



SHIRE OF  
**HARVEY**



# Ordinary Council Meeting **Agenda**

**Harvey Council Chamber**  
**Tuesday, 25 June 2024**  
**4PM**

**Shire of Harvey  
Ordinary Council Meeting**

Dear Councillor,

Notice is hereby given that the next meeting of the Harvey Shire Council will be held in the Harvey Council Chamber, Young Street, Harvey, on Tuesday, 25 June 2024 commencing at 4pm.

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

Yours faithfully,



**Mark Newman  
Acting Chief Executive Officer**

21 June 2024.

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**1. Official Opening****Disclaimer**

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

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

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

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

**Acknowledgement of Country**

The Shire of Harvey acknowledges the traditional custodians of the land and their continuing connection to the land, waters and community. We pay our respects to all members of the Aboriginal communities and their cultures; and to Elders and Emerging Elders both past and present.

**2. Record of Apologies and Leave of Absence****3. Applications for Leave of Absence****4. Declarations of Members' and Officers' Personal Interest****5. Questions by Members of Which Due Notice Has Been Given****6. Response to Previous Questions Taken on Notice****7. Public Question Time****8. Petitions/Deputations/Presentations****9. Announcements by Presiding Members or CEO Without Discussion**

**10. Confirmation of Minutes**

Ordinary Council Meeting – Tuesday, 28 May 2024.

**Recommendation**

That the Minutes of the Council Meeting held on Tuesday, 28 May 2024 as printed be confirmed as a true and correct record.

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

**Local Emergency Management Committee – Monday, 10 June 2024.**

**Recommendation**

That the Minutes of the Local Emergency Management Committee held on Monday, 10 June 2024 as printed be received.

**Audit Committee Meeting – Tuesday, 18 June 2024.**

**Recommendation**

That the Minutes of the Audit Committee Meeting held on Tuesday, 18 June 2024 as printed be received.

*Note: An administrative error was identified and changed on page 9 of **Attachment 1**, under the Management Comment; it should have stated “Australind Library” and not “Harvey Library”.*

**Alcoa Harvey Sustainability Fund – Tuesday, 18 June 2024.**

**Recommendation**

That the Minutes of the Alcoa Harvey Sustainability Fund held on Tuesday, 18 June 2024 as printed be received and the recommendations therein be adopted.

## 12. Officer's Reports

### 12.1. Chief Executive Officer

<b>Item No.</b>	<b>12.1.1.</b>
<b>Subject:</b>	<b>Planning Delegations Review – Planning Reform</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Manager Planning Services</b>
<b>Authorising Officer:</b>	<b>Acting Chief Executive Officer</b>
<b>File No.:</b>	<b>F/08/00012</b>
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Correspondence - Reforms to Decision Making [<b>12.1.1.1</b> - 2 pages]</li> <li>2. Amendment Act 2023 - Extract [<b>12.1.1.2</b> - 3 pages]</li> <li>3. Amendment Regulations 2024 [<b>12.1.1.3</b> - 6 pages]</li> <li>4. Delegations - Amended June 2024 [<b>12.1.1.4</b> - 4 pages]</li> </ol>

### Summary

As a result of the State Government's Planning Reform initiatives being implemented on Monday, 1 July 2024, Council's existing Planning Delegations require amendments to reflect the upcoming changes to the Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations). This report provides details of the changes to the Regulations and resulting amendments to the following Delegations:

- 9.1.2 – Development Applications
- 9.1.5 – Performance Based Solutions under Residential Design Codes.

### Background

The Shire of Harvey (Shire) received correspondence on Thursday, 16 May 2024 from the Department of Planning, Lands and Heritage's Director General (refer **Attachment 1**) advising that, from Monday, 1 July 2024, the following would commence:

- Implementation of section 257C of the *Planning and Development Act 2005*, which provides the ability for regulations to specify that certain types of development applications must be determined by the Officers of the Local Government (refer **Attachment 2**).
- Implementation of amendments to Schedule 2 of the Regulations to specify that a single house development or any development associated with a single house, where not otherwise exempt, are to be determined by the Chief Executive Officer (CEO) of the Local Government or other Local Government Officer/s authorised by the CEO (refer **Attachment 3**).

With the exception of developments that are exempt from requiring development approval or relate to a heritage-protected place, the above amendments will mean that a 'prescribed single house development' must be determined by either the CEO or an Authorised Employee, without direction from Council. Schedule 2, clause 84B of the Regulations will define a 'prescribed single house development' as:

- the erection of, or alterations or additions to, a single house.
- the erection or installation of, or alterations or additions to, any of the following that is ancillary or incidental to a single house:
  - an ancillary dwelling.

- an outbuilding.
- an external fixture.
- a boundary wall or fence.
- a patio.
- a pergola.
- a verandah.
- a deck.
- a garage.
- a carport.

### **Comment**

A minor amendment to Delegation 9.1.2 – Development Applications and Delegation 9.1.5 – Performance Based Solutions under Residential Design Codes is required to reflect these legislated changes. The amendment involves including an additional ‘Condition’ to specify that the Delegation is not applicable to a ‘prescribed single house development’, unless the development relates to a heritage-protected place (refer **Attachment 4**).

### **Statutory/Policy Environment**

#### **Local Government Act 1995**

##### *5.42. Delegation of some powers and duties to CEO*

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

- (a) this Act other than those referred to in section 5.43; or*
- (b) the Planning and Development Act 2005 section 214(2), (3) or (5).*

*\* Absolute majority required.*

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

##### *5.43. Limits on delegations to CEO 28*

*A local government cannot delegate to a CEO any of the following powers or duties —*

- (a) any power or duty that requires a decision of an absolute majority of the council;*
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) appointing an auditor;*

- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- (f) borrowing money on behalf of the local government;*
- (g) hearing or determining an objection of a kind referred to in section 9.5;*
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;*
- (h) any power or duty that requires the approval of the Minister or the Governor;*
- (i) such other powers or duties as may be prescribed.*

**5.44. CEO may delegate powers and duties to other employees**

- (1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.*
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*
- (3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —*
  - (a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and*
  - (b) the exercise of that power or the discharge of that duty by the CEO's delegate, are subject to any conditions imposed by the local government on its delegation to the CEO.*
- (4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.*
- (5) In subsections (3) and (4) —*  
*conditions includes qualifications, limitations or exceptions.*

