference, setting out the Committee’s roles and responsibilities, are essential. Matters such as the governing legislation, membership, primary roles and responsibilities of the Committee and ancillary functions are also addressed.

The existing policies and Terms of Reference are provided in **Attachment 1**.

**Comment**

To assist Council in reviewing the suite of Shire of Harvey Bushfire Policies, Officers have summarised the Policies and Terms of Reference with proposed amendments, revocations and have provided comments as follows:

**Proposed Amended Policies and Terms of Reference – Refer Attachment 2.**

Policy	Comment
5.3.2 (new policy number) – <i>Bush Fire Act</i> Requirements	Administrative changes to grammar and references. Updated processes.
5.3.3 (new policy number) – Fire Protection of Private Plantations	Administrative changes to format. Change grass height from 8cm to 5cm to be consistent with Firebreak Notice.
5.3.4 (new policy number) – Bush Fire – Roadside Burning	Administrative changes to format. Included Traffic Management Plan.
5.3.5 (new policy number) – Bush Fire – Refreshments for Fire Fighters	Administrative changes and updated agency names.
5.3.6 (new policy number) – Volunteer Bush Fire Personnel (Minimum Training Standards)	Administrative changes to grammar and format including training course names updated.  Major changes: <ul style="list-style-type: none"> <li>• Removal Structural Firefighting</li> <li>• Increase Lieutenant active operational experience from two to three years</li> <li>• Removed Incident Controller Level 1 and Fire Control Officer from Captain</li> <li>• Insert Incident Controller Level 1 and Fire Control Officer (FCO) under FCO, Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer.</li> <li>• Remove Policy Effect.</li> </ul>

Terms of Reference	Comment
Bush Fire Advisory Committee	Administrative changes to grammar and references. Updated to be consistent with the previous policy. Changed from two meetings to three meetings a year

**Proposed Revoked Policies – Refer *Attachment 3***

Policy	Comment
2.3.2 – Banning of Cooking and Campfires Within the Shire of Harvey	Duplicating the section within <i>Bush Fire Act 1954</i> .
2.3.3 – Bushfire Burning to Protect Dwellings	Duplicating Section 23 of the <i>Bush Fire Act 1954</i> . Permit would be very detailed with conditions.
2.3.4 – Bush Fire Fighting Appliances	Bush Fire Fighting Appliance Policy is obsolete with an existing program in place with Department of Fire and Emergency Services.
2.3.5 – Fire Control Management Plan – Foreshore Areas – Australind and Adjoining Waterways	Shire of Harvey’s Bushfire Risk Management Plan for the entire Shire.
2.3.9 – Control of Fires – Forward Control Points	Operational procedure.
2.3.10 – Breathing Apparatus	Existing policy states that bushfire brigade shall not use Breathing Apparatus Equipment and that it isn’t funded under Local Government Grants Scheme.
2.3.11 – Bush Fire Advisory Committee – Functions and Make Up	Terms of Reference replaces this Policy.
2.3.12 – Bush Fire Training Courses – Catering	All catering costs associated with training courses is covered by Local Government Grants Scheme.
2.3.13 – Response to Wildfires – Rubbish Tips	Operational procedures.

**Bush Fire Advisory Committee**

The review of the policies and Terms of Reference was presented at the Bush Fire Advisory Committee meeting on Monday, 18 November 2024. The Committee supported the proposed amendments and revoking of the policies outlined above, subject to a couple of minor administration changes.

The above policies are included in ***Attachment 1***.

The proposed policy amendments are included in ***Attachment 2***.

The proposed revoked policies are included in ***Attachment 3***.

**Statutory/Policy Environment**

*Local Government Act 1995*

- Section 2.7 (2)(b) – states that Council is to determine the local government’s policies.

## 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.*
- Objective 2.3 Active and resilient community groups and volunteers.*
- Goal 5: A representative leadership that is future thinking, transparent and accountable.*
- 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.

These policies will be uploaded onto the Shire's website and the proposed revoked policies will be registered to the Shire's information management system.

### Promise to the Community

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

These policies will be uploaded onto the Shire's website and the proposed revoked policies will be registered to the Shire's information management system.

## Risk Management

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

## Budget Implications

Nil.

## Authority/Discretion

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

## Voting Requirements

Simple Majority

**Officer's Recommendation**

That Council:

1. Amends the existing Bushfire Policies and Terms of Reference as shown in ***Attachment 2***.
2. Revokes the existing Bushfire Policies as shown in ***Attachment 3***.

**Moved: Cr. Bromham**

**Seconded: Cr. Holly**

**That Council:**

1. **Amends the existing Bushfire Policies and Terms of Reference as shown in *Attachment 2*.**
2. **Revokes the existing Bushfire Policies as shown in *Attachment 3*.**

**Carried 11-0**

**24/261**

**Votes:**

**For:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Carbone, Cr. Boylan, Cr. Dickinson, Cr. Coleman, Cr. Holly, Cr. Bromham, Cr. Capogreco and Cr. Junio.

**Against:** Nil.

**12.3. Sustainable Development**

Nil.

**12.4. Corporate Services**

<b>Item No.</b>	<b>12.4.1.</b>
<b>Subject:</b>	<b>Payments November 2024</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Manager Finance</b>
<b>Authorising Officer:</b>	<b>Director Corporate Services</b>
<b>File No.:</b>	<b>FM/S/006</b>
<b>Attachments:</b>	1. Payments November 2024 [12.4.1.1 - 19 pages]

**Summary**

A listing of payments for goods and services for November 2024 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 Shire’s purchasing cards (fuel and store) has also been included.

**Comment**

The list of accounts paid for November 2024 is presented as an **Attachment 1**, as summarised below.

<u>Voucher</u>		<u>Amount</u>
Schedule of Accounts		
Municipal	EFT 74430 – EFT 74863	\$ 4,099,322.19
	117657 – 117674	\$ 20,198.45
	DD27704.1 – DD27775.28	\$ 212,596.34
CBA Credit Cards		\$ 13,681.44
Electronic Funds Submitted		<u>\$ 1,290,902.51</u>
<b>Total</b>		<b><u>\$ 5,636,700.93</u></b>

**Purchasing Card Payments included in the Municipal payments above**

AMPOL Fuel Card	\$ 1,206.23
BP Fuel Card	\$ 5,386.71
Puma Fuel Card	\$ 1,366.91
Coles Card	\$ 1,350.20
<b>Total</b>	<b><u>\$ 9,310.05</u></b>

**Statutory/Policy Environment**

*Local Government Act 1995*

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

## Local Government (Financial Management) Regulation 1996

- Regulation 13 – Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.
- Regulation 13A – Payments by employees via purchasing cards

## 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.

A report is brought to Council each month with an Attachment detailing all of the payments that were made in the month detailed.

