



SHIRE OF
HARVEY



Ordinary Council Meeting **Minutes**

Harvey Council Chambers
Tuesday, 27 May 2025
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, 27 May 2025, commencing at 5pm.

Attendance

Shire President	Ms.	M.	Campbell
	Cr.	A.	Hitchcock
	Cr.	D.	Krispyn
	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 Sustainable Development	Mr.	D.	Putland
Director Corporate Services	Mr.	D.	Winter
Director Community and Lifestyle	Ms.	S.	Haslehurst
Manager Governance and Strategy	Ms.	K.	Williams
Manager Public Relations and Communications	Ms.	T.	Palmonari
Manager Information Services	Mr.	A.	Ewing
Manager Waste and Safety Services	Mr.	H.	Jones
Manager Community Development	Mr.	B.	Rose
Grants Officer	Ms.	A.	Harvey
Senior Governance Compliance Officer	Ms.	F.	Alldritt

There were 7 members of the public and 1 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. Coleman

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 9-0

25/92

Votes:

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

Against: Nil.

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

Cr. Carbone

Leave of Absence:

Nil.

3. Applications for Leave of Absence

Nil.

4. Declarations of Members' and Officers' Personal Interest

Cr. Holly declared a Proximity Interest in Item 12.2.1 – Harvey Oval Redevelopment. Cr. Holly declared that he lives adjacent to the Harvey Recreation and Cultural Centre and that he would leave the Chamber for the duration of the Item.

President Campbell declared an Impartiality Interest in Item 12.3.1 – Local Biodiversity Strategy – Final Adoption. President Campbell declared that she was a Council representative and Chairperson of the Biodiversity Working Group and declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the Item.

President Campbell declared an Impartiality Interest in Item 12.3.3 – Adoption of Shire of Harvey and Dardanup Joint Town Planning Scheme Minutes – 24 April 2025. President Campbell declared that she is the current Council representative and Chairperson of the Joint Town Planning Scheme Committee and declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the Item.

President Campbell declared an Impartiality Interest in Item 12.5.2 – Shire of Harvey Community Grant Program 2025. President Campbell declared that she is the current Council representative and Chairperson of the Alcoa Harvey Sustainability Fund Committee and declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the Item.

President Campbell declared an Impartiality Interest in Item 12.5.3 – 2025 Homegrown Heroes Awards. President Campbell declared that she is a Council representative on the Advisory Group and several of the nominees are known to her and declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the Item.

Cr. Capogreco declared an Impartiality Interest in Item 12.5.2 – Shire of Harvey Community Grant Program 2025. Cr. Capogreco declared that he is a committee member on the Harvey Community Radio and is the Deputy Chairperson, he is the Chairperson of Harvey Mainstreet Inc. and is a member of the Harvey Men's Shed 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. Bromham declared an Impartiality Interest in Item 12.5.2 – Shire of Harvey Community Grant Program 2025. Cr. Bromham declared that he is the Chairperson of Lot 208 Youth Inc. 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. Dickinson declared an Impartiality Interest in Item 12.5.2 – Shire of Harvey Community Grant Program 2025. Cr. Dickinson declared that she is a Committee Member of the Brunswick Agricultural Society and declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the Item.

Cr. Dickinson declared an Impartiality Interest in Item 12.5.3 – 2025 Homegrown Heroes Awards. Cr. Dickinson declared that several nominees are known to her and that she is a member on several Committees and declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the Item.

Cr. Hitchcock declared an Impartiality Interest in Item 12.5.3 – 2025 Homegrown Heroes Awards. Cr. Hitchcock declare that she is the Chairperson of the Advisory Group and that some of the nominees are known to her and declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the Item.

Cr. Coleman declared an Impartiality Interest in Item 12.2.1 – Harvey Oval Redevelopment. Cr. Coleman declared that she is a past member of the Harvey Recreation and Cultural Centre Advisory Group and declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the Item.

Cr. Coleman declared an Impartiality Interest in Item 12.5.2 – Shire of Harvey Community Grant Program 2025. Cr. Coleman declared that many of the nominees are known to her and declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the Item.

Cr. Coleman declared an Impartiality Interest in Item 12.5.3 – 2025 Homegrown Heroes Awards. Cr. Coleman declared that many of the nominees are known to her and declared that she 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

Nil.

7. Public Question Time

Mr. Duncan Booth asked the following questions:

Question 1: What plans does the Shire have in place to integrate Artificial Intelligence (AI) agents? With Artificial General Intelligence (AGI) and autonomous systems approaching within the next one to three years, what concrete steps has our leadership team taken to ensure that we're ready for autonomy and not caught out of touch?

Answer 1: The Shire of Harvey is currently going through a new ERP (Enterprise Resource Planning) implementation which is the software for the whole of the Shire of Harvey. As part of this process is integrating parts of AI's ability. Currently various Shire Officers use AI in a simple sense. The Shire ensures that Officers use a paid version to ensure that data input is secure and safe. Local Government, as a whole and as directed by the State Government, is looking at developing strategies and policies to ensure Local Governments are protected and ready for what is to come.

Question 2: What about autonomy, anything there?

Answer 2: At this stage, Local Governments are limited to how AGI would be utilised. Down the track, that may change but most of what the Shire is using now is just AI rather than beyond that.

Question 3: Can the Shire confirm if all the handwritten comments from the community surveys were collated and included in the workshop discussions beyond the priority ranking questions that were given. Will these comments be made publicly available? Why were workshop participants asked to prioritise issues in other localities without adequate local context to make informed decisions? What was the cost of hiring the consultants to conduct the survey and workshops?

Answer 3: The process for both the community scorecard and the development of the actions has been lengthy. The process began with the scorecard, within the score card was various questions and answers as well as a voice bank.

The report has just been finalised and is ready to go live with the scorecard. The Shire has received the final copy with the trend analysis included, which we were waiting for before delivering the information to the public. It is the Shire's intention to provide access to the scorecard as part of the Shire's newsletter stream which is due to be released after the Public Holiday.

In terms of the relevance of the scorecard in each of the individual workshop groups, the Council Plan covers the whole of the Shire. Whilst there are individual places, the Scorecard was seeking feedback from the Shire's residents on each of the localities in general. However, the workshop sessions aimed to gather feedback from a locality basis which will help the Shire inform the priorities for those areas. Within the newsletter, it will detail what the workshops identified were the priorities for their locality. This involves a large amount of data entry, and the Workshops had a few hundred residents attend; the Governance Business Unit is busily putting in these priorities and once complete this information will form part of the report that will be made available next week.

Question 4: Did I understand correctly that you are saying the different areas had more weighting as far as their priority listing goes? For example, the Harvey Workshop talking about a Cookernup road or a toilet block in Brunswick, does that Brunswick workshop have more weight as far as the Brunswick toilet block or equal weighting across everything?

Answer 4: The intent of the workshops was to assess the priorities per locality as well as priorities over the entire Shire. No one community had more weight in assessing priorities than another. However, the Shire did want to understand what each locality held its value in.

Question 5: What about the handwritten comments? Are they going to be accessible?

Answer 5: Within the scorecard report common themes and voices are collected and will be presented. There was around 100,000 words written by the community and some of these may contain information that the Shire cannot make publicly available. The Shire has access to the voice bank where these are captured however, it would take a lot of resources to filter through these therefore the Shire will only put what the consultant has flagged as being similar into the report.

Question 6: So, these won't be made accessible?

Answer 6: Not at this stage.

Question 7: The cost of the process?