**5.45. Other matters relevant to delegations under this Division**

- (1) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —*
  - (a) a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and*
  - (b) any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.*
- (2) Nothing in this Division is to be read as preventing —*
  - (a) a local government from performing any of its functions by acting through a person other than the CEO; or*



*(b) a CEO from performing any of his or her functions by acting through another person.*

**5.46. Register of, and records relevant to, delegations to CEO and employees**

- (1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.*
- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*
- (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

**Planning and Development (Local Planning Schemes) Regulations 2015**

**82. Delegations by local government**

- (1) The local government may, by resolution, delegate to a committee or to the local government CEO the exercise of any of the local government's powers or the discharge of any of the local government's duties under this Scheme other than this power of delegation.*
- (2) A resolution referred to in subclause (1) must be by absolute majority of the council of the local government.*
- (3) The delegation must be in writing and may be general or as otherwise provided in the instrument of delegation.*

**83. Local government CEO may delegate powers**

- (1) The local government CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's functions under this Scheme other than this power of delegation.*
- (2) A delegation under this clause must be in writing and may be general or as otherwise provided in the instrument of delegation.*
- (3) Subject to any conditions imposed by the local government on its delegation to the local government CEO under clause 82, this clause extends to a power or duty the exercise or discharge of which has been delegated by the local government to the CEO under that clause.*

**Strategic Framework**

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

- 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.

**Promise to the Community**

*Inform:* We will keep you informed.

**Risk Management**

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

**Budget Implications**

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**

Absolute Majority

**Officer's Recommendation**

That Council amends the following existing Delegations as contained within **Attachment 4** with the effective date of the amended Delegations being Monday, 1 July 2024:

9.1.2 Development applications.

9.1.5 Performance Based Solutions under Residential Design Codes.

**BY ABSOLUTE MAJORITY**

<b>Item No.:</b>	<b>12.1.2.</b>
<b>Subject:</b>	<b>Corporate Business Plan 2024–2028</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Coordinator Corporate Planning and Performance</b>
<b>Authorising Officer:</b>	<b>Acting Chief Executive Officer</b>
<b>File No.:</b>	<b>B000366</b>
<b>Attachments:</b>	1. Corporate Business Plan 2024-2028 [12.1.2.1 - 68 pages]

***The following additional information is provided in regard to Item 12.1.2.***

Following queries raised and amendments suggested by Council at the Agenda Briefing Session held Tuesday, 18 June 2024, the previously presented Corporate Business Plan 2024–2028 has been updated accordingly.

### **Summary**

In compliance with the *Local Government Act 1995* and Local Government (Administration) Regulations 1996, Council is presented the Corporate Business Plan 2024–2028 (**Attachment 1**) for adoption.

### **Background**

The *Local Government Act 1995* requires local governments to plan for the future of the district. Amendments made in August 2011 to the Local Government (Administration) Regulations 1996 require that as a minimum, a Strategic Community Plan (SCP) and a Corporate Business Plan (CBP) form this plan for the future.

The Corporate Business Plan 2024–2028 sets out the projects and services the Shire aims to deliver over the next four years that work towards achieving the goals identified in the SCP. The CBP is a key business planning tool for the Shire and acts as the intermediary between the SCP and the Shire's Annual Budget. It is reviewed and updated every year with progress and achievements reported on quarterly in the Council Progress Report, and annually in the Annual Report.

### **Comment**

#### **Consultation**

Unlike the SCP, the CBP does not require a period of public comment prior to being presented to Council for adoption. However, the CBP being presented has been fully informed by the community engagement process conducted during the development of the SCP. The priorities, goals and objectives of the SCP have created the framework for the key projects and actions outlined in the CBP.

Identification of the key projects was informed through several mechanisms including the Shire's regular consultation with Place Advisory Group members and by working in partnerships with community groups and government agencies. Many projects are influenced by statutory requirements (for example maintaining road infrastructure) and some have also carried over from the previous CBP as they are still relevant in terms of meeting the strategic direction of the Shire.

The Corporate Business Plan 2024–2028 has also been heavily informed by the Forward Capital Works Plan which was workshopped with Elected Members and received by Council at the Ordinary Council Meeting held on Tuesday, 25 June 2024.

Internal consultation with Directors and Managers of each business unit helped to refine the structure and content of the Plan which was presented at a workshop with Council on Tuesday, 9 July 2024.

**Structure**

The CBP is a dynamic document that can be used to inform all aspects of decision making by Council and Administration. To facilitate this, the CBP contains a great level of detail including:

- Detailing whether the project is funded through the Shire's operating budget or if it is capital expenditure.
- For capital items, the total project cost is shown, noting the Shire's contribution via the budget and loans, and how much is required from external sources such as grants and contributions, if the project is to proceed.
- The adopted Forward Capital Works Plan has been included to give the reader full oversight of the Shire's proposed capital works expenditure for a four-year period, including asset improvement and renewal, as well as new infrastructure projects.

This level of detail will clarify the Shire's financial commitments to its projects, which in many cases is only a small proportion of the total cost. It will also better support Council's decision-making if new projects need to be funded or priorities change.

The CBP also includes information relating to service areas. The purpose of this information is to provide Officers, Councillors and members of the public a clear line of sight between the Shire's regular (core) services and the community's broader strategic aspirations. An investigation into service area planning has been completed, and over the next 12 months, comprehensive Service Plans will be developed to include resource considerations such as budget and workforce levels for each area, again to inform decision-making regarding service provision.

**Priorities and Major Projects**

The CBP responds to the community priorities identified in the SCP, those being:

- Playgrounds, parks and reserves.
- Crime prevention and safety.
- Youth services.
- Local roads.
- Footpaths, trails and cycleways.
- Communication.
- Streetscapes, trees and verges.
- Mosquito and pest management.

The CBP also responds to existing priorities such as economic development through the creation of tourism and business opportunities in the Region, and the redevelopment of essential infrastructure.

Some of the major proposed projects for the next four-year period are:

- Construction of the Brunswick River Cottages.

- Upgrade of the Harvey Football Club Changeroom and Arthur Marshall Grandstand roof structure.
- Construction of capital works at the Stanley Road Refuse Facility.
- Construction of the Yarloop Workshops Interpretive Centre and Men's Shed Stage 1.
- Upgrade of the Shire's Corporate Enterprise Resource Planning system.
- Upgrade of the Harvey Senior Citizens Centre.
- Completion of the Brunswick Tennis Court upgrade.
- Upgrade of the Binningup Skate Park.