### Promise to the Community

*Inform:* We will keep you informed.

A report is brought to Council each month with an Attachment detailing all of the payments that were made in the month detailed.

## 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 payments report is not reported accurately, timely or in the required format. The risk is considered **Minor** and the Likelihood **Unlikely**. The risk is mitigated by the Council receiving payments report on a monthly basis and a form that is accordance with the *Local Government Act 1995*, resulting in a **Low** risk being present.

## Budget Implications

The payments listed above have been budgeted for in the Shire's 2024–2025 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 November 2024 totalling \$5,636,700.93.

**Moved: Cr. Carbone**

**Seconded: Cr. Holly**

**That Council notes the list of accounts paid at Attachment 1 for the period of November 2024 totalling \$5,636,700.93.**

**Carried 11-0**

**24/262**

**Votes:**

**For:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Carbone, Cr. Boylan, Cr. Dickinson, Cr. Coleman, Cr. Holly, Cr. Bromham, Cr. Capogreco and Cr. Junio.

**Against:** Nil.

<b>Item No.</b>	<b>12.4.2.</b>
<b>Subject:</b>	<b>Financial Statements as at 30 November 2024</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Accountant</b>
<b>Authorising Officer:</b>	<b>Director Corporate Services</b>
<b>File No.:</b>	<b>FM/S/006</b>
<b>Attachments:</b>	1. Monthly Financial Report November 24 [12.4.2.1 - 11 pages]

**Summary**

The Financial Statements as at 30 November 2024 are provided at **Attachment 1**.

The following key balances are provided to assist in reporting the Shire of Harvey’s (the Shire) financial performance.

	<b>ACTUAL</b> 30 November 2024	<b>BUDGET</b> 2024–2025	<b>VARIANCE</b>
<b>Statement of Financial Performance</b>			
Ordinary Revenue	\$ 44,163,405	\$49,037,395	\$4,873,990
Ordinary Expenditure	\$ 20,886,792	\$57,403,257	\$36,516,464
Capital Revenue	\$ 1,624,920	\$34,355,021	\$32,730,101
Capital Expenditure	\$ 6,049,389	\$41,637,971	\$35,588,582
End of Period Surplus/(Deficit)			\$25,112,595
<b>Statement of Financial Position</b>			
Current Assets			\$60,722,426
Net Assets			\$837,954,766

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

**Background**

In accordance with 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 Regulation 22 (1)(d) for the month.

**Comment**

**Rates Revenue**

Rates revenue of \$30.27 million and waste service charges of \$6.10 million including the waste facilities maintenance rate were raised in July 2024. The due date for rates payment was 27 September 2024. Approximately 72.4% of the rates were collected by 30 November 2024 compared to 71.7% for the previous year.

**Cash Flow and Interest Earnings**

The Shire holds by way of cash and term deposits \$20.1 million in Municipal funds and \$31 million in restricted Trust and Reserve funds. The average interest rate on these funds is 4.79%. New term deposits are attracting an interest rate of approximately 4.88% for a term of 90 days.

**Operating Grants and Subsidies**

The Shire received \$3.84 million as advance payment for Financial Assistance Grants 2024–2025 in the last quarter of the 2023–2024 financial year. First instalment of Financial Assistance Grant 2024–2025 was also received in August 2024.

**Employee Costs**

These accounts include the first five months of the financial year. The Shire anticipates employee costs will remain in line with the Budget 2024–2025 and the Shire’s Workforce and Diversity Plan.

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

Although these accounts only reflect the first five 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 2024–2025 financial year.

**Capital Expenditure**

The Shire has budgeted to spend \$41.6 million on capital projects throughout the Shire in 2024–2025. Some of these projects include carry over projects from the financial year 2023–2024. Expenditure totalling \$6,049,389 on capital works has been reported at the end of November 2024. 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 in the Financial Statements for November 2024, actual figures reported for the 2023–2024 financial year do not include the final audited figures and the end of year adjustments for the year ending 30 June 2024. The final position for the 2023–2024 financial year will be reported in the 2023–2024 Annual Financial Statements.

### **Statutory/Policy Environment**

#### *Local Government Act 1995*

- Section 6.4 deals with reporting requirements for Financial Reports

#### Local Government (Financial Management) Regulation 1996

- Regulation 34 Financial Activity Statement required each month (Act s. 6.4).

### **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.

A report is brought to Council monthly for Council and the public to view and be informed of the Shire's financial position.

#### **Promise to the Community**

*Inform:* We will keep you informed.

A report is brought to Council monthly for Council and the public to view and be informed of the Shire's financial position, and minutes are made publicly available.

### **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 at 30 November 2024 provided at **Attachment 1**.

**Moved: Cr. Dickinson**

**Seconded: Cr. Bromham**

**That Council receives the Financial Statements as at 30 November 2024 provided at Attachment 1.**

**Carried 11-0**

**24/263**

**Votes:**

**For:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Carbone, Cr. Boylan, Cr. Dickinson, Cr. Coleman, Cr. Holly, Cr. Bromham, Cr. Capogreco and Cr. Junio.

**Against:** Nil.

**12.5. Community and Lifestyle**

<b>Item No.:</b>	<b>12.5.1.</b>
<b>Subject:</b>	<b>Investigation into Brunswick Recreation Centre and Cricket Ground Use</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Brunswick</b>
<b>Reporting Officer:</b>	<b>Manager Community Development</b>
<b>Authorising Officer:</b>	<b>Director Community and Lifestyle</b>
<b>File No.:</b>	<b>B000389</b>
<b>Attachments:</b>	1. ABV Brunswick Junction Masterplan DRAFT Report 2021 [12.5.1.1 - 129 pages]

**Summary**

This report outlines an investigation into the potential of utilising the Brunswick Recreation Centre as an additional competition court and the Brunswick Cricket Ground as an overflow venue. Following the investigation, it was determined that due to a lack of demand and the significant cost of required upgrades, no works are recommended at this time.

**Background**

At the Ordinary Council Meeting (OCM) on Tuesday, 25 June 2024, Cr. Carbone submitted a Notice of Motion (the Motion) to address the increasing demand for sports facilities in the region.