Answer 7: The cost was in the mid-year budget review. The budget was around \$60,000 noting that, that includes the complete mail out for the scorecard and postage costs, all our data analysis and the workshops conducted with the community.

Question 8: It says that the Harvey and Binningup information bays are complete, is it true that it is the view of the Shire that the Harvey information bay has been completed?

Answer 8: As scheduled and planned, yes that information bay is completed on the highway as is the one in Binningup, however your feedback will be passed along to the Economic Development Team.

Question 9: How can I find out if any actions have been created out of that feedback?

Answer 9: Your feedback will be discussed with the relevant team, any improvements that could be made in regard to signage directing into the bay, this would need the approval of Main Roads and will be something the Shire will need to consider.

8. Petitions/Deputations/Presentations

Mr. Rod Dixon addressed the council in relation to 12.3.2 – Local Planning Strategy – Amendment No. 1: Lot 102 (No. 160) Taranto Road, Myalup.

Cr. Holly left the Chamber at 5.17pm

Mr. Craig Maughn addressed the Council in relation to Item 12.2.1 – Harvey Oval Redevelopment.

Cr. Holly entered the Chamber at 5.37pm

Mr. David Power addressed the Council in relation to Item 12.5.2 – Shire of Harvey Community Grant Program 2025.

Ms. Alldritt left the Chamber at 5.39pm

Ms. Alldritt entered the Chamber at 5.42pm

Mr. Craig Duncan addressed the Council in relation to the Shire President's Notice of Motion.

9. Announcements by Presiding Members or CEO Without Discussion

The Shire President would like to thank all the Councillors and Shire Officers that have attended the FUTYR Community Workshops. President Campbell acknowledged the residents that have participated in and contributed to the Workshops.

The Shire President congratulated the Harvey Library who held a big morning tea last week and raised approximately \$3,000 for the Cancer Foundation. President Campbell thanked everyone that attended and to Cr. Holly for his auctioning skills.

10. Confirmation of Minutes

Ordinary Council Meeting – Tuesday, 22 April 2025.

Recommendation

That the Minutes of the Council Meeting held on Tuesday, 22 April 2025, as printed be confirmed as a true and correct record.

Moved: Cr. Holly

Seconded: Cr. Hitchcock

That the Minutes of the Council Meeting held on Tuesday, 22 April 2025, as printed be confirmed as a true and correct record.

Carried 9-0

25/93

Votes:

For: President Campbell, Cr. Hitchcock, Cr. Krispyn, 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, 10 March 2025.****Recommendation**

That the Minutes of the Local Emergency Management Committee Meeting held on Monday, 10 March 2025, as printed be received.

Moved: Cr. Bromham

Seconded: Cr. Dickinson

That the Minutes of the Local Emergency Management Committee Meeting held on Monday, 10 March 2025, as printed be received.

Carried 9-0

25/94

Votes:

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

Against: Nil.

Bush Fire Advisory Group Committee – Monday, 19 May 2025.**Recommendation**

That Council:

1. Receive the Minutes of the Bush Fire Advisory Group Committee Meeting held on Monday, 19 May 2025 as printed, and the recommendations therein be adopted by Council.
2. Appoints the following persons as Fire Control Officers for the Shire of Harvey 2025–2026 fire season:

Brigade/Area	Nomination
Australind Townsite/Leschenault, Parkfield and Wellesley	Mr. Jacob Clark
Binningup, Parkfield and Wellesley	Mr. Jacob Clark
Myalup	Mr. Wayne Jackson
Yarloop and Hoffman	Vacant
Uduc	Mr. Todd Verrall
Brunswick/Roelands/Olive Hills and Brunswick Townsite	Mr. Max Van Weert
Harvey Hills, Bengier and Harvey Townsite	Mr. Vaughn Byrd
Cookernup and Hoffman	Mr. Jaydn Marinelli

3. Endorses the Firebreak Notice, including administrative changes proposed by the Bush Fire Advisory Committee, for the 2025–2026 notice.

4. Endorses the 2025–2026 Burning Periods for the Shire of Harvey as below:

- Restricted Burning Period: 1 November 2025 – 14 December 2025 (midnight)
- Prohibited Burning Period: 15 December 2025 – 15 March 2026 (midnight)
- Restricted Burning Period: 16 March 2026 – 15 May 2026 (midnight)

Moved: Cr. Coleman

Seconded: Cr. Bromham

That Council:

1. **Receive the Minutes of the Bush Fire Advisory Group Committee Meeting held on Monday, 19 May 2025 as printed, and the recommendations therein be adopted by Council.**
2. **Appoints the following persons as Fire Control Officers for the Shire of Harvey 2025–2026 fire season:**

Brigade/Area	Nomination
Australind Townsite/Leschenault, Parkfield and Wellesley	Mr. Jacob Clark
Binningup, Parkfield and Wellesley	Mr. Jacob Clark
Myalup	Mr. Wayne Jackson
Yarloop and Hoffman	Vacant
Uduc	Mr. Todd Verrall
Brunswick/Roelands/Olive Hills and Brunswick Townsite	Mr. Max Van Weert
Harvey Hills, Bengier and Harvey Townsite	Mr. Vaughn Byrd
Cookernup and Hoffman	Mr. Jaydn Marinelli

3. **Endorses the Firebreak Notice, including administrative changes proposed by the Bush Fire Advisory Committee, for the 2025–2026 notice.**
4. **Endorses the 2025–2026 Burning Periods for the Shire of Harvey as below:**
 - **Restricted Burning Period: 1 November 2025 – 14 December 2025 (midnight)**
 - **Prohibited Burning Period: 15 December 2025 – 15 March 2026 (midnight)**
 - **Restricted Burning Period: 16 March 2026 – 15 May 2026 (midnight)**

Carried 9-0

25/95

Votes:

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

Against: Nil.

12. Officer's Reports

Recommendations contained in the Officer's Reports were adopted by exception resolution with the exception of the following items:

	Cr. Holly declared a Proximity Interest against this Item.
12.2.1 – Harvey Oval Redevelopment	Cr. Coleman declared an Impartiality Interest against this Item.
	Subject to an Addendum.
12.3.1 – Local Biodiversity Strategy – Final Adoption	President Campbell declared an Impartiality Interest against this Item.
12.3.2 – Local Planning Strategy – Amendment No. 1: Lot 102 (No. 160) Taranto Road, Myalup	Subject to an Addendum.
12.3.3 – Adoption of Shire of Harvey and Dardanup Joint Town Planning Scheme Minutes – 24 April 2025	President Campbell declared an Impartiality Interest against this Item.
12.4.1 – Payments April 2025	Further discussion requested.
12.4.3 – Proposed Fees and Charges 2025–2026	Absolute Majority Decision required.
	President Campbell, Cr. Capogreco, Cr. Dickinson, Cr. Coleman and Cr. Bromham declared an Impartiality Interest against this Item.
12.5.2 – Shire of Harvey Community	Subject to an Addendum.
	President Campbell, Cr. Hitchcock, Cr. Coleman and Cr. Dickinson declared an Impartiality Interest against this Item.
12.5.3 – Homegrown Heroes Awards	

Exemption Resolution Motion:

That, with the exception of 12.2.1, 12.3.1, 12.3.2, 12.3.3, 12.4.1, 12.4.3, 12.5.2 and 12.5.3 which are to be considered separately, the Officer's recommendation for Items 12.1.1, 12.1.2, 12.1.3, 12.1.4, 12.1.5, 12.4.2 and 12.5.1 be adopted as the Council Resolution.