Some of the key achievements from the previous Corporate Business Plan are:

- Construction of the Harvey Skate Park.
- Finalisation of the Ridley Place Foreshore Redevelopment Master Plan.
- Development of the Invest Harvey Region prospectus.
- Adoption of the Sport and Recreation Plan 2033.
- Support of the extension of the Leschenault Men's Shed.
- Commencement of the construction of the Brunswick River Cottages.
- Commencement of the construction of the Harvey Senior Citizens Centre.

### **Performance Monitoring and Reporting**

The progress of the key actions in the CBP will be monitored through the quarterly reporting process. This will be critical in identifying emerging issues and will ensure Council can make informed decisions about any changes in direction throughout the year. Quarterly reporting will be against both the actions contained in the CBP and identified Corporate Performance Indicators. Any amendments made in-year will be reported to Council and a final report of the progress and achievements will be made in the Annual Report.

### **Statutory/Policy Environment**

#### *Local Government Act 1995*

- s.5.56 – Planning for the future

#### *Local Government (Administration) Regulations 1996*

- r.19DA – Corporate business plans, requirements for

### **Strategic Framework**

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

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

*Objective 5.5 Integrated strategic planning and reporting to drive continuous improvement.*

## **Community Engagement**

### **Community Participation Goal**

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

Whilst there is no statutory requirement for the Shire to seek stakeholder and community feedback on the Corporate Business Plan, once adopted it will be advertised widely as being publicly available.

### **Promise to the Community**

*Inform:* We will keep you informed.

The adopted Corporate Business Plan will be available on the Shire's website with public notices made via online and print media channels such as Facebook and the Harvey Waroona Reporter, as well as being disseminated through the Place Advisory Groups.

## **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 requirements of both the *Local Government Act 1995* and the Local Government (Administration) Regulations 1996 are not met in terms of the Shire having a plan for the future. Another consequence could be **Reputational** if the public perceives that the Shire does not have the business planning tools in place to manage ratepayer money in a transparent and accountable manner. The measure of consequence is **Moderate**, and the likelihood is **Unlikely**, giving an overall risk rating of **Moderate**. Both risks will be mitigated through adherence to the Integrated Planning and Reporting Framework.

## **Budget Implications**

The Corporate Business Plan has been developed in-house by Shire Officers with no financial resources required.

## **Authority/Discretion**

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

## **Voting Requirements**

Absolute Majority

## **Officer's Recommendation**

That Council:

1. Adopts the Corporate Business Plan 2024–2028 as per **Attachment 1**.
2. Notes any amendments to the draft Annual Budget 2024–2025 and incorporates these amendments into the Corporate Business Plan 2024–2028.

**BY ABSOLUTE MAJORITY**

## 12.2. Infrastructure Services

<b>Item No.:</b>	<b>12.2.1.</b>
<b>Subject:</b>	<b>Australind Jetty Request for Management Options</b>
<b>Proponent:</b>	<b>Department of Water and Environmental Regulation</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Director Infrastructure Services</b>
<b>Authorising Officer:</b>	<b>Acting Chief Executive Officer</b>
<b>File No.:</b>	<b>W000001</b>
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Australind Jetty Maintenance Plan [12.2.1.1 - 28 pages]</li> <li>2. Australind Jetty Infrastructure [12.2.1.2 - 2 pages]</li> <li>3. Australind Jetty Tenure Aerial [12.2.1.3 - 1 page]</li> </ol>

### Summary

The Australind Jetty (the Jetty), located on the Leschenault Estuary and accessed from the Eco Museum reserve area, is currently under the care, control and management of the Department of Water and Environmental Regulations (DWER).

Due to the poor condition of the Jetty, in 2022–2023 DWER undertook a detailed assessment of the Jetty and subsequently undertook the renewal of the infrastructure which cost in the order of \$3.0M. At the time there were discussions regarding the Shire of Harvey (the Shire) potentially agreeing to take on the future care, control and management of the Jetty however to date no firm commitment has been provided to DWER by Council.

This report considers a request received from DWER on Monday, 13 May 2024 requesting that Council consider the Maintenance Plan provided (refer **Attachment 1**) and discusses the future management options for the Jetty.

### Background

#### Meeting DWER Director General/Shire of Harvey Chief Executive Officer – Sunday, 3 March 2022

At this meeting DWER's intention for the future Management/Ownership of the Jetty was discussed resulting in the following correspondence being received by the Shire on Saturday, 16 March 2022 where DWER indicated the following (in part):

*"Because the Australind Jetty is a popular and well-used landmark by local residents and tourists, we are hoping to reach agreement for the asset to be transferred from DWER to the Shire of Harvey on completion of the project".*

#### Ordinary Council Minutes – Tuesday, 26 April 2022

Following receipt of the correspondence from DWER, Council subsequently considered a report on the matter where the following decision was made:

*"That Council:*

#### *1. Notes:*

- a) The request from the Director General for the Department of Water and Environmental Regulations for the Shire of Harvey to agree to take on the care, control and management of the Australind Jetty prior to any upgrading improvement works are progressed.*

- b) *That the Department of Water and Environmental Regulations has provided the Shire with indicative annual maintenance costs for the Jetty of between \$37,500 and \$75,000 based on the replacement cost of the Jetty of \$2.5 million.*
2. *Requests that the Department of Water and the Environment Regulations provides the Shire with an Asset Management Plan for the Jetty, that provides an estimate of the ongoing annual maintenance costs of the proposed upgraded/redesigned Infrastructure.*
  3. *Following receipt of the Asset Management Plan, requests the Chief Executive Officer to enter into discussions with the Department of Water and Environmental Regulations, to investigate / assess options to possibly modify/remove parts of the Jetty infrastructure to improve water flow and/or reduce future ongoing maintenance costs. This investigation is to consider the use of alternative robust materials that would prolong the life of the infrastructure and reduce ongoing maintenance costs.*
  4. *Will determine that any decision made to take on the care, control and management of the Jetty, once the works have been completed to the satisfaction of the Shire, will be subject to the Chief Executive Officer entering into successful negotiations with the State Government for the provision, to the Shire, of a lump sum payment (value to be determined), to be placed into a Cash Reserve to fund future ongoing Australind Jetty maintenance / renewal works.*
  5. *Receives a further report on the matter once clauses 2 and 3 have been progressed.”*