*“That Council requests the Chief Executive officer to:*

1. *Conduct a preliminary feasibility study to evaluate the economic viability of upgrading the Brunswick Recreation Centre to meet compliance standards for basketball and netball, allowing it to be used as an additional court by the Leschenault Sports Centre manager.*
2. *Investigate the Brunswick Cricket Ground can be used an additional ground by the Leschenault Sports Centre manager.”*

This report responds to Cr. Carbone’s motion by examining the potential use of both facilities to expand access to sporting amenities and support local community needs.

**Comment**

The indoor courts at the Leschenault Leisure Centre (LLC) are currently not compliant with competition standards, and bringing these courts up to standard is a priority for the Shire of Harvey (the Shire). The Shire’s Sport and Recreation Plan 2033 (SRP), adopted by Council in March 2024, articulates the expansion of courts at the LLC as a key strategic priority (Item 1.15). This has been included in the Shire’s advocacy priorities in the lead-up to State and Federal elections in 2025.

The SRP also includes an action to review court runoff dimensions at the Brunswick Recreation Centre (BRC) with consideration for safety concerns (Item 1.23).

The Brunswick Recreation Ground Needs Assessment, Feasibility Study, and Concept Masterplan, presented to Council in April 2021 (**Attachment 1**) presented several options for the BRC, including rebuilding the court to meet compliance standards. However, the cost of reconstruction was deemed prohibitive, estimating a \$1.2m cost for a single indoor court. Additional costings would need to be undertaken to determine the cost of modifying the centre and courts to achieve compliance standards.

The runoffs of the BRC courts are 1.9m from the sideline to the wall along the length and 3.0m from the netball baseline to the wall at the goal end of the court. The compliance recommendations set out

in the Department of Local Government, Sport and Cultural Industries' (DLGSC) Sports Dimension Guide for Playing Areas 2016 state that a netball court should have a minimum 3.05m runoff. Achieving compliance would require significant work, including the demolition and rebuilding of walls and extending the court. The netball court dimensions are longer than a basketball court and have the greater runoff requirement for referees to officiate along the sidelines and behind the goal post. Basketball court dimensions are 28m long and 15m wide, measured from the inner edge of the boundary line. Any obstruction including seated team bench personnel should be at least 2m from the playing court. Any other persons must be at least 2m behind the team bench.

In addition to the basketball and netball courts, four badminton courts are marked across the surface. Currently, the BRC has no established basketball or netball competitions, and its usage is low. The only regular booking is for a youth group on Friday nights.

The cricket pitch at the BRG is not regularly booked but is currently used by the Leschenault Cricket Club when an additional hard wicket is needed in an emergency and is not included in seasonal fixtures. The pitch has been booked once in the past four years, as the three pitches at the Leschenault Recreation Park currently service the Club's needs.

The dimensions of a synthetic pitch range from 25m to 28m long and 2.4m to 2.8m wide. The pitch surface was last replaced in 2013, and refurbishing the surface would currently cost around \$8,500. Undertaking an upgrade of the pitch is listed in the Shire's Sport and Recreation Plan 2033, item 1.39 and has been scheduled for the 2025/26 financial year. However, given its limited usage, the pitch is in good condition and other than extending the synthetic surface to cover the entire concrete pad, is not considered a priority upgrade in the short term.

### **Statutory/Policy Environment**

- DLGSC Sports Dimension Guide 2016

### **Strategic Framework**

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

- Goal 4: A liveable, sustainable and well-designed built environment that is accessible to all.*  
*Objective 4.5 Shire buildings, gardens and grounds are fit for purpose and well maintained.*

The Shire's Sport and Recreation Plan 2033, lists:

- Item 1.23: Review court dimensions run off areas considering safety concerns*  
*Item 1.39: BRG replacement of synthetic turf wicket*

### **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.

Accurate information has been gathered to present to Council.

The minutes of this meeting will be placed on the Shire of Harvey website for access by the community.

### **Promise to the Community**

*Inform:* We will keep you informed.

The minutes of this meeting will be placed on the Shire of Harvey website for access by the community.

Shire Officers consulted the Leschenault Cricket Club to inform the preparation of this report.

### **Risk Management**

The Risk Theme Profile identified as part of this report is **Ineffective Management of Facilities/Venues/Events**. The Consequence could be **Reputational** if Council does not provide appropriate facilities for the community. The Measure of Consequence is **Minor** and the Likelihood is **Unlikely**, giving an overall Risk Rating of **Low**.

### **Budget Implications**

There are no budget implications for this Report unless Council prioritises refurbishing of the cricket wicket at a cost of approximately \$8,500, and/or allocating significant funds to upgrade the courts.

### **Authority/Discretion**

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

### **Voting Requirements**

Simple Majority

### **Officer's Recommendation**

That Council:

1. Notes that the courts at Brunswick Recreation Centre are not compliant with recommended runoff safety standards, and the current usage of the facility does not warrant the significant investment required to achieve compliance.
2. Acknowledges that the demand for the use of the cricket pitch does not warrant upgrades being prioritised at this time.
3. Continues to prioritise the actions as set out in the Shire of Harvey's adopted Sport and Recreation Plan 2033.

***Ms. Haslehurst entered the Chamber at 6.12pm.***

**Moved: Cr. Bromham**

**Seconded: Cr. Dickinson**

**That Council:**

1. **Notes that the courts at Brunswick Recreation Centre are not compliant with recommended runoff safety standards, and the current usage of the facility does not warrant the significant investment required to achieve compliance.**
  2. **Acknowledges that the demand for the use of the cricket pitch does not warrant upgrades being prioritised at this time.**
-

**3. Continues to prioritise the actions as set out in the Shire of Harvey's adopted Sport and Recreation Plan 2033.**

**Carried 7-4                      24/264**

**Votes:**

**For:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Dickinson, Cr. Coleman, Cr. Bromham and Cr. Junio.

**Against:** Cr. Carbone, Cr. Boylan, Cr. Holly and Cr. Capogreco.

<b>Item No.:</b>	<b>12.5.2.</b>
<b>Subject:</b>	<b>Awards, Honours and Prizes Advisory Group</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Manager Community Development</b>
<b>Authorising Officer:</b>	<b>Director Community and Lifestyle</b>
<b>File No.:</b>	<b>CR/F/012</b>
<b>Attachments:</b>	<b>Confidential Attachment 1</b>
	<b>Confidential Attachment 2</b>

**Summary**

This report seeks consideration of the nominations for the 2025 Community Citizen of the Year Awards to be presented at the Australia Day function.

**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 (16 – 30 years of age)
- Community Citizen of the Year Award – Senior (over 65 years of age)
- Active Citizenship – Group or Event.