Moved: President Campbell

Seconded: Cr. Coleman

That, with the exception of 12.2.1, 12.3.1, 12.3.2, 12.3.3, 12.4.1, 12.4.3, 12.5.2 and 12.5.3 which are to be considered separately, the Officer's recommendation for Items 12.1.1, 12.1.2, 12.1.3, 12.1.4, 12.1.5, 12.4.2 and 12.5.1 be adopted as the Council Resolution.

Carried 9-0

25/96

Votes:

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

Against: Nil.

12.1. Chief Executive Officer

Item No.:	12.1.1.
Subject:	Lease Agreement – Harvey Community Resource Centre Inc.
Proponent:	Shire of Harvey
Location:	5 Gibbs Street, Harvey
Reporting Officer:	Contract Administration Officer
Authorising Officer:	Chief Executive Officer
File No.:	C051/00017
Attachments:	<ol style="list-style-type: none"> 1. Draft Lease Agreement – Harvey CRC [12.1.1.1 - 31 pages] 2. Policy 1.1.13 – Community Lease Policy [12.1.1.2 - 13 pages]

Summary

Lot 41 on Plan 884 and known as 5 Gibbs Street, Harvey is a freehold lot owned by the Shire of Harvey (the Shire). On this freehold land is the building occupied by Harvey Community Resource Centre Inc. (the Premises).

The Harvey Community Resource Centre Inc. (HCRC) manages the Premises under a Lease Agreement which expires on Monday, 30 June 2025. Shire Officers have liaised with HCRC to formalise a new Lease Agreement to the satisfaction of both HCRC and the Shire.

Council is requested to consider the new Lease Agreement for the Premises to HCRC (refer **Attachment 1**) and to authorise the Chief Executive Officer to execute the Lease.

Background

HCRC is an independent, not-for-profit organisation supported by the Department of Primary Industries and Regional Development and the Royalties for Regions initiative.

Servicing the locality of Harvey, HCRC is an access point for Centrelink, Child Support and Medicare Australia. Additionally, they provide out-reach services for Anglicare Financial Services, at Work Australia Employment Support, GP Down South Mental Health Counselling, Multicultural Services WA, South West Community Legal Centre, St Vincent de Paul Society (Harvey) and Family Support Services (Harvey).

In July 2012 the Shire entered into a Lease Agreement with the HCRC for a period of five years expiring on 30 June 2017. The lease provided an Option Term for a further five-year period, which expired on Thursday, 30 June 2022.

At the Ordinary Council Meeting on Tuesday, 23 August 2022, Council resolved to grant a Lease Agreement to HCRC for two years, commencing Friday, 1 July 2022 and expiring Sunday, 30 June 2024. The Agreement included an Option Term for a further one-year period to Monday, 30 June 2025.

This Agreement included a condition that HCRC will surrender the Lease upon moving into the Harvey Community Precinct. The Shire has is committed to pursuing the first stage of the Precinct which is the library, however the facility for the HCRC will not commence until future years.

The Shire provides support to the HCRC through the Shire of Harvey Community Grant Program. There is a five-year partnership in place between the Shire and HCRC for the total amount of \$150,000 for service provision. The partnership provides a cash contribution by the Shire to the HCRC of \$30,000 annually. It commenced on Friday, 1 July 2022 and is due to end Wednesday, 30 June 2027.

Comment

The HCRC confirmed in writing on Tuesday, 18 February 2025 that it wishes to renew the Lease Agreement with the Shire for the Premises.

Shire Officers are not aware of any issues of HCRC's management of the Premises in the current lease period.

Council is requested to consider a Lease Agreement (refer **Attachment 1**) for the Premises with HCRC for a term of five years commencing Tuesday, 1 July 2025 and expiring Sunday, 30 June 2030, with the extension option of one further term of five years from Monday, 1 July 2030 to Saturday, 30 June 2035.

Should the Lease be issued to HCRC, Shire Officers will complete an inspection of the Premises prior to the execution of the Lease.

The Lease has been drafted in accordance with the Community Lease Policy (refer **Attachment 2**).

Statutory/Policy Environment

Local Government Act 1995:

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

Local Government (Functions and General) Regulations 1996:

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

Council Policy 1.1.13 – Community Lease Policy:

- This Policy provides an outline of standard lease provisions and guiding principles for the lease of Reserves or facilities vested in the Shire of Harvey to bodies exempt from the requirement of Section 3.58 of the *Local Government Act 1995*.

Council Policy 1.1.2 – Common Seal:

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

The Department of Local Government, Sport and Cultural Industries is currently undertaking Local Government Reform to ensure good record keeping and public visibility within local governments. As part of the reform, it is intended that information regarding Shire leases will be provided to the public in the form of an online register with the change due to be enacted in 2025.

Strategic Framework

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

<i>Goal 2:</i>	<i>A safe, accessible and connected community where everyone has the opportunity to contribute and belong.</i>
<i>Objective 2.1</i>	<i>To support people through all stages of life.</i>
<i>Objective 2.2</i>	<i>Create a community where people are safe.</i>
<i>Objective 2.3</i>	<i>Active and resilient community groups and volunteers.</i>
<i>Goal 5:</i>	<i>A representative leadership that is future thinking, transparent and accountable.</i>
<i>Objective 5.1</i>	<i>Effective communication and engagement with the community.</i>

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.

The Lease Agreement is reviewed and adopted by Council as required. The Lease Agreement is presented to Council as part of a Council Meeting Agenda Item, with the report and attachments being public documents that are published to the website for viewing.

Promise to the Community

Inform: We will keep you informed.

Once the Lease Agreement is adopted by Council the minutes confirming the adoption are published to the website for viewing.

Risk Management

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

Budget Implications

The Lease will provide rental income of one dollar, with the ongoing management of the Lease incorporated in existing financial and human resources per annum.

Financial year to date maintenance costs incurred by the Shire total \$515. Statutory obligation related expenses budgeted for 2024–2025 equate to \$740.

Authority/Discretion

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

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. Approves the granting of a new Lease Agreement to Harvey Community Resource Centre Inc. for the management of the Harvey Community Resource Centre located at 5 Gibbs Street, Harvey and known as Lot 41 on Plan 884 for a period of five years, commencing Tuesday, 1 July 2025 and expiring Sunday, 30 June 2030, with an option to extend for a further five-year period as per **Attachment 1**.

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

OFFICERS RECOMMENDATION ADOPTED BY EXEMPTION RESOLUTION – REFER TO RESOLUTION 25/96 APPEARING AT ITEM 12.

Item No.:	12.1.2.
Subject:	Deed of Extension – Harvey Aboriginal Corporation
Proponent:	Shire of Harvey
Location:	1 James Stirling Place, Harvey
Reporting Officer:	Contract Administration Officer
Authorising Officer:	Chief Executive Officer
File No.:	C051/00003
Attachments:	1. Harvey Aboriginal Corporation – Deed of Extension [12.1.2.1 - 3 pages]

Summary

In accordance with Section 18 of the *Land Administration Act 1997* (LAA) approval from the Minister for Planning and Lands; Housing and Works; Health Infrastructure granted approval for the Shire of Harvey (the Shire) to issue a Lease Agreement to the Harvey Aboriginal Corporation ICN 9415 (HAC) for the use of the premises known as the “Old Harvey Visitors Centre” located at 1 James Stirling Place, Harvey, on Saturday, 1 July 2023.

The two-year Lease Agreement, due to expire Monday, 30 June 2025, included an Option Term of one year.

Shire Officers have liaised with the HAC to formalise a Deed of Extension to the satisfaction of both the HAC and the Shire.

It is recommended that Council approves a Deed of Extension, effective Tuesday, 1 July 2025, and authorises the Chief Executive Officer (CEO) to execute a Deed of Extension for a one-year term.