#### **Letter Director General DWER – Monday, 13 May 2024**

An extract of the correspondence received from DWER is outlined below:

*“I refer to previous engagement and correspondence between the Department of Water and Environmental Regulation (the Department) and the Shire of Harvey (the Shire) related to the future management of the Australind Jetty (the Jetty).*

*The Department acknowledges the Shire’s engagement and support throughout the Jetty rebuild project. Now that the project is complete and open to the public, the Department would like to recommence discussions on the future management of the asset.*

*As advised previously, the Department does not require the Jetty for water or environmental management purposes. However, given its popularity as a well- used local landmark and its proximity to the Shire-managed recreation reserve 25203, the Department believes that the asset would benefit the Shire and the wider community.*

*When the Department previously engaged with the Shire on the transfer of the asset, it requested that the outstanding maintenance of the Jetty be completed to a satisfactory standard and that an Asset Management Plan (Maintenance Plan) be prepared to provide transparency on any future liability that the Shire needs to consider when taking on the management of the asset.*

*In keeping with its commitments, the Department engaged closely with the Shire in the design and use of appropriate materials for the construction of the Jetty. Further, as committed, the Department is pleased to provide the attached Maintenance Plan detailing annual and cumulative maintenance costs over the next 10-year period. We now ask the Council to consider the Maintenance Plan and confirm its agreement to take on the management of the Jetty”*

#### **Comment**

DWER, who are currently responsible for the management of the Jetty, engaged the Department of Transport by means of a Memorandum of Understanding to deliver the Jetty renewal. These works were subsequently carried out by Ventia Pty Ltd, based on the recommendations prepared by WML Consulting Engineers and funded by the State Government.



Underwater refurbishment works were undertaken by Shorewater Marine where APR Composites materials were used in place of timber. APR Composites is a leading manufacturer of recycled composite products in Australia. The expected lifespan of these materials is outlined in the renewal plan.

The Jetty consists of the following:

- A boardwalk jetty (approx. 140m long)
- Three footbridges (each approx. 13m long)
- T-Jetty (approx. 70m long)
- Breakwater (approx. 900m long).

### **Australind Jetty Maintenance Plan (the Plan) – 2024 – 2033–2034**

DWER commissioned the Plan to capture forecasted maintenance hours for the next 10-years to enable the asset owner to plan the maintenance works for the Jetty.

An above water visual condition inspection formed the basis for development of an estimate for future maintenance of the Jetty. These inspections provided the information required to assess the current condition of the various components that make up the Jetty.

It should be noted that 'reactive maintenance' requirements have not been included in routine maintenance estimates. Reactive maintenance requirements can vary from minor safety issues such as a trip hazard to major vandalism incidents and storm damage which is difficult to estimate accurately.

The Plan provided by DWER divides the assets into the following categories for the purpose of identifying maintenance hours: (refer **Attachment 2**)

- Coastal structures
- Land infrastructure
- Marine structures
- Signs.

Maintenance and Operation recommendations as outlined in the Plan are detailed below:

### **Monthly Inspections / Routine Maintenance**

- Inspect safety hazards, vandalism and emerging maintenance issues and complete report.
- Conduct routine maintenance such as re-tensioning of fasteners, removal of minor graffiti etc.
- Rubbish collection.

### **Monthly Maintenance (September – March):**

- Cleaning of boardwalk, footbridges and T-jetty (In conjunction with monthly routine maintenance).

- Use of saltwater pump from inlet to remove bird excrement and gravel/sand/mud caused by foot traffic.
- Access via vessel.

### Annual Maintenance:

Fresh water rinse of footbridge steel members.

- Fresh water loaded on to vessel for access.

Inspection/maintenance from water:

- Conducted from vessel or pontoon.
- Check for emerging maintenance issues.
- Re-tension fasteners of structural components.
- Supervisor inspection.
- Check for emerging maintenance issues and complete report.

The Plan recommends 400 hours per year undertaking the above however the Plan does not outline how many personnel / plant and equipment or material requirements or costs.

**Recommended Renewal periods in the Plan are shown below:**

Name of Location plus Asset Categories and Sub-Categories at that Location	Common Name of Asset	Overall Condition Index	Estimated Remaining Life (years)
<b>Coastal Structures</b>			
Breakwaters	Main Breakwater	3 – Fair	50
<b>Land Infrastructure</b>			
Landscaping – Fixed Features	Garden Bench	2 – Good	20
<b>Marine Structures</b>			
Jetties	Boardwalk Jetty	2 – Good	20
Jetties	T-Jetty	2 – Good	20
Bridges	Footbridge 1	1 – Very Good	50
Bridges	Footbridge 2	1 – Very Good	50
Bridges	Footbridge 3	1 – Very Good	50
<b>Signs</b>			
Signs	Signs	2 – Good	10

As can be seen from the above table should Council agree to take on the care, control and management of the Jetty, in 20 years' time there may be a requirement to expend substantial funds on the existing structures and other works.

## Land Transfer Issues

The Australind Jetty is located within the Leschenault Estuary. The Estuary is a Registered Place on the Aboriginal Cultural Heritage (ACH) Register, specifically Place ID 16713, 'Collie River Wagugal'. The registration type includes: Creation/Dreaming Narrative; Landscape/Seascape Feature; Water Source.

Additionally, the Jetty is not contained within a single identified land parcel. As evidenced by **Attachment 3** the Jetty is only partially contained with unconnected 'Unallocated Crown Land' and portions are contained within the Estuary itself or on Shire managed land.

This variety in land tenure and registration of the Jetty on the ACH Register will make transferring this asset complex and lengthy and one which the Shire is not willing to support.

## Discussion

The Maintenance Plan indicates that 400 hours per year (approximately 10 weeks per year) needs to be allocated to the Jetty maintenance however while the Plan indicates the required tasks it does not quantify the resources nor the estimated annual maintenance costs.

DWER previously indicated that the indicative annual maintenance costs were based on a replacement cost of \$2.5M. No capital improvements have been included in the Plan i.e. additional handrails, improving the gravel surface, seating etc. Therefore, the annual cost to the Shire could be more than anticipated in the longer term.