Nominations for the 2025 Community Citizen of the Year Awards opened Sunday, 1 September 2024 and closed on Thursday, 31 October 2024. The Shire’s Awards, Honours and Prizes Advisory Group met on Thursday, 5 December 2024 to consider the nominations and recommend award recipients. A copy of the Minutes of that meeting are provided as per **Confidential Attachment 1**.

**Comment**

Nominations were sought through canvassing of relevant contacts and advertisements in local papers, the Shire’s website and social media accounts. Nominations for award categories received by the closing date of Thursday, 31 October 2024, and corresponding scoring and recommendations presented by the Awards, Honours and Prizes Advisory Group, are provided as per **Confidential Attachment 2**.

**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**

*Empower:* To place final decision-making in the hands of the public.

The community nominated peers for the awards and successful recipients are recommended by the Awards, Honours and Prizes Advisory Group for endorsement by Council.

### **Promise to the Community**

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

Community members have been encouraged to nominate people/groups who have made positive community contributions, these nominations will be assessed and awards granted based on their merits.

## **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 **Medium** 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 \$762.

## **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 recommendations of the Awards, Honours and Prizes Advisory Group regarding the 2025 Community Citizen of the Year Awards as per **Confidential Attachment 2**.
2. Notes that the awards will be presented at the 2025 Australia Day functions held in the Shire of Harvey with the announcement of the award recipients being embargoed until the awards have been presented.

**Moved: President Campbell**

**Seconded: Cr. Holly**

***Cr. Boylan left the Chamber at 6.28pm.***

**Amendment**

President Campbell proposed the following amendment:

1. To include additional recipients for the 2025 Community Citizen of the Year award as per ***Confidential Attachment 3.***
2. A review of Policy 3.1.1 – Honours and Awards to be conducted and brought back to Council by March 2025.

Reason: That Council acknowledges the Auspire guidelines however support the worthiness of acknowledging volunteers from several Shire localities, who were considered competitive in the assessment process.

**Moved: President Campbell**

**Seconded: Cr. Krispyn**

**Moving Behind Closed Doors**

President Campbell proposed that Council move behind closed doors to discuss ***Confidential Attachment 3.***

**Moved: Cr. Coleman**

**Seconded: Cr. Dickinson**

**That Council moves behind closed doors to discuss *Confidential Attachment 3.***

**Carried 10-0                      24/265**

**Votes:**

**For:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Carbone, Cr. Dickinson, Cr. Coleman, Cr. Holly, Cr. Bromham, Cr. Capogreco and Cr. Junio.

**Against:** Nil.

***Council moved behind closed doors at 6.29pm.***

***Cr. Boylan entered the Chamber at 6.29pm***

***Ms. Williams left the Chamber at 6.29pm***

***Ms. Williams entered the Chamber at 6.32pm***

**Returning from Behind Closed Doors**

President Campbell proposed that Council return from behind closed doors to vote on the Amendment Motion.

**Moved: Cr. Krispyn**

**Seconded: Cr. Capogreco**

**That Council return from behind closed doors to vote on the Amendment Motion.**

**Carried 11-0                      24/266**

**Votes:**

**For:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Carbone, Cr. Boylan, Cr. Dickinson, Cr. Coleman, Cr. Holly, Cr. Bromham, Cr. Capogreco and Cr. Junio.

**Against:** Nil.

***Council returned from behind closed doors at 6.49pm.***

**Amendment**

**Moved: President Campbell**

**Seconded: Cr. Krispyn**

**Carried 9-2                      24/267**

**Votes:**

**For:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Carbone, Cr. Boylan, Cr. Holly, Cr. Bromham, Cr. Capogreco and Cr. Junio.

**Against:** Cr. Dickinson and Cr. Coleman.

**Substantive Motion**

**Moved: President Campbell**

**Seconded: Cr. Holly**

**That Council:**

1. **Notes the recommendations of the Awards, Honours and Prizes Advisory Group regarding the 2025 Community Citizen of the Year Awards as per *Confidential Attachment 2*.**
2. **Endorses the additional recipients for the 2025 Community Citizen of the Year Awards as per *Confidential Attachment 3*.**
3. **Requests the Chief Executive Officer to conduct a review of Policy 3.1.1 – Honours and Awards and a report be brought back to Council by March 2025.**
4. **Notes that the awards will be presented at the 2025 Australia Day functions held in the Shire of Harvey with the announcement of the award recipients being embargoed until the awards have been presented.**

**Carried 11-0                      24/268**

**Votes:**

**For:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Carbone, Cr. Boylan, Cr. Dickinson, Cr. Coleman, Cr. Holly, Cr. Bromham, Cr. Capogreco and Cr. Junio.

**Against:** Nil.

<b>Item No.:</b>	<b>12.5.3.</b>
<b>Subject:</b>	<b>Advisory Groups Review</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Director Community and Lifestyle</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>F/06/00029</b>
<b>Attachments:</b>	Nil

***The following additional information is provided in regard to Item 12.5.3***

An administrative error occurred, and the Community, Safety and Crime Prevention Advisory Group was missed within the Officer’s Recommendation. The Officer’s Recommendation has been amended to:

**Officer’s Recommendation**

That Council, following a review of the current Advisory Groups model:

1. Resolves to hold Annual Community Meetings in Australind, Binningup/Myalup, Brunswick, Harvey and Yarloop/Cookernup in August/September each year.
2. Resolves to disband the following groups:
  - Libraries, Early Years, Arts and Performance (LEAP) Advisory Committee
  - Community Safety and Crime Prevention Advisory Group
  - Australind/Leschenault Place Advisory Group
  - Brunswick Place Advisory Group
  - Coastal Place Advisory Group
  - Harvey Place Advisory Group
  - Yarloop Place Advisory Group.
3. Resolves to retain the following activity/issue based Advisory Groups with one Primary and one Deputy Elected Member representative:
  - Alcoa Sustainability Fund
  - Community Sail Training Trust
  - Access and Inclusion.
4. Resolves to retain the Awards Honours and Prizes Advisory Group and its membership of four Primary Elected Member representatives and one Deputy Elected Member representative, plus the Chief Executive Officer or nominee.
5. Notes that the Harvey Recreation and Cultural Centre Advisory Group, Sport and Recreation Advisory Group and Youth Collective will continue to meet but resolves that no Elected Member representatives will be appointed to these groups.

6. Requests the Chief Executive Officer to write to all members of the disbanded Advisory Groups to advise them of Council's decision, thank them on behalf of the Shire of Harvey for their contribution, and encourage them to participate in future Annual Community Meetings.
7. Requests the Chief Executive Officer to review the Terms of Reference for all remaining Advisory Groups for Council's consideration at the Ordinary Council Meeting to be held in March 2025.