Background

In March 2022, the Shire released an invitation for an Expression of Interest (EOI) to occupy the former Harvey Visitor Centre building at 1 James Stirling Place, Harvey.

In April 2022, the Shire received two responses for applying for community tenancy lease arrangements of which one of the applicants was the HAC.

At the Ordinary Council Meeting held in October 2022, Council resolved to close the EOI, noting that there were no suitable/successful applications, and requested a further report investigating possible uses for the building, which included further liaising with both applicants.

From October 2022 through to January 2023, liaison with both applicants continued with one applicant withdrawing their EOI.

At the Ordinary Council Meeting held Tuesday, 28 February 2023, Council resolved in part:

“That Council:

3. *Request the Chief Executive Officer to enter into negotiations for a Lease Agreement with the Harvey Aboriginal Corporation for the lease term of one year for a purpose which satisfies the requirements of the management order of Tourism or Museum.*
4. *Request the Chief Executive Officer to bring the Draft Lease Agreement to the April Ordinary Council Meeting for consideration.”*

At the Ordinary Council Meeting held Tuesday, 27 June 2023, Council resolved:

“That Council:

- 1. Approves the granting of a new Lease Agreement to Harvey Aboriginal Corporation for the management of the Old Harvey Visitors Centre located at 1 James Stirling Place, Harvey and known as Part of Lot 285 on Deposited Plan 190752 and being part of the land contained in Crown Land Title LR3144 Folio 369 Reserve 42152 for a period of two years commencing Saturday, 1 July 2023 and expiring Monday, 30 June 2025 with an option term for a period of one year commencing Tuesday, 1 July 2025 and expiring Tuesday, 30 June 2026 as per **Attachment 1**.*
- 2. Notes that the Lease conditions in **Attachment 1** are in accordance with Policy 1.1.13 – Community Lease – Version 2 including Appendix 1 in **Attachment 2**.*
- 3. Requests consent from the Minister of Lands pursuant to Section 18 of the Land Administration Act 1997.*
- 4. Authorises the Chief Executive Officer and Shire President to execute the Lease Agreement and to sign and affix the common seal.”*

Comment

Shire Officers are not aware of any matters that have implications on the implementation of a Deed of Extension.

The Permitted Use of the building is Tourist Park and Museum with the following included:

1. Cultural Immersion Experiences
2. Night Time Yarning Circle
3. Cultural Walk Tours
4. Cultural and Creative Workshop
5. Artifact Display
6. Sale of Merchandise
7. Nightly Language Classes.

Through negotiations with HAC, the hours of trading are to be 10.00am to 3.00pm Thursday, Friday, Saturday, Sunday and Monday, inclusive of public holidays. These hours would not include the nightly language classes that would be held outside of these hours.

The HAC confirmed that the organisation would like to activate the one-year Option Term available in the Head Lease.

Statutory/Policy Environment

Local Government Act 1995:

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

Land Administration Act 1997:

- Section 18 – refers to transactions that require consent from the Minister of Lands.

Local Government (Functions and General) Regulations 1996:

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

Council Policy 1.1.13 – Community Lease Policy:

- This Policy provides an outline of standard lease provisions and guiding principles for the lease of Reserves or facilities vested in the Shire of Harvey to bodies exempt from the requirement of Section 3.58 of the *Local Government Act 1995*.

Council Policy 1.1.2 – Common Seal:

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

The Department of Local Government, Sport and Cultural Industries is currently undertaking Local Government Reform to ensure good record keeping and public visibility within local governments. As part of the reform, it is intended that information regarding Shire leases will be provided to the public in the form of an online register with the change due to be enacted in 2025.

Strategic Framework

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

- | | |
|----------------------|-----------------------------------------------------------------------------------------------------------------------------------|
| <i>Goal 1:</i> | <i>A diversified and thriving economy that offers a wide range of business and work opportunities as well as consumer choice.</i> |
| <i>Objective 1.1</i> | <i>The Shire is a tourist destination of choice.</i> |
| <i>Goal 2:</i> | <i>A safe, accessible and connected community where everyone has the opportunity to contribute and belong.</i> |
| <i>Objective 2.4</i> | <i>Noongar people are at the centre of conversations.</i> |
| <i>Goal 4:</i> | <i>A liveable, sustainable and well-designed built environment that is accessible to all.</i> |
| <i>Objective 4.5</i> | <i>Shire buildings, gardens and grounds are fit for purpose and well maintained.</i> |

Community Engagement**Community Participation Goal**

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

The Lease Agreement is reviewed and adopted by Council as required. The Lease Agreement is presented to Council as part of a Council Meeting Agenda Item, with the report and attachments being public documents that are published to the website for viewing.

Promise to the Community

Inform: We will keep you informed.

Once the Lease Agreement is adopted by Council the minutes confirming the adoption are published to the website for viewing.

Risk Management

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

Budget Implications

The Lease will provide rental income of one dollar, with the ongoing management of the Lease incorporated in existing financial and human resources per annum.

Authority/Discretion

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

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. Approves the granting of a Deed of Extension to Harvey Aboriginal Corporation for the management of the Old Harvey Visitors Centre located at 1 James Stirling Place, Harvey and known as Part of Lot 285 on Deposited Plan 190752 and being part of the land contained in Crown Land Title LR3144 Folio 369 Reserve 45152 for a period of one year commencing Tuesday, 1 July 2025 and expiring Tuesday, 30 June 2026 as per **Attachment 1**.
2. Authorises the Chief Executive Officer and Shire President to execute the Deed of Extension and to sign and affix the common seal.
3. Request consent from the Minister for Planning and Lands; Housing and Works; Health Infrastructure pursuant to Section 18 of the *Land Administration Act 1997*.

OFFICERS RECOMMENDATION ADOPTED BY EXEMPTION RESOLUTION – REFER TO RESOLUTION 25/96 APPEARING AT ITEM 12.

Item No.:	12.1.3.
Subject:	Management Agreement – Harvey Community Play and Learning Centre Inc.
Proponent:	Shire of Harvey
Location:	Portion of Harvey Recreation and Cultural Centre, located on the land known as Harvey Recreation Ground located at Lot 100 Young Street, Harvey
Reporting Officer:	Contract Administration Officer
Authorising Officer:	Chief Executive Officer
File No.:	C051/00016
Attachments:	1. Harvey Community Play and Learning Centre Inc. – Management Agreement [12.1.3.1 - 7 pages]

Summary

The Harvey Community Play and Learning Centre Inc. (HCPLC) is responsible for the management of a portion of Harvey Recreation and Cultural Centre (HRCC) located on the land known as Harvey Recreation Ground (HRG) located at Lot 100 Young Street, Harvey.

The current Management Agreement expires on Monday, 30 June 2025 and the HCPLC has requested a new Management Agreement be established.

Shire of Harvey (the Shire) Officers have liaised with HCPLC to formalise a Management Agreement to the satisfaction of both HCPLC and the Shire.

Council is requested to consider the new Management Agreement for the Premises to HCPLC (refer **Attachment 1**) and to authorise the Chief Executive Officer (CEO) to execute the Agreement.

Background

On Wednesday, 1 July 2020, the Shire entered into a Management Agreement with HCPLC for a period of three years expiring on Friday, 30 June 2023.

On Thursday, 20 April 2023 the Shire received a letter from HCPLC requesting consideration of financial relief from Council to reduce or waive the rental fees comprised in the current Management Agreement. The HCPLC is a not-for-profit business and has not previously sought any financial assistance from the Shire or Council in the past or during the COVID period.