The Shire does not currently have the in-house resources nor the identified equipment i.e. saltwater pump/s, vessel to carry fresh water, to undertake the required maintenance activities. This service would need to be outsourced either via developing a 'term maintenance contract' similar to the barbeque cleaning contract or by employing additional maintenance staff.

## Conclusions

As previously reported to Council, the Shire currently has a large number of existing assets that require ongoing maintenance/upgrade and renewal and as the Shire expands, further assets in the form of roads, parks, buildings and other infrastructure will be added to the assets register.

Taking on an additional asset i.e. 1.1km of jetty/boardwalk/earth embankments with the associated ongoing maintenance requirements needs to be considered in the context of its amenity value to the overall Shire of Harvey community and visitors to the area against the additional long-term cost of maintaining/repairing/replacing the infrastructure.

Therefore, as previously resolved by Council should the Shire agree to take on the care, control and management of the Jetty, now that it has been renewed (predominantly 'like for like'), it is considered that the State Government would need to agree to provide a lump sum payment based on the replacement cost of the Jetty estimated to be in the order of \$3M. The amount would be placed in a new reserve for future annual ongoing maintenance works and/or repair and replacement work.

The rationale for the lump sum payment is that while the Shire is not seeking to add any additional infrastructure to its asset base (with no return as is the case with new developments) it is acknowledged that the infrastructure provides some value to the amenity of the area.

Alternatively, the Shire could enter into a Memorandum of Understanding with the State Government whereby the Jetty is still owned by the State with the Shire being responsible for the care and maintenance of the infrastructure on a cost recovery arrangement. The State would also be responsible for funding any justified capital improvements for the life of the Jetty.

## Statutory/Policy Environment

The Jetty is surrounded by the Leschenault Regional Park area however is not contained in the area and is currently under the care, control and management of DWER.

## 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 1.1 | <i>The Shire is a tourist destination of choice.</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

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

### Promise to the Community

*Inform:* We will keep you informed.

## Risk Management

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

## Budget Implications

As previously resolved by Council should the Shire agree to take on the care, control and maintenance of the Jetty, now that it has been renewed the State Government would need to agree to provide a lump sum payment to be placed into a new reserve for future annual ongoing maintenance works and/or repair works required based on the 10-year plan.

Based on an average maintenance cost of \$55,000 per annum plus an estimated \$15,000 per annum for reactive maintenance, improvements, and potential storm damage over the 10-year period this amount could be in the order of \$700,000.

In addition, should Council agree to take on the care, control, and management of the Jetty, in 20 years' time there may be a requirement to expend substantial funds on the existing structures and other works and the \$700,000 would not cover the costs for longer term renewals as outlined in the renewal plan and therefore in the longer-term substantial more funding would be required

**Authority/Discretion**

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

**Voting Requirements**

Simple Majority

**Officer's Recommendation**

That Council:

1. Authorises the Chief Executive Officer to advise the Director General of the Department of Water and Environmental Regulations that:
  - a) The Shire of Harvey's preference is not to take on the care, control, and management of the Australind Jetty as it does not currently have the resources nor the long-term financial capacity to undertake the requirements of the 10-year plan as shown in **Attachment 1**.
  - b) The variety in land tenure and registration of the Jetty on the Aboriginal Cultural Heritage Register (Place ID 16713, 'Collie River Wagugal') will make transferring this asset complex and lengthy and one which the Shire is not willing to support.
  - c) The Shire of Harvey may however consider entering into a Memorandum of Understanding with the State Government whereby the Jetty remains in the ownership of the State with the Shire of Harvey agreeing to undertake the maintenance requirements of the Jetty infrastructure, as outlined in the 10 – year plan, on a cost recovery basis, with the State being responsible for arranging and funding any justified capital improvements/renewals/replacements for the life of the Jetty.
2. Receives a further report on the matter once Clause 1 has been further progressed.

<b>Item No.:</b>	<b>12.2.2.</b>
<b>Subject:</b>	<b>Uduc Road, Harvey – Proposed 2.5m ACROD Parking Bay</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Uduc Road, Harvey</b>
<b>Reporting Officer:</b>	<b>Director Infrastructure Services</b>
<b>Authorising Officer:</b>	<b>Acting Chief Executive Officer</b>
<b>File No.:</b>	<b>F/17/000006</b>
<b>Attachments:</b>	1. ACROD Uduc [12.2.2.1 - 1 page]

## Summary

A request has been received for the installation of an ACROD parking bay and accessible ramp adjacent to the Harvey Pharmacy on Uduc Road, Harvey.

Many elderly people use the business and have difficulty accessing the path due to the kerbing and at times lack of available parking spaces.

The provision of an on road ACROD bay, as was previously provided on Gibbs Street in Harvey, will improve the amenity for both elderly people and persons with a disability. Persons wishing to park there must display an ACROD permit. It is therefore recommended that Council supports the proposal.

## Background

In October 2020, Council approved the implementation of an ACROD 2.5 bay on Gibbs Street, Harvey for a 12-month trial to determine the effectiveness of this type of this alternative type of ACROD parking;

Since the implementation of the ACROD bay on Gibbs Street, Harvey a number of positive comments have been received.

It is therefore considered that there is a place for this type of parking (to be assessed on a case by case basis) to provide improved amenity for both the elderly and physically challenged persons being able to park in close proximity to adjoining businesses.

## Comment

A request relating to the provision of an ACROD parking bay adjacent to the Harvey Pharmacy on Uduc Road was received from the community. The inclusion of an ACROD parking bay together with an access ramp would greatly assist both elderly and physically challenged persons (who have an ACROD parking permit) being able to park in close proximity to the adjoining business and access the existing path.

With regards to ACROD parking bays, in accordance with the standards, these bays are generally constructed in an 'off road' parking area, or on a road verge, as 2.5m wide perpendicular bay with a 2.5m wide no parking bay protected by a bollard adjacent to the parking bay.

As previously reported to Council, a number of local governments have developed policies enabling the creation of ACROD 2.5 parking bays to serve residents in need. These bays are generally located in a parallel parking zone, are 2.5m wide and are delineated by appropriate signage and line marking.