## Summary

This report presents the outcomes of a review of 16 of the Shire's current Advisory Groups and recommends disbanding seven of these groups in favour of holding annual Community Meetings in Australind, Binningup/Myalup, Brunswick, Harvey and Yarloop/Cookernup.

## Background

Prior to 2020, the Shire of Harvey (the Shire) held Community Meetings over a period of two weeks on an annual basis for the communities of:

- Australind and Leschenault
- Yarloop and Cookernup
- Harvey, Warawurrup and Wokalup
- Binningup and Myalup
- Brunswick, Bengel and Roelands.

The meetings were widely promoted through letter drops and local media advertising and provided an opportunity for community members to access their elected representatives and senior Shire Officers to provide feedback and raise concerns. The meetings also offered an opportunity to provide an update on significant Shire projects. The last round of these meetings was held in April 2019, attended by 152 community members with over 120 separate issues raised. A report was presented to the Ordinary Council Meeting (OCM) held on Tuesday, 14 May 2019.

Following a series of discussions and workshops regarding the effectiveness and efficiency of the prevailing Council meeting framework, a report was presented to the OCM held on Tuesday, 17 September 2019. At the time, the number of Committees of Council, advisory committees, working groups, community, industry and stakeholder groups with Councillor and Shire representation totalled 23. At that meeting, Council resolved to disband several committees and working groups and requested the Chief Executive Officer (CEO) to review the Terms of Reference for the following:

- Community Safety and Crime Prevention Advisory Committee
- Community Sail Training Trust Committee
- Disability Access and Inclusion Advisory Committee
- Heritage Advisory Committee
- Leschenault Leisure Centre Advisory Committee.

Council further requested that Terms of Reference be developed for the following new groups to

replace and/or amalgamate some of those that were determined to be disbanded:

- Brunswick Place Advisory Group
- Harvey Place Advisory Group
- Yarloop Place Advisory Group
- Sport and Recreation Advisory Group
- Honours and Awards Advisory Group.

The new and revised Terms of Reference were presented at the OCM held on Tuesday, 8 October 2019. Members were appointed to Committees, Advisory Groups and Delegate Committees on Monday, 21 October 2019, following the Local Government Ordinary Elections. Terms of Reference for two additional Advisory Groups (Binningup/Myalup and Australind/Leschenault) were adopted on Tuesday, 19 November 2019.

In February 2020, Council determined the dates for the 23rd year of Annual Community Meetings and endorsed initial appointments of community members to various Advisory Groups. Further appointments were endorsed in June and July 2020. However, due to the onset of COVID-19, the 2020 Annual Community Meetings were cancelled and have not been reinstated. Advisory Group meetings were limited in 2020, with full reinstatement to quarterly meeting rounds in 2021.

At the OCM held in December 2022, Council endorsed a Notice of Motion to undertake a Review of Committees and Advisory Groups. The reason for the motion was the reduction to the number of Elected Member Offices proposed by the Local Government Reforms and the increased workload on remaining Councillors. The outcome of the review was considered by Council at the OCM held Tuesday, 23 May 2023 where Council requested the CEO to seek feedback from Advisory Groups, Committees and Partnerships for a period of 60 days.

Council considered the feedback received at the OCM held Tuesday, 22 August 2023 and determined Council representation on five Place Advisory Groups, 10 Portfolio Advisory Groups, eight Delegate Committees, and 13 Partnership Committees. Council resolved to discontinue representation on five Portfolio Advisory Groups, eight Delegate Committees, and three Partnership Committees.

Given the human and financial resources required to service meetings every three months, and the limited community representation at most of these meetings, Officers have undertaken a cost benefit analysis and review of those meetings directly administered by the Community and Lifestyle Business Unit.

This review relates to the following Place and Portfolio Advisory Groups and Partnership Committees:

- Access and Inclusion Advisory Committee
- Alcoa Sustainability Fund
- Awards Honours and Prizes Advisory Group
- Community Safety and Crime Prevention Advisory Committee
- Community Sail Training Trust Committee
- Disability Access and Inclusion Advisory Committee
- Leschenault Leisure Centre Advisory Committee

- Libraries, Early Years, Arts and Performance (LEAP) Advisory Committee
- Sport and Recreation Advisory Group
- Youth Collective
- Australind/Leschenault Place Advisory Group
- Brunswick Place Advisory Group
- Coastal Place Advisory Group
- Harvey Place Advisory Group
- Yarloop Place Advisory Group.

### **Comment**

Officers presented the findings of the review at a Concept Forum held on Tuesday, 26 November 2024 which was attended by ten elected members. The reasons for the review were provided as follows:

- Poor community turnout at meetings
- Lack of internal capacity
- Negative analysis of resource cost
- Lack of clarity regarding membership, purpose and outcomes
- Potential for more efficient use of time for elected members, Shire Officers and community volunteers
- Other available means of community engagement.

### **Turnout**

During the 2024 round of meetings, the average representation at each round was as follows:

- Community: 45 representatives out of a possible 94 = 47%
- Council: 15 Elected Members out of a possible 22 = 68%
- Shire Officers: 49 Officers out of a possible 63 = 78%

It should be noted that the number of Elected Members and Shire Officers attending generally far outnumbered community representation, and that approximately 0.15% of the population of the Shire of Harvey was represented at these meetings. This is consistent with attendance data for the 2023 meetings.

### **Internal Capacity**

The Community and Lifestyle Business Unit manages all five Place Advisory Groups, six out of 10 Portfolio Advisory Groups and one Partnership Committee. Due to vacancies within the Business Unit, the February 2024 round of meetings was cancelled. The May and November 2024 rounds were held,

with a reduced number of meetings held in August 2024 due to capacity. Noting the time required to: develop, review and distribute agendas; arrange logistics and catering; attend meetings and take minutes; review, finalise and distribute minutes; and update and follow up actions resulting from the meetings, the capacity of the Business Unit with the current number of meetings is overextended.

### **Resource Cost**

The attendance and subsequent input of the Shire Chief Executive Officer (CEO), Directors, Managers and Officers, travel and catering, result in a direct cost to all ratepayers which is conservatively estimated at approximately \$1,700 per meeting. Multiplied by nine meetings, four times per year, the direct financial cost is significant at over \$61,000 per annum. This does not consider the productivity cost of the team engaged in the activities outlined in the previous paragraph, or the risks associated with long working days for Shire Officers and late travel.