The letter also expressed an interest in renting the Harvey Community Resource Centre (HCRC) building when this building is vacated by the current tenant.

At the Ordinary Council Meeting on Tuesday, 23 May 2023, it was resolved:

“That Council:

- 1. Approves the granting of a new Management Agreement to Harvey Community and Play Learning Centre Inc. for the management of the portion of the Harvey Recreation and Cultural Centre located at Lot 100 Young Street, Harvey for a period of two years, commencing 1 July 2023 and expiring 30 June 2025 in Attachment 3.*
- 2. Approves the amendment of the new Management Agreement to delete the condition of Rental Fees and that Harvey Community and Play Learning Centre Inc. are not required to pay rent to the Shire but are required to pay a contribution to the utilities incurred within the Centre and attend to minor maintenance issues.*

3. *Approves the amendment of the new Management Agreement to include a condition to give the Harvey Community and Play Learning Centre Inc. first right to occupy the building of Harvey Community Resource Centre should it become vacant in the term in Attachment 3.*
4. *Authorises the Chief Executive Officer and Shire President to execute the Management Agreement and to sign and affix the common seal.*
5. *Authorises the Chief Executive Officer to complete an inspection of the portion of the Harvey Recreation and Cultural Centre located at Lot 100 Young Street, Harvey prior to the execution of the Management Agreement."*

Comment

The Shire allows the use of other buildings by associations within the Shire that are providing daycare services for children.

The HCPLC Director confirmed on Wednesday, 12 March 2025 that the organisation would like to renew the Management Agreement with the Shire. Shire Officers are not aware of any matters that have implications for the issuing of a new Management Agreement.

The Management Agreement includes a Clause that allows HCPLC to have first right to lease the building known as the HCRC, located at 5 Gibbs Street, Harvey, should the building become vacant during the Management Agreement term.

Council is requested to consider a Management Agreement (refer **Attachment 1**) for the Premises with HCPLC for a term of two years commencing Tuesday, 1 July 2025 and expiring Wednesday, 30 June 2027.

Should the Agreement be issued to HCPLC, Shire Officers will complete an inspection of the Premises prior to the execution of the Lease.

Statutory/Policy Environment

Local Government Act 1995:

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

Local Government (Functions and General) Regulations 1996:

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

Council Policy 1.1.13 – Community Lease Policy:

- This Policy provides an outline of standard lease provisions and guiding principles for the lease of Reserves or facilities vested in the Shire of Harvey to bodies exempt from the requirement of Section 3.58 of the *Local Government Act 1995*.

Council Policy 1.1.2 – Common Seal:

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

The Department of Local Government, Sport and Cultural Industries is currently undertaking Local Government Reform to ensure good record keeping and public visibility within local governments. As part of the reform, it is intended that information regarding Shire leases will be provided to the public

in the form of an online register with the change due to be enacted in 2025.

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 2: | <i>A safe, accessible and connected community where everyone has the opportunity to contribute and belong.</i> |
| Objective 2.1 | <i>To support people through all stages of life.</i> |
| Goal 4: | <i>A liveable, sustainable and well-designed built environment that is accessible to all.</i> |
| Objective 4.5 | <i>Shire buildings, gardens and grounds are fit for purpose and well maintained.</i> |

Community Engagement

Community Participation Goal

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

The Management Agreement is reviewed and adopted by Council as required. The Management Agreement is presented to Council as part of the Council Meeting Agenda Item, with the report and attachments being public documents that are published to the website for viewing.

Promise to the Community

Inform: We will keep you informed.

Once the Management Agreement is adopted by Council, the minutes confirming the adoption are published to the website for viewing

Risk Management

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

Budget Implications

The Lease will provide rental income of one dollar, with the ongoing management of the Lease incorporated in existing financial and human resources per annum.

Authority/Discretion

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

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. Approves the granting of a new Management Agreement to Harvey Community and Play Learning Centre Inc. for the management of the portion of the Harvey Recreation and Cultural Centre located at Lot 100 Young Street, Harvey for a period of two years, commencing Tuesday, 1 July 2025 and expiring Wednesday, 30 June 2027 in *Attachment 1*.
2. Authorises the Chief Executive Officer and Shire President to execute the Management Agreement and to sign and affix the common seal.
3. Requests the Chief Executive Officer to complete an inspection of the portion of the Harvey Recreation and Cultural Centre located at Lot 100 Young Street, Harvey prior to execution of the Management Agreement.

OFFICERS RECOMMENDATION ADOPTED BY EXEMPTION RESOLUTION – REFER TO RESOLUTION 25/96 APPEARING AT ITEM 12.

Item No.:	12.1.4.
Subject:	Deed of Extension – Harvey Districts Creative Arts Centre Incorporated
Proponent:	Shire of Harvey
Location:	15 Gibbs Street, Harvey
Reporting Officer:	Contract Administration Officer
Authorising Officer:	Chief Executive Officer
File No.:	C/Z/008
Attachments:	1. Harvey Districts Creative Arts Centre – Deed of Extension [12.1.4.1 - 3 pages]

Summary

On Saturday, 1 July 2023 the Shire of Harvey (the Shire) issued a Lease Agreement to the Harvey Districts Creative Arts Centre Incorporated (HDCAC) for the use of the premises located at 15 Gibbs Street, Harvey (Premises).

The two-year Lease Agreement, due to expire Monday, 30 June 2025, included an Option Term of one year.

It is recommended that Council approves a Deed of Extension, effective Tuesday, 1 July 2025, and authorises the Chief Executive Officer (CEO) to execute a Deed of Extension for a one-year term.

Background

The HDCAC has operated a creative arts centre in the Shire at the Premises since 1997. The HDCAC is a not-for-profit community group in the locality of Harvey with the purpose of organising and promoting a creative arts centre.

Activities and classes held at the Arts Centre include card making, crochet, embroidery, handcraft and quilting. The Arts Centre is open on the following days and times:

- Tuesday 10.00am to 3.00pm
- Wednesday 9.30am to 3.00pm
- Friday 10.00am to 4.00pm
- Saturday 9.00am to 3.00pm.

On 1 July 2018, the Shire entered into a Lease Agreement with the HDCAC for a period of three years expiring on Wednesday, 30 June 2021, with two lease extension option terms for the periods Thursday, 1 July 2021 to Thursday, 30 June 2022 and Friday, 1 July 2022 to Friday, 30 June 2023.

At the Ordinary Council Meeting held on Tuesday, 28 November 2023 it was resolved in part:

“That Council:

- 1. Approves the granting of a new Lease Agreement to Harvey Districts Creative Arts Centre Incorporated for the management of the Premises located at 15 Gibbs Street, Harvey and known as Lot 3 on Plan 3366 for a period of two years, commencing 1 July 2023 and expiring 30 June 2025 with a lease extension option term for a period of one year commencing 1 July 2025 and expiring on 30 June 2026 as per Attachment 3.*
- 4. Notes that the Lease conditions in Attachment 3 includes a condition to allow for the Harvey*

Districts Creative Arts Centre Incorporated to move into the proposed Harvey Precinct Building.”

Comment

On Tuesday, 28 May 2024 a Default Notice was issued to HDCAC for the installation of an air conditioner at the Premises without written approval from the Shire. Clause 6.1 of the Lease Agreement states the Lessee must not carry out any work or installation in or to the Premises without the Lessor's prior written approval.

Shire Officers are not aware of any further matters that have implications on issuing the Deed of Extension.

The Shire has is committed to pursuing the first stage of the Harvey Precinct which is the library, however the facility for the HDCAC will not commence until future years.