## Conclusion

Due to the success of the recently installed ACROD 2.5 bay on Gibbs Street, Harvey it is recommended that Council approves the installation of an ACROD 2.5 parking bay adjacent to the Harvey Pharmacy on Uduc Road, as shown on **Attachment 1**.

## Statutory/Policy Environment

Section 1.9 of the Shire of Harvey Parking Local Law states that “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:       | A diversified and thriving economy that offers a wide range of business and work opportunities as well as consumer choice. |
| Objective 1.1 | The Shire is a tourist destination of choice.  |
| Goal 2:       | A safe, accessible and connected community where everyone has the opportunity to contribute and belong.                    |
| Objective 2.1 | To support people through all stages of life.  |
| Objective 2.2 | Create a community where people are safe.  |
| Objective 2.5 | Equity for all people.   |

## Community Engagement

### Community Participation Goal

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

### Promise to the Community

*Inform:* We will keep you informed.

## Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The Consequence could be **Reputational** if Council decides not to support the request for an ACROD parking bay. The Risk Consequence is considered to be **Minor** and the Likelihood **Unlikely** resulting in a **Low** level of risk. The Risk is mitigated by supporting the recommended parking trial.

## Budget Implications

The cost to implement the proposal including signage, line marking, concrete ramp and short path extension is in the order of \$1,500. This would be funded from the path and the signage maintenance 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:

1. Approves the installation of an ACROD 2.5 bay on Uduc Road, Harvey as shown in ***Attachment 1***.
2. Authorises the Chief Executive Officer to advise the adjoining businesses of its decision.



**12.3. Sustainable Development**

Nil.

**12.4. Corporate Services**

<b>Item No.</b>	<b>12.4.1.</b>
<b>Subject:</b>	<b>Financial Statements as at 31 May 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. Financial Statements as at 31 May 24 [ <b>12.4.1.1</b> - 11 pages]

**Summary**

The Financial Statements as of Friday, 31 May 2024 are provided at **Attachment 1**.

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

	<b>ACTUAL</b> 31 May 2024	<b>BUDGET</b> 2023–2024	<b>VARIANCE</b>
<b>Statement of Financial Performance</b>			
Ordinary Revenue	\$40,446,064	\$39,931,013	\$515,051
Ordinary Expenditure	\$44,520,635	\$47,439,708	\$2,900,611
Capital Revenue	\$ 2,208,200	\$62,348,478	\$60,140,278
Capital Expenditure	\$ 8,890,143	\$82,128,516	\$73,238,373
End of Period Surplus/(Deficit)			\$4,257,988
<b>Statement of Financial Position</b>			
Current Assets			\$ 39,008,768
Net Assets			\$817,216,820

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

**Background**

In accordance with the provisions of Section 6.4 of the *Local Government Act 1995*, and Regulation 34(1) of the Local Government (Financial Management) Regulations 1996, a Local Government is to prepare each month a Statement of Financial Activity (refer **Attachment 1**) reporting on the revenue and expenditure as set out in the Annual Budget under Regulations 22 (1)(d) for the month.

**Comment****Rates Revenue**

Rates revenue of \$27.44 million and rubbish rates of \$11.79 million including the waste levy were raised in August 2023. The due date for rates payment was 29 September 2023. Approximately 96% of the rates were collected by Friday, 31 May 2024 compared to 98% for the previous year. The Shire continues to pursue unpaid rates as part of its formulated rates debt collection process.

**Cash Flow and Interest Earnings**

The Shire holds by way of cash and term deposits \$11.52 million in Municipal funds and \$29.73 million in restricted Trust and Reserve funds. The average interest rate on these funds is 4.83%. New term deposits are attracting an interest rate for 90 days of approximately 4.80%.

## **Operating Grants and Subsidies**

The Shire received \$4.03 million as advance payment for Financial Assistance Grants 2023–2024 in the last quarter of the 2022–2023 financial year. As at Friday, 31 May 2024, all four quarterly instalments of FAGS quarterly grant have been received.

## **Employee Costs**

These accounts reflect the first eleven months of the financial year which has seen several positions remain vacant due to the current employment market. Employee costs are anticipated to be under budget by approximately \$400,000 at the end of the financial year. It is expected that all vacant positions will be filled in the future and will be included as part of the draft 2024–2025 Budget.

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

Although the expenditure on materials, contracts, utilities and other expenses reported as at Friday, 31 May 2024 appears to be under budget, it is anticipated that significant expenditure will occur June 2024 along with the usual end of year transactions resulting in the full allocation of budgeted expenditure in these areas.

## **Capital Expenditure**

The Shire budgeted to spend \$82.13 million on capital projects throughout the Shire in 2023–2024. Some of these projects such as the Harvey Community Precinct (\$11 million), Australind Community Precinct (\$2.5 million) and Leschenault Leisure Centre Court Expansion (\$30 million) have not progressed further for a variety of reasons including lack of grant funding. Progress continues on the Yarloop Workshops as well as the Brunswick River Cottages. Much of the Shire's programmed road construction has either been completed or is underway with many accounts yet to be received. Expenditure totalling \$8,890,143 on capital works has been reported at the end of May 2024. As more 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.

### **Statutory/Policy Environment**

*Local Government Act 1995*

- Section 6.4

Local Government (Financial Management) Regulation 1996

- Regulation 34

### **Strategic Framework**

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

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

### **Community Engagement**

#### **Community Participation Goal**

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

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

*Inform:* We will keep you informed.

### **Risk Management**

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The Consequence could be **Financial, Reputation** or **Compliance** if the financial statements are not reported accurately, timely or in the required format. The risk is considered **Minor** and the Likelihood **Unlikely**. The risk is mitigated by Council receiving financial statements on a monthly basis and in a form that is in accordance with the *Local Government Act 1995* and associated Regulations, resulting in a **Low** Risk being present.

### **Budget Implications**

Review of the monthly accounts aids in ensuring works and services are undertaken and the Shire operates within its adopted Budget.

**Authority/Discretion**

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

**Voting Requirements**

Simple Majority

**Officer's Recommendation**

That Council receives the Financial Statements as of 31 May 2024 at ***Attachment 1***.

<b>Item No.</b>	<b>12.4.2.</b>
<b>Subject:</b>	<b>Payments May 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 May 2024 [ <b>12.4.2.1</b> - 24 pages]

## Summary

A listing of payments for goods and services for May 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 purchasing cards (fuel and store) has also been included.