### **Lack of clarity regarding membership, purpose and outcomes**

The main purpose of community engagement is to inform Council decision making. While the intent of most of these groups is to provide advice to the Shire on strategies and policies, in reality, the meetings are focused on operational concerns raised by community representatives, despite encouragement to report operational issues such as footpath faults, potholes, traffic issues etc. via the Shire's website.

In addition, while membership and representation are articulated within the Terms of Reference for each group, these guidelines are not generally adhered to with community members often attending meetings unannounced. While all community input is welcomed, a lack of continuity and understanding of the purpose of the groups can limit useful outcomes.

### **Efficient use of time for elected members, Shire officers and community members**

Given that adopted Local Government Reforms will see a reduction in the number of Elected Members from 11 to nine at the 2025 Local Government Ordinary Elections, the burden on Elected Members will increase.

Officers are proposing that a return to the Annual Community Meeting model may be a better use of time for all involved and provide better outcomes for ratepayers and the Shire. It is recommended that this will also be a more sustainable model for the future.

### **Other available means of community engagement**

Contemporary community engagement now includes a broad range of tools which are often targeted according to the specific project or issue, the level of interest in the community, the demographics involved, and the anticipated level of resistance to change. Local governments are encouraged to maintain the IAP2 (International Association for Public Participation) approach which promotes the development of targeted engagement plans.

The Shire currently utilises a range of engagement tools other than Advisory Group meetings. These include but are not limited to:

- Have Your Say page – interactive online place, issue or project-based consultation tool
- Report It – ability to report issues and request work orders through the Shire's website
- Print media – 4 o'clock Report in the Harvey Waroona Reporter and Bunbury Times
- Social media
- Radio – weekly Shire Chat with the Shire President on Harvey Radio 96.5fm

- Community pop-ups at places and events
- Mail drops for specific issues or activities
- Media releases to announce important news
- MARKYT Community Survey – four yearly community survey that provides benchmarking across a range of areas for local governments
- Live streaming of Agenda Briefing Sessions
- Task specific working groups.

Legislation also provides mechanisms available for the community to engage with the local government. Council meetings are live streamed and generally open to the public and provide for petitions, deputations and public questions during the meeting. In addition, local governments are required to hold an Annual Electors General Meeting at which ratepayers can raise issues, ask questions and put forward motions for consideration. Unless items are deemed confidential in accordance with relevant legislation, all agendas, minutes and attachments are made public.

**Officers’ Recommendations**

It is recommended that Annual Community Meetings are held in August/September each year following the adoption of the Annual Budget to:

- a) Provide an overview of the adopted Annual Budget
- b) Outline significant projects planned for the year and provide an update on the progress of current and future projects
- c) Seek community feedback on proposed projects.

Officers are proposing that Council retains the following Advisory Groups which are considered task related and/or strategic:

Advisory Group	Comment
Alcoa Sustainability Fund	A Partnership Committee which is the subject of an agreement with Alcoa to provide community funding. The Committee meets annually.
Awards Honours and Prizes	Consisting of five elected members and the CEO, the group generally meets twice yearly to make recommendations to Council about award recipients for the Shire’s Homegrown Heroes Awards and the Australia Day Citizen of the Year Awards.
Community Sail Training Trust	Consists of community representatives of organisations that contribute to an annual scholarship for Shire of Harvey young people to undertake a youth development training activity on the Sail Training Trust Leeuwin, and Elected Members.
Access and Inclusion	The need for a Disability Access and Inclusion Plan to be developed, implemented and updated is a statutory requirement. While legislation does not dictate the operation of an Access and Inclusion Advisory Committee, it is considered best practice. Quarterly meetings with Council, Executive and Technical Officers in attendance are recommended.
Youth Collective	An informal group which currently meetings every three weeks and

	provides input on the Shire’s youth activities including school holiday programs and the annual Sunset Festival (formerly known as Youthchella).
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It is proposed that the Harvey Recreation and Cultural Centre Advisory Group continues to meet every two months, but that Councillor representation is discontinued, with Officer attendance on a rotational basis. Furthermore, Officers recommend that the Sport and Recreation Advisory Committee continues to operate with Officer attendance only.

It is therefore recommended that the following Advisory Groups are disbanded:

- Libraries, Early Years, Arts and Performance (LEAP) Advisory Committee
- Australind/Leschenault Place Advisory Group
- Brunswick Place Advisory Group
- Coastal Place Advisory Group
- Harvey Place Advisory Group
- Yarloop Place Advisory Group.

Options other than those recommended were considered by Officers including a reduced number of Advisory Groups and/or meetings. However, the recommended model of annual place-based Community Meetings is considered best and most cost-effective use of the Shire’s human and financial resources.

**Statutory/Policy Environment**

Shire Officers will review relevant policies to identify amendments required as a result of Council’s decision on this matter and bring them back to Council as soon as is practicable.

**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.*

**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.

This report is included in the Agenda Briefing Session and Ordinary Council Meeting documents, which are uploaded to the Shire’s website for public viewing. The Council resolution will be included in the Ordinary Council Meeting Minutes, which are uploaded to the Shire’s website for public viewing.

**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.

The review of Advisory Groups was raised at each of the meetings held in August 2024. Responses were varied and ranged from a desire to retain the current frequency of the meetings to an indication that Annual Community Meetings were the preferred option. Given the range of other engagement options available, the proposed Annual Community Meetings are considered a viable alternative to the current model.

### **Risk Management**

The Risk Theme Profile identified as part of this report is **Inadequate Engagement Practices**. The Consequence could be **Reputation**. The reputational risk could be that the Shire is not providing reasonable opportunity for the community to engage with elected members and senior officers. The risk level is considered **Moderate** and the likelihood **Possible**, which results in a **Medium** risk being present. However, this is mitigated by the proposed return to annual Community Meetings and the range of other engagement tools available to the community.

### **Budget Implications**

As discussed previously, the current Advisory Groups model is implemented at a substantial financial and productivity cost. While the annual Community Meetings will incur some costs, it is anticipated that the financial impost will be significantly less than the current model.

### **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, following a review of the current Advisory Groups model:

1. Resolves to hold Annual Community Meetings in Australind, Binningup/Myalup, Brunswick, Harvey and Yarloop/Cookernup in August/September each year.
2. Resolves to disband the following groups:
  - Libraries, Early Years, Arts and Performance (LEAP) Advisory Committee
  - Community Safety and Crime Prevention Advisory Group
  - Australind/Leschenault Place Advisory Group
  - Brunswick Place Advisory Group
  - Coastal Place Advisory Group
  - Harvey Place Advisory Group
  - Yarloop Place Advisory Group.