The Head Lease includes a Clause that the Shire may, in its entire discretion, terminate this Lease at any time during the term provided it offers the Lessor an alternative Premises within the Harvey townsite.

The HDCAC has confirmed verbally to the Shire that it wishes to activate the one-year Option Term included in their Head Lease.

Statutory/Policy Environment

Local Government Act 1995:

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

Local Government (Functions and General) Regulations 1996:

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

Council Policy 1.1.13 – Community Lease Policy:

- This Policy provides an outline of standard lease provisions and guiding principles for the lease of Reserves or facilities vested in the Shire of Harvey to bodies exempt from the requirement of Section 3.58 of the *Local Government Act 1995*.

Council Policy 1.1.2 – Common Seal:

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

The Department of Local Government, Sport and Cultural Industries (DLGSC) is currently undertaking Local Government Reform to ensure good record keeping and public visibility within local governments. As part of the reform, it is intended that information regarding Shire leases will be provided to the public in the form of an online register with the change due to be enacted in 2025.

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 2.1 To support people through all stages of life.*
- 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.*
- Objective 2.7 An active and healthy community.*
- 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.

The Lease Agreement is reviewed and adopted by Council as required. The Lease Agreement is presented to Council as part of a Council Meeting Agenda Item, with the report and attachments being public documents that are published to website for viewing.

Promise to the Community

Inform: We will keep you informed.

Once the Lease Agreement is adopted by Council the minutes confirming the adoption are published to the website for viewing.

Risk Management

The Risk Theme Profile identified as part of this report is **Business and Community Disruption**. The consequences identified are **Reputation** and **Property**. The risks are mitigated by having a Lease Agreement drafted in alignment with eh Shire of Harvey Policy 1.1.13 – Community Lease Policy, consultation with the Harvey Districts Creative Arts Centre and an independent inspection of the Premises being completed. The Risk Consequence rating associated with this matter is **Moderate** and the Likelihood is **Unlikely**, resulting in a **Medium** risk being present.

Budget Implications

The Lease will provide rental income of one dollar, with the ongoing management of the Lease incorporated in existing financial and human resources per annum.

Authority/Discretion

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

Voting Requirements

Simple Majority.

Officer's Recommendation

That Council:

1. Approves the granting of a Deed of Extension to Harvey Districts Creative Arts Centre Incorporated for the management of the Premises located at 15 Gibbs Street, Harvey and known as Lot 3 on

Plan 3366 for a period of one year, commencing Thursday, 1 July 2025 and expiring Tuesday, 30 June 2026 as per ***Attachment 1***.

2. Authorises the Chief Executive Officer and Shire President to execute the Lease Agreement and to sign and affix the common seal.

OFFICERS RECOMMENDATION ADOPTED BY EXEMPTION RESOLUTION – REFER TO RESOLUTION 25/96 APPEARING AT ITEM 12.

Item No.:	12.1.5.
Subject:	Request to leave Elected Member vacancy held by Cr. Michelle Boylan unfilled until Ordinary Election in October 2025
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Senior Governance Compliance Officer
Authorising Officer:	Chief Executive Officer
File No.:	F/40/20331
Attachments:	Nil

Summary

Following the recent resignation of Cr. Michelle Boylan, Officers are seeking Council's approval to submit a request to the Western Australian Electoral Commission (WAEC) for the vacancy to remain unfilled until the Ordinary Election in October 2025 and confirmation that the remaining Elected Members can fulfill the ongoing governance functions of the Shire of Harvey (the Shire).

Background

On Monday, 21 April 2025, the Acting Chief Executive Officer (ACEO), Suzie Haslehurst, received Cr. Michelle Boylan's resignation from Council; this was confirmed in writing and was accepted. This has created an extraordinary vacancy of Council. The Department of Local Government, Sport and Cultural Industries was informed of the vacancy in writing on Tuesday, 22 April 2025.

Comment

The *Local Government Act 1995* (the Act) sets the provisions on filling extraordinary vacancies. If the office of a Councillor becomes vacant under section 2.32 of the Act (by resignation), an election to fill the office is to be held. However, Section 4.17 of the Act, with the approval from the WAEC, allows the vacancy to remain unfulfilled.

Holding and Extraordinary Election

Holding an extraordinary election under Section 4.8 of the Act ensures that the community is fully represented on Council, maintaining democratic integrity. It brings fresh perspectives and accountability to Council, while also encouraging community engagement and participation in local governance. However, conducting an Extraordinary Election can be expensive and time-consuming, potentially delaying Council decisions and actions. Additionally, if the Election is held at an inconvenient time, voter turnout might be low, especially with two recent elections, State and Federal.

Keeping the Seat Vacant

Keeping the seat vacant as per Section 4.17 avoids the expenses associated with holding an Extraordinary Election, allows the Council to function without delays and maintains the current Council dynamics. Nonetheless, the community might feel underrepresented, and the remaining Elected Members might have to take on additional responsibilities, potentially leading to burnout. Furthermore, the community might perceive the Council as neglecting its duty to ensure full representation.

Conclusion

Shire Officers are confident that the remaining Elected Members can manage the ongoing governance functions effectively which further supports the decision to keep the seat vacant, ensuring stability and continuity in the Council's operations.

Statutory/Policy Environment

Local Government Act 1995

- Section 2.32 – How extraordinary vacancies occur in offices elected by electors.
- Section 4.8 – Extraordinary elections.
- Section 4.17 – Cases in which vacant offices can remain unfilled.

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.

This report is made publicly available on the Shire's website.

Promise to the Community

Inform: We will keep you informed.

The minutes of the report will be published on the Shire's website.

Risk Management

The Risk Theme Profile identified as part of this report is **Business and Community Disruption, Failure to Fulfil Compliance Requirements and Misconduct**. The Consequences could be **Financial Impact, Compliance, Reputation or Service Delivery Interruption** if the additional responsibilities become burdensome on the remaining Elected Members. The Risk is considered **Minor** and the Likelihood **Unlikely** given that this report has been brought before Council for formal decision making, resulting in a **Low** Risk being present.

Budget Implications

The WAEC estimates that the cost for the October 2025 ordinary election to be approximately \$119,768, excluding GST. If Council decides to hold an extraordinary election before October 2025, the cost is expected to be of a similar nature given that the same amount of ballots would need to be sent to Electors however, there would be a reduction in the cost of processing the vacancy. It is unlikely that the Electoral Commissioner would endorse an Extraordinary Election for this reason.

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. In accordance with Section 4.17 of the *Local Government Act 1995*, authorises the Chief Executive Officer to submit a request to the Western Australian Electoral Commission for the vacancy created by the resignation of Cr Michelle Boylan to remain unfilled until the Ordinary Election in October 2025.
2. Confirms that the remaining Elected Members can fulfill the ongoing governance functions of the Shire of Harvey.

OFFICERS RECOMMENDATION ADOPTED BY EXEMPTION RESOLUTION – REFER TO RESOLUTION 25/96 APPEARING AT ITEM 12.

12.2. Infrastructure Services

Item No.:	12.2.1.
Subject:	Harvey Oval Redevelopment
Proponent:	Shire of Harvey
Location:	Harvey
Reporting Officer:	Acting Director Infrastructure Services
Authorising Officer:	Chief Executive Officer
File No.:	C333/00001
Attachments:	Nil

The following additional information is provided in regard to Item 12.2.1

To provide clarity around the stages of implementation of the optimisation plan Officers have amended the Officer's Recommendation to include a point 4.

Summary

At the Ordinary Council Meeting held Tuesday, 26 March 2024, Council adopted the Sport and Recreation Plan (SRP) 2033 (Resolution 24/57).