## Comment

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

<u>Voucher</u>		<u>Amount</u>
Schedule of Accounts		
Municipal	EFT 71416 – EFT 71979	\$ 4,740,673.84
	117603 – 117616	\$ 40,545.95
	DD26997.1 – DD27063.9	\$ 193,395.50
CBA Credit Cards		\$ 14,044.57
Electronic Funds Submitted		\$ 993,413.23
<b>Total</b>		<b><u>\$ 5,982,073.09</u></b>

## Prepaid Cards Payments included in the Municipal payments above

AMPOL Fuel Card	\$ 2,061.88
BP Fuel Card	\$ 5,822.02
Puma Fuel Card	\$ 689.14
Coles Card	\$ 1,227.77
<b>Total</b>	<b><u>\$ 9,800.81</u></b>

## Statutory/Policy Environment

*Local Government Act 1995*

- Section 5.42

## Local Government (Financial Management) Regulation 1996

- Regulation 13
- Regulation 13A

## Strategic Framework

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

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

## Community Engagement

### Community Participation Goal

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

### Promise to the Community

*Inform:* We will keep you informed.

## Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. There is no Consequence associated as Council is receiving financial information only with no recommendation on action or intervention.

## Budget Implications

The payments listed above have been budgeted for in the Shire's 2023–2024 Budget.

## Authority/Discretion

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

## Voting Requirements

Simple Majority

## Officer's Recommendation

That Council notes the list of accounts paid at **Attachment 1** for the period of May 2024 totalling \$5,982,073.09.

<b>Item No.:</b>	<b>12.4.3.</b>
<b>Subject:</b>	<b>Long Term Financial Plan 2024–2034</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Director Corporate Services</b>
<b>Authorising Officer:</b>	<b>Director Corporate Services</b>
<b>File No.:</b>	<b>EQ/O/007</b>
<b>Attachments:</b>	1. Long Term Financial Plan 2024-2034 [ <b>12.4.3.1</b> - 38 pages]

## Summary

This report presents the Shire of Harvey's (the Shire) Long Term Financial Plan (LTFP) 2024–2034 as part of the Integrated Planning and Reporting Framework (IPR) requirements prescribed under the *Local Government Act 1995*.

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

It is recommended the Long Term Financial Plan 2024–2034 be adopted (refer **Attachment 1**).

## Background

The LTFP is a 10-year rolling plan that informs the Corporate Business Plan in the activation of the Strategic Community Plan priorities. The LTFP includes operating forecasts as well as capital items fed from the Shire's Forward Capital Works Plan and other informing strategies. The Plan is built around a number of assumptions relating to population growth, CPI increases, rate increases, utility cost increases etc. Where available, assumptions are based on current government approved economic data. Although these assumptions may alter from year to year, they are required to more accurately identify the Shire's sustainability into the future.

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

## Comment

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

- To assist in the future planning of the Shire's financial operations in regard to key components such as rate increases, service levels to the community and infrastructure asset replacement / renewal. It also serves to guide the Shire's financial decisions, such as loan indebtedness and internal cash reserve utilisation.
- To act as a financial barometer for future actions and encourages the Shire to consider the impact decisions made today will have on the Shire's long-term sustainability.
- To be a medium for linking the Annual Budget to the Asset Management Plan, ensuring the Shire is aware of future expenditure needs for renewal or replacement of existing assets.

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



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

The LTFP model is based on various assumptions, one of which is indexation from one year to the next. Officers have included the most current CPI forecast from the WA Department of Treasury with forecast CPI for 2024–2025 set at 3.1%. Forecast CPI for 2025–2026 and 2026–2027 at 2.80% and 2.5% in subsequent years.

The LTFP assumed the raising of a new loans in 2024–2025 of \$2 million for works to the Richardson Road refuse site, \$1.2 million for the Leschenault Bushfire Shed and \$2 million for the Harvey Oval Ground Improvements (stage 1). Other loans totalling \$1.23 million have also been included for the Leschenault Leisure Centre, Brunswick Tennis Club, Brunswick Recreation Grounds and self-supporting loan for the Harvey Golf Club.

Included in the LTFP is the inclusion of a Waste Facilities Maintenance Rate on all rateable assessment which was introduced in 2023–2024. The purpose of the levy is to fund the loan repayments for the Standley Road Refuse Capital Works and other future refuse capital work requirements.

## **Statutory/Policy Environment**

### *Local Government Act 1995*

- Section 5.56 – deals with planning for the future.

### *Local Government (Administration) Regulations 1996*

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

### *Local Government (Financial Management) Regulations 1996*

- Regulation 5(2)(a) – The CEO is to ensure that the resources of the local government are effectively and efficiently managed.

## **Strategic Framework**

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

- |                      |  |
|----------------------|--|
| <i>Goal 5:</i>       | <i>A representative leadership that is future thinking, transparent and accountable.</i> |
| <i>Objective 5.4</i> | <i>Sound governance, including financial, asset and risk management.</i>                 |
| <i>Objective 5.5</i> | <i>Integrated strategic planning and reporting to drive continuous improvement.</i>      |

## **Community Engagement**

### **Community Participation Goal**

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

### **Promise to the Community**

*Inform:* We will keep you informed.

**Risk Management**

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The Consequence could be **Financial** and **Reputational** should inappropriate or unrealistic assumptions be used in the LTFP model. The risk is considered **Minor** and the likelihood **Unlikely**, given that annual comparative figures have been used in the base year of the report, the report has been thoroughly researched, peer reviewed and provided by qualified Shire Officers. As such it is considered that a **Low** risk is present.

**Budget Implications**

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

**Authority/Discretion**

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

**Voting Requirements**

Simple Majority

**Officer's Recommendation**

That Council adopts the Long Term Financial Plan 2024–2034 as at **Attachment 1**.

**12.5. Community and Lifestyle**

Nil.

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

**Cr. Bromham put forth the following Motion be placed in the Ordinary Council Meeting Agenda for June 2024:**

That Council considers having meetings as follows:

- a) Two meeting days a month:
  - i. One being the Concept Forum meeting
  - ii. The other being the Ordinary Council Meeting.