3. Resolves to retain the following activity/issue based Advisory Groups with one Primary and one Deputy Elected Member representative:
  - Alcoa Sustainability Fund
  - Community Sail Training Trust
  - Access and Inclusion.
4. Resolves to retain the Awards Honours and Prizes Advisory Group and its membership of four Primary Elected Member representatives and one Deputy Elected Member representative, plus the Chief Executive Officer or nominee.
5. Notes that the Harvey Recreation and Cultural Centre Advisory Group, Sport and Recreation Advisory Group and Youth Collective will continue to meet but resolves that no Elected Member representatives will be appointed to these groups.
6. Requests the Chief Executive Officer to write to all members of the disbanded Advisory Groups to advise them of Council's decision, thank them on behalf of the Shire of Harvey for their contribution, and encourage them to participate in future Annual Community Meetings.
7. Requests the Chief Executive Officer to review the Terms of Reference for all remaining Advisory Groups for Council's consideration at the Ordinary Council Meeting to be held in March 2025.

**Moved: Cr. Bromham**

**Seconded: Cr. Carbone**

**That Council, following a review of the current Advisory Groups model:**

1. **Resolves to hold Annual Community Meetings in Australind, Binningup/Myalup, Brunswick, Harvey and Yarloop/Cookernup in August/September each year.**
  2. **Resolves to disband the following groups:**
    - **Libraries, Early Years, Arts and Performance (LEAP) Advisory Committee**
    - **Community Safety and Crime Prevention Advisory Group**
    - **Australind/Leschenault Place Advisory Group**
    - **Brunswick Place Advisory Group**
    - **Coastal Place Advisory Group**
    - **Harvey Place Advisory Group**
    - **Yarloop Place Advisory Group.**
  3. **Resolves to retain the following activity/issue based Advisory Groups with one Primary and one Deputy Elected Member representative:**
    - **Alcoa Sustainability Fund**
    - **Community Sail Training Trust**
    - **Access and Inclusion.**
-

4. Resolves to retain the Awards Honours and Prizes Advisory Group and its membership of four Primary Elected Member representatives and one Deputy Elected Member representative, plus the Chief Executive Officer or nominee.
5. Notes that the Harvey Recreation and Cultural Centre Advisory Group, Sport and Recreation Advisory Group and Youth Collective will continue to meet but resolves that no Elected Member representatives will be appointed to these groups.
6. Requests the Chief Executive Officer to write to all members of the disbanded Advisory Groups to advise them of Council’s decision, thank them on behalf of the Shire of Harvey for their contribution, and encourage them to participate in future Annual Community Meetings.
7. Requests the Chief Executive Officer to review the Terms of Reference for all remaining Advisory Groups for Council’s consideration at the Ordinary Council Meeting to be held in March 2025.

**Carried 11-0                      24/269**

**Votes:**

**For:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Carbone, Cr. Boylan, Cr. Dickinson, Cr. Coleman, Cr. Holly, Cr. Bromham, Cr. Capogreco and Cr. Junio.

**Against:** Nil.

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

Nil.

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

**Cr. Carbone put forth the following Notice of Motion to be placed in the Ordinary Council Meeting Agenda for January 2025:**

That the Shire of Harvey develop a local planning policy under Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015 to encompass a Renewable Energy Facility and Battery Storage.

**15. Reports of Members**

President Campbell reported on her attendance at the following:

**December:**

- Library Volunteers Appreciation morning tea
- Citizenship Ceremony
- Meeting with David Bolt
- Mercy College Presentation Night
- Regional Development Assessment Panel Meeting
- Sport and Recreation Advisory Group Meeting
- WALGA State Council Regional Forum in Busselton
- WALGA State Council Meeting in Busselton
- Harvey GALA Night
- Local Emergency Management Committee Meeting
- Agenda Briefing Session
- Harvey Community Radio - Shire Chat
- SEN Radio
- Leschenault Mens Shed Christmas Party
- South West Development Commission Function
- Harvey Lions Christmas Party
- Sunset Festival
- Bunbury Outer Ring Road Community Event

- Audit Committee Meeting
- Ordinary Council Meeting
- Meeting with Dr. Sue Chapman.

Cr. Coleman reported on her attendance at the following:

**October:**

- Brunswick Show
- Community Radio
- Harvey Senior High School Graduation.

**November:**

- GWN 7 at the Harvey Men's Shed
- Harvey Agricultural College Graduation
- Harvey Recycling Regatta
- Remembrance Day Event
- WALGA Diploma Training
- WALGA Promotional Video
- Zoom Diploma Training
- Murray Malone regarding Road Closure for Kiwi Fruit Project
- ELT discussions with Councillors
- Agenda Briefing Session
- Senior Citizens Meeting
- Community Safety and Crime Prevention Advisory Group
- Alcoa Wagerup Community Consultative Network Meeting
- Regional Road Group Meeting
- Harvey Carers Group
- Concept Forum
- Ordinary Council Meeting.

**December:**

- Awards, Honours and Prizes Advisory Committee

- South32 Community Liaison Committee Meeting
- WALGA Diploma Training
- District Hospital Advisory Committee
- Alcoa Wagerup Community Consultative Network Meeting
- Audit Committee Meeting
- Ordinary Council Meeting.

Cr. Dickinson reported on her attendance at the following:

**November:**

- Harvey Recreation and Cultural Centre Advisory Group, Capital Works Planning Meeting
- Peel Naturalist Partnership meeting at Mandurah with Cr. Bromham.

**December:**

- Citizenship Ceremony in Harvey
- Bunbury Harvey Regional Council Audit Exit Meeting via Microsoft Teams at Stanley Road Wellesley
- Shire Chat on Harvey Community Radio
- Memorial Shrine Building and Detention Cells updated layout meeting in Harvey
- Sport and Recreation Advisory Group Meeting in Australind
- Awards, Honours and Prizes Advisory Committee
- Bunbury Harvey Regional Council Audit Committee Meeting
- Bunbury Harvey Regional Council Ordinary Council Meeting
- Municipal Waste Advisory Committee Meeting at the WALGA Perth Office with the Chief Executive Officer from the Bunbury Harvey Regional Council
- Peel Harvey Catchment Council end of year celebrations in Mandurah
- Alcoa Wagerup Community Consultative Network Meeting
- Waroona Community Resource Centre Meeting
- Bunbury Harvey Regional Council Strategic Direction Meeting at the City of Bunbury
- Audit Committee Meeting.

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

Nil.