As part of that decision Council noted specific outcomes that related to the implementation of the SRP, one of those outcomes being:

"2 e) That funds have been provided in the Forward Capital Works Plan for a drainage solution for the Harvey Recreation Ground, and that the works need completion prior to a decision on playing field optimisation at the Harvey Recreation Ground."

It is recommended that Council considers amending this outcome to allow Living Turf (consultant) and Shire of Harvey (the Shire) Officers to further progress and conclude the drainage solution and playing field optimisation investigation project for the Harvey Recreation Ground (HRG).

The delivery of these options as a combined deliverable project is seen as the most advantageous in relation to cost and construction efficiencies. It will also have the lesser impact on users of the playing surface by delivering the works in conjunction, within a single timeframe.

Background

Shire Officers, in late 2023 through a Request for Quotation (RFQ) process, engaged Living Turf as a suitably qualified and experienced sports field consultant to investigate drainage and playing field optimisation improvement options for the HRG.

The optimisation improvements were to consider changes needed in oval dimensions to optimise the playing field capacity for current and future use. At the conclusion of the investigation the Shire would be provided a detailed construction drawing and specifications package suitable for use in a tender process. To allow for the tender documentation to be provided by the consultant, Officers are recommending that outcome 2(e) in resolution 24/57 highlighted in the adoption of the SRP be amended to allow the delivery of drainage improvements and field optimisation concurrently.

In March 2025, Mr Craig Maughan from the Harvey Recreation Cultural Centre Advisory Group (HRCCAG) presented to the Council Concept Forum. It was, in summary, the HRCCAG view that the specific outcome noted in resolution 24/57 needed to be adhered to and achieved as separate items. The Acting Director of Infrastructure Services attended the next HRCCAG meeting held on Thursday, 3 April 2025 and provided feedback to the HRCCAG in relation to concerns and challenges Officers had in delivering this project effectively and efficiently if Officers were to adhere to the original outcome.

The HRCCAG position remained consistent with Mr Maughan's presentation to Council in March 2025.

In April 2025, the Acting Director Infrastructure Services presented to Council at the Concept Forum. The presentation primarily outlined the approach being considered to improve the drainage and optimise the playing surface at the HRG. The Officer also detailed to Council the challenges in delivering the project effectively and efficiently if the drainage improvements and optimisation were delivered as separable portions and not a concurrent project. It was considered that the project needs to be delivered as a combined project.

Discussions have been held with the various clubs utilising the playing surfaces and they are aware that when the project work commences there will be some requirement for colocation at other facilities. This will require significant forward planning, and it is envisioned that the clubs will temporarily relocate for one full year.

Comment

Officers consider that undertaking this project as two separate deliverables is impractical, will provide inefficiencies, likely have increased budget implications and have higher impacts on the users of the facilities.

Part of the consultant's investigation and proposed management of the drainage is to hold water onsite within the recreation ground until the outfall through the road drainage system can accept oval water from the recreation ground during rain events. The new oval profile suggested provides one of the three layers of water management needed to deliver a successful outcome. Without the removal of the current soil profile to 300mm, expansion of the surface dimension and introduction of a suitable soil profile the success of this project may be compromised.

It should also be noted that there would be significant works still to be undertaken if the project was to solely concentrate on the drainage portion of the project at this time. These secondary works would include:

- Moving the cricket wicket
- Irrigation installation
- Expanding the oval dimensions.

All these factors would have financial, logistical, construction and impact challenges if they were to be undertaken separate to the drainage works.

Some of the benefits considered in the optimisation of the playing surface relate to the separation of the football and cricket playing fields. This separation would allow for both surfaces to be played on concurrently if required, which would provide significant benefits to the Harvey Bulls Football Club, this is currently not achievable given the existing oval dimensions. Delivery of the drainage portion of the project only would not address this issue.

Optimisation of the playing surface also impacts timelines for the Harvey Soccer Club and their ability to utilise the facilities at the HRG, namely The Boundary. Delivering this project in two phases would require the Soccer Club to remain at Meriden Park where they utilise the Harvey pool facilities, which while functional, do not meet their long-term needs or is optimal for their future development.

Undertaking the project as two separable portions would also likely require the project to be undertaken over two separate summer periods, impacting the playing surface over potentially an 18-month period. The combination of the two elements is likely to be delivered over a 12-month period.

Statutory/Policy Environment

Local Government Act 1995

- Section 5.56(1) – Planning for the future – “A local government is to plan for the future of the district”

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.*

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.

The Council decision is available through the Council minutes and will be available online.

Promise to the Community

Inform: We will keep you informed.

The Council decision is available through the Council Minutes and will be available online.

Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The Consequence could be **Financial, Reputational** or **Compliance** if due process is not followed in progressing with the recommended drainage infrastructure improvements at the Harvey Recreation Ground. The Risk is considered **Low** and the likelihood **Not Likely**, This results in a **Low** risk being present.

Budget Implications

There is currently \$2 million allocated in the 2024–2025 financial year budget for the project to be funded by way of a loan. Once a final costing is determined for this project a further report would be presented to Council for consideration presenting the budget requirements to deliver this project.

Authority/Discretion

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

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. Notes the previous resolution of Council to provide for a drainage solution for the Harvey Recreation Ground and complete as part of the 2024–2025 Forward Capital Works Program prior to a decision being made with regard to playing space optimisation.
2. Notes the inefficiencies and potential cost escalation which would occur delivering the project in two stages.
3. Endorses the implementation of a combined drainage and playing surfaces project subject to further engagement with the Harvey Recreation Ground user groups on playing space optimisation.
4. Provide a further report to Council on a proposed optimisation layout for endorsement.

Motion to Change Order of Business

Cr. Coleman put forth the following:

That Council take the Agenda out of order to consider Item 12.5.2 – Shire of Harvey Community Grant Program 2025, after Item 12.2.1.

Moved: Cr. Coleman

Seconded: Cr. Capogreco

Carried 9-0

25/97

Votes:

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

Against: Nil.

Cr. Holly left the Chamber at 6.00pm

Moved: Cr. Bromham

Seconded: Cr. Dickinson

Amendment

Cr. Coleman put forth the following amendment to point 4 of the Officer's Recommendation:

4. Provide a further report to Council, including a user impact statement and multi-user layout for endorsement.

Moved: Cr. Coleman

Seconded: Cr. Junio

Carried 7-2

25/98

Votes:

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

Against: Cr. Krispyn and Cr. Dickinson.

Substantive Motion**Moved: Cr. Bromham****Seconded: Cr. Dickinson****That Council:**

1. Notes the previous resolution of Council to provide for a drainage solution for the Harvey Recreation Ground and complete as part of the 2024–2025 Forward Capital Works Program prior to a decision being made with regard to playing space optimisation.
2. Notes the inefficiencies and potential cost escalation which would occur delivering the project in two stages.
3. Endorses the implementation of a combined drainage and playing surfaces planning and project delivery for the Harvey Recreation Ground.
4. Provide a further report to Council including a user impact statement and multi-user layout for endorsement.

Carried 8-1**25/99****Votes:**

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

Against: Cr. Krispyn.

Cr. Holly entered the Chamber at 6.12pm

Item No.:	12.5.2.
Subject:	Shire of Harvey Community Grant Program 2025
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Grants Officer
Authorising Officer:	Director Community and Lifestyle
File No.:	C046-00003
Attachments:	Confidential Attachment 1
	Confidential Attachment 2

The following additional information is provided in regard to Item 12.5.2

An amendment is required to be made to point 1 of the Officer's Recommendation which relates to the allocation from the Alcoa Harvey Sustainability Fund.