**Reason:** To minimise disruption for working Councillors during any Calander month.

**Note:** Special meetings could be called as required for specific important purposes.

**Amended Notice of Motion**

That Council:

1. Endorses two meeting days a month, effective as of August 2024:
  - a) One being the Concept Forum meeting, held every third Tuesday of the month
  - b) The other being the Ordinary Council Meeting, held every fourth Tuesday of the month.
2. Amends Policy 1.1.6 – Council Meeting Framework accordingly.

**Reason:** This amended notice of motion provides a timeline of when the proposed changes are to take effect and gives direction to the administration to make changes to the relevant policies.

**Officers Comment**

There is no legislative requirement for the Shire of Harvey (the Shire) to hold an Agenda Briefing Session. The *Local Government Act 1995* (the Act), Section 5.3., specifies that a Council is to hold an Ordinary Council Meeting no more than three months apart and that a Council may hold Special Meetings of Council. The Local Government (Administration) Regulations 1996 (the Regulations), Clause 12, requires that, at least once every year, a Local Government is to give public notice of the dates on which and the time at which the Ordinary Council Meetings take place and the Committee Meetings, that are open to members of the public or that are proposed to be open to members of the public.

The Shire's Policy 1.1.6 – Council Meeting Framework was adopted by Council in 2019 and is what directs the need for an Agenda Briefing Session to be held every third Tuesday, of every month unless otherwise stipulated. Agenda Briefing Sessions are an opportunity for members to familiarise themselves with the items of business to be presented and discussed at the forthcoming Ordinary Council Meeting. No decisions are made at these meetings, although Elected Members can request additional information or alternative wording be provided by Shire Officers, to allow for motions to be prepared for consideration. It also provides an opportunity for members of the public to provide a Deputation to Council if they were unable to attend the Ordinary Council Meeting.

Should Council forego the Agenda Briefing Session, Officers recommend that that the Ordinary Council Meeting documents be distributed to Councillors on a Friday, no later than 4.30pm, 11 days before the Ordinary Council Meeting is to take place. This will guarantee that Elected Members have sufficient time to review the Agenda, request additional information and ask clarifying questions to ensure

Councillors can prepare their motions adequately. Additionally, Officers suggest that Ordinary Council Meetings continue to be held on the fourth Tuesday of every month and that Concept Forum sessions be held every third Tuesday of every month, instead of every second. This ensures that the Shire continues meet its requirements under Clause 12 of the Regulations.

Should Council wish to keep the Agenda Briefing Sessions consideration could be given to holding these sessions after Concept Forums or before Ordinary Council Meetings each month. Alternatively, Council could continue to conduct these Agenda Briefing Sessions as normal.

Should Council resolve to deliberate these alternatives further the Chief Executive Officer can facilitate this at the July 2024 Concept Forum.

**Cr. Carbone put forth the following Motion be placed in the Ordinary Council Meeting Agenda for June 2024:**

That Council requests the Chief Executive Officer to:

1. Conduct a preliminary feasibility study into whether it would be economical for the Brunswick Recreation Centre to become compliant for Basketball and Netball so it could be utilised as an additional court by the Leschenault Sports Centre Manager.
2. Investigate whether the Brunswick Cricket Ground is compliant as an additional cricket ground to be also utilised by the Leschenault Sports Centre Manager.

**Officers Comment**

The Sport and Recreation Strategy 2033 adopted by Council in March 2024 was informed by extensive community consultation as well as the:

- Brunswick Recreation Ground Needs Assessment, Feasibility Study and Concept Masterplan (2021)
- WA Football Commission state wide facility (2023)
- Brunswick Recreation Ground Needs Analysis completed by Paatsch Group (2023)

The following are listed as priority actions in the Sport and Recreation Strategy 2033:

*“1.1 HIGH Priority*

*Review court dimensions run off areas in light of safety concerns.*

*Dependent on the degree of the assessed risk, consider risk mitigation strategies including the reduction of the court playing markings for basketball and netball.*

*3.5 HIGH Priority*

*Replace synthetic cricket wicket to fully cover the concrete pitch.”*

Current user group bookings indicate that the Brunswick Recreation Centre has been identified by clubs and associations to be a valuable space for basketball and netball training facilities with competition games held both at Leschenault Recreation Centre and Eaton Recreation Centre. The cricket pitch at the Brunswick Recreation Ground is currently underutilised primarily due to the inconsistency of the surface and as schools are providing more access to their facilities.

Shire Officers anticipate that continued planning to support the implementation of the priority projects highlighted in the Sport and Recreation Plan 2033 will increase utilisation of the Brunswick Recreation Ground as well as Brunswick Recreation Centre. Officers have ensured that priority projects are included in the Shire of Harvey Forward Capital Works Plan and continue to identify and work towards successful funding opportunities to support infrastructure projects.

**14. Notice of Motion for Following Meeting****15. Reports of Members****16. New Business of an Urgent Nature Introduced by Decision of Meeting****17. Matters Behind Closed Doors****17.1. Executive Services**

## 17.1.1. CEO Performance Appraisal

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

s.5.23(2)(a): *“a matter affecting an employee or employees.”*

s.5.23(2)(b): *“the personal affairs of any person”*

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

Item No.	17.1.1
Subject:	CEO Performance Appraisal
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Manager Governance and Strategy
Authorising Officer:	Acting Chief Executive Officer
File No.:	CC/C/0132
Attachments:	Confidential Attachment 1 Confidential Attachment 2 Confidential Attachment 3

**Summary**

For Council to select a consultant to conduct the annual Chief Executive Officer (CEO) Performance Appraisal and CEO Key Performance Indicator (KPI) development in accordance with Policy 1.2.8 – CEO Performance Management (***Confidential Attachment 1***).

**Voting Requirements**

Simple Majority

**17.2. Community and Lifestyle**

## 17.2.1. LLC Structure Review

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

s.5.23(2)(a): "a matter affecting an employee or employees."

<b>Item No.:</b>	<b>17.2.1</b>
<b>Subject:</b>	<b>LLC Structure Review</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Acting Chief Executive Officer</b>
<b>Authorising Officer:</b>	<b>Acting Chief Executive Officer</b>
<b>File No.:</b>	<b>C356/00008</b>
<b>Attachments:</b>	<b>Confidential Attachment 1</b>

**Summary**

For Council to provide direction to the Chief Executive Officer (CEO) on service delivery at the Leschenault Leisure Centre (LLC).

**Voting Requirements**

Simple Majority



**18. Closure of Meeting**