**17. Matters Behind Closed Doors**

**Moving Behind Closed Doors**

**Moved: Cr. Krispyn**

**Seconded: Cr. Boylan**

**That Council moves behind closed doors.**

**Carried 11-0**

**24/270**

**Votes:**

**For:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Carbone, Cr. Boylan, Cr. Dickinson, Cr. Coleman, Cr. Holly, Cr. Bromham, Cr. Capogreco and Cr. Junio.

**Against:** Nil.

***Council moved behind closed doors at 6.53pm.***

**17.1. Infrastructure Services**

**17.1.1 Q062024 – Supply and Delivery of One New Multi Tyre Roller**

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.”

<b>Item No.:</b>	<b>17.1.1.</b>
<b>Subject:</b>	<b>Q062024 – Supply and Delivery of One New Multi Tyre Roller</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Manager Parks Services</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>Q062024</b>
<b>Attachments:</b>	<b>Confidential Attachment 1</b>

**Summary**

Quotation Q062024 for the Supply and Delivery of one new Multi Tyre Roller was advertised on Thursday, 17 October 2024 via the Western Australian Local Government Association (WALGA) Vendorpanel (EQuotes). At the close of Quotations on Friday, 1 November 2024, two Quotes were received.

Following a detailed assessment of the Quote Submissions, the Evaluation Panel (the Panel) considered that one of the Respondents presented good value for the Shire’s operations.

It is therefore recommended that Council awards Quotation Q062024 and that Council agrees to dispose of the Shire of Harvey (the Shire)'s existing Multi Tyre Roller as per the Officers Recommendation.

**Voting Requirements**

Simple Majority

**Officer's Recommendation 1 of 2**

Moved: Cr. Bromham

Seconded: Cr. Carbone

That Council:

1. Awards Quotation Q062024 for the Supply and Delivery of one new Multi Tyre Roller to WesTrac Pty Ltd for a Caterpillar CW34NN Multi Tyre Roller for the quoted price of \$229,480 (excluding GST).
2. Authorises the Chief Executive Officer to prepare and sign the required contract documentation.
3. Acknowledges the over expenditure of \$29,480 from the Plant Replacement Program until the finalisation of the proposed disposal of the current Multi Tyre Roller.

Carried 11-0                      24/271

Votes:

**For:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Carbone, Cr. Boylan, Cr. Dickinson, Cr. Coleman, Cr. Holly, Cr. Bromham, Cr. Capogreco and Cr. Junio.

**Against:** Nil.

**Officer's Recommendation 2 of 2**

Moved: Cr. Dickinson

Seconded: Cr. Carbone

That Council:

1. Disposes of its Caterpillar CW34 Multi Tyre Roller to WesTrac Pty Ltd for the offered price of \$50,000 (excluding GST) .
2. Gives public notice of the proposed disposition in accordance with section 3.58 (3) and (4) of the *Local Government Act 1995*.
3. Provides a further report to Council should submissions be received during the public notice period.
4. Authorises the Chief Executive Officer to execute the disposition of property should there be no submission.

Carried 11-0                      24/272

**Votes:**

**For:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Carbone, Cr. Boylan, Cr. Dickinson, Cr. Coleman, Cr. Holly, Cr. Bromham, Cr. Capogreco and Cr. Junio.

**Against:** Nil.

**17.2. Sustainable Development**

**17.2.1 Disposal of Land – Lot 46 (1) Hovea Street Myalup**

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.”

<b>Item No.:</b>	<b>17.2.1.</b>
<b>Subject:</b>	<b>Disposal of Land – Lot 46 (1) Hovea Street Myalup</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Lot 46 (No. 1) Hovea Street, Myalup</b>
<b>Reporting Officer:</b>	<b>Senior Governance Compliance Officer</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>A6480</b>
<b>Attachments:</b>	<b>Confidential Attachment 1</b>

**Summary**

At its Ordinary Council Meeting held Tuesday, 26 November 2024, Council resolved (in part) to authorise the Chief Executive Officer to accept the offer to purchase Lot 46 (1) Hovea Street, Myalup. The previous Confidential Attachment included within the report, was not the final offer received from the accepted purchaser. **Confidential Attachment 1** to this report, includes the correct purchase price and it is recommended Council authorises the Chief Executive Officer (CEO) to accept the offer contained within **Confidential Attachment 1** and dispose of the lot in accordance with Section 3.58 of the *Local Government Act 1995*.

**Voting Requirements**

Simple Majority

**Moved: Cr. Bromham**

**Seconded: Cr. Holly**

**That Council:**

1. Authorises the Chief Executive Officer to not execute the sale of Lot 46 (1) Hovea Street, Myalup at the conclusion of the current notice period, required by section 3.58 (3) and (4) of the *Local Government Act 1995*, as the notified purchase price accepted at the Ordinary Council Meeting dated 26 November 2024, was not the final offer submitted by the purchaser.
2. Authorises the Chief Executive Officer to accept the revised offer to purchase Lot 46 (1) Hovea Street, Myalup as contained within **Confidential Attachment 1**, subject to a two-week public notice period in accordance with section 3.58 (3) and (4) of the *Local Government Act 1995*.
3. Authorises the Chief Executive Officer to execute the sale of Lot 46 (1) Hovea Street, Myalup at the conclusion of the notice period, required in 2 above, should no adverse submissions be received.

**4. Authorises the proceeds from the sale of Lot 46 (1) Hovea Street, Myalup to be transferred to the Shire's Building Reserve Major Maintenance account.**

**Carried 11-0                      24/273**

**Votes:**

**For:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Carbone, Cr. Boylan, Cr. Dickinson, Cr. Coleman, Cr. Holly, Cr. Bromham, Cr. Capogreco and Cr. Junio.

**Against:** Nil.

**Returning from Behind Closed Doors**

**Moved:** Cr. Carbone

**Seconded:** Cr. Capogreco

**That Council return from behind closed doors.**

**Carried 11-0                      24/274**

**Votes:**

**For:** President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Carbone, Cr. Boylan, Cr. Dickinson, Cr. Coleman, Cr. Holly, Cr. Bromham, Cr. Capogreco and Cr. Junio.

**Against:** Nil.

***Council returned from behind closed doors at 6.55pm.***

**18. Closure of Meeting**

There being no further business to discuss, the meeting was declared closed at 6.55pm.

I, Ms. Michelle Campbell, certify that the aforesaid Minutes of the meeting held on Tuesday, 17 December 2024 are a true and correct record of that meeting on Tuesday, 17 December 2024.



Michelle Campbell

Ms. Michelle Campbell  
**Shire President**