During the assessment of applications for funding, the Panel considered a request from the Binningup Community Garden for \$100,000 towards the Binningup Skate Park Hub. The Panel agreed this was a worthwhile project that should be supported. However, given the amount available for distribution and to be able to allocate funds to other worthwhile projects, the Panel agreed to recommend \$50,000 in the 2025–2026 financial year and \$50,000 in the 2026–2027 financial year for the Binningup Skate Park. This was reflected in point 1 of the Officer's Recommendation.

During the Agenda Briefing held on Tuesday, 20 May 2025, questions asked by Elected Members identified that in fact, Council should consider the additional \$50,000 for the Binningup Skate Park Hub as part of the 2026–2027 Budget process. This is in accordance with the funding decisions relating to the Harvey Golf Club Redevelopment, where funds were allocated across two years but considered separately, as part of the annual budget process.

Officers therefore removed the reference to the 2026–2027 financial year with point 1 of the Officer's Recommendation.

Summary

The Shire of Harvey (Shire) Community Grant Program aims to acknowledge and strengthen the valuable contribution community groups and organisations make towards the Shire being a vibrant, inclusive, and connected community.

Council provides annual and ongoing funding to support activities, services and projects which benefit the community, build capacity and contribute to the delivery of the Shire's Strategic Community Plan goals and priorities. This program includes three separate funds which non-for-profit community organisations and groups can apply for, and which are designed to meet a particular community need.

This report includes applications for the Alcoa Harvey Sustainability Fund, Coastal Communities Fund, and the Community Grant Program. Across all three funding streams there were 26 submissions received.

This report recommends that Council considers these applications as part of the Shire's draft 2024–2025 Budget.

Background

Alcoa Harvey Sustainability Fund

This fund is provided by Alcoa and has been a long-term commitment by the company to contribute to the local communities in which the business operates. The fund was established in 2006 and

recommendations each year are endorsed by the Alcoa Harvey Sustainability Fund Committee as per a Deed of Agreement between Alcoa and the Shire.

The panel is comprised of two Alcoa Harvey Sustainability Fund Advisory Community members, two Alcoa representatives, Shire President, Shire Chief Executive Officer and Shire Director Community and Lifestyle and Manager Community Development.

Refer to **Confidential Attachment 1** for confirmed Minutes Tuesday, 15 April 2025.

Coastal Communities Fund

This Fund was provided by the Water Corporation, resulting from the Southern Seawater Desalination Plan project. The fund was established in 2009 and has been set up as a long-term reserve fund, managed and operated by the Shire for the benefit of residents in and around the towns of Binningup and Myalup.

At the Ordinary Council Meeting of Tuesday, 28 November 2023, Council endorsed that the agreement with Water Corporation and the Southern Seawater Alliance be dissolved, and the funds remaining, or \$1,015,931, in the Coastal Communities Reserve be administered as follows:

- a) 60% of the remaining funds to be retained in the Coastal Communities Reserve Account and administered as part of the annual coastal community funding process.
- b) 40% of the remaining funds to be allocated towards a significant legacy project/s.

Shire of Harvey Community Grant Program

The Shire of Harvey Community Grant Program supports projects that contribute to the delivery of the Strategic Community Plan in order to optimise the use of Shire funds.

There is funding available across seven categories, which correspond to the primary themes of the Shire's Strategic Community Plan. These categories are:

1. Community Support
2. Athlete Travel Subsidy
3. Placemaking
4. Arts, Culture, Heritage
5. Community Events
6. Infrastructure
7. Partnership Agreements

Council provides a capped amount of \$451,500 annually through the program to support activities, services and projects that benefit the Community, build capacity, and contribute to the delivery of the Strategic Community Plan goals and priorities. Should the full amount not be expended, any surplus funds remaining will remain in the Community Grants Reserve to be utilised across future Community Grant Programs.

The Shire Community Grant Program aims to:

- Align grant applications with the Shire's Strategic Community Plan.

- Create grant categories that will provide a structured framework to equitably award and acquit funds.
- Outline objectives for each grant category.
- Set a maximum funding allocation and total funding pool for each category.
- Outline the contributions required from the applicant which may include financial contributions, other sources of funding or in-kind support.
- Determine a clear and transparent process for the assessment of applications and funding recommendations presented to Council.
- Create a scoring matrix that weights applications for each category.

Funding is available to not-for-profit community groups and organisations to deliver projects in the Shire. This includes organisations which are not located in the Shire but deliver services and activities to the local Community.

Comment

The funding round was advertised four weeks prior to the round opening, from Tuesday, 28 January 2025 to Sunday, 23 February 2025. Applicants had time to plan and have their projects ready for when the grant round opened. The new funding round was advertised through various channels such as local newspapers, media release, through the Shire's social media and website platforms, radio, emails to Councillors and previous grant applicants.

Community groups and organisations had the opportunity to book one on one discussions with the Grants Officer at the Harvey or Australind Shire offices, to discuss their project and ensure they were applying in the correct grant funding category. Project discussions with 29 community groups were held between Tuesday, 25 February 2025 and Friday, 4 April 2025.

Applications opened on the Smarty Grants online portal on Tuesday, 25 February 2025 and closed on Friday, 4 April 2025. A total of 26 applications were received. Project discussions identified four applicants as not project ready to submit in this round (refer **Confidential Attachment 2**).

Each of the applications received have been reviewed and assessed by a panel of Shire Officers to determine eligibility with the criteria as outlined in the Grant Guidelines, and to assist in discussion as part of the Council Workshop held on Tuesday, 22 April 2025. The panel comprised representatives from building, planning, maintenance, community development, special projects and finance business units of the Shire

A summary of the grant applications received for each grant category is outlined below, each application presented met the criteria as outlined in the guidelines and all amounts are exclusive of GST. The total amount available across the Shire of Harvey Community Grant Program is \$451,500.

Alcoa Harvey Sustainability Fund

This Fund provides funding to support a broad range of Community development projects both large and small that make a positive contribution to the economic, social, recreational, or environmental sustainability of the Community. The maximum allocation of funds available as at Tuesday, 15 April 2025 is \$108,310, as per section 4.6(a)(ii) of the Alcoa Harvey Sustainability Fund Deed of Agreement.

Organisation	Project	Request	Recommendation
Brunswick Districts Bowling Club Inc.	Install new boundary fence	\$ 8,745	\$ 4,380
Binningup Community Garden	Binningup Skate Park Hub	\$100,000	\$50,000 \$50,000 is to be awarded this financial year 2025–2026 and \$50,000 to be awarded in the 2026–2027 financial year.
Harvey Community Resource Centre Inc.	Staying in Place – Stage 3	\$ 20,425	\$20,425
Brunswick Agricultural Society	Brunswick Recreation Grounds – Accessible Ablutions	\$ 90,799	Not supported at this time. The project is in the Shire's Forward Capital Works 2026–2027.
Yarloop Equestrian Association	Purchase of enclosed, tandem equipment trailer	\$ 15,000	\$15,000
Harvey Senior Citizen's Centre Committee	Refurbish Main Hall floor	\$ 12,800	Not supported at this time.
Lot 208 Youth Inc.	E-Learn and Social Hub: Aspire Together	\$ 17,000	\$17,000
Harvey Men's Shed Inc.	Concept Plans for purpose-built Men's Shed	\$ 4,400	Not supported at this time.

Coastal Communities Fund

This grant provides funding for Community development and infrastructure projects in the townsites of Myalup and Binningup.

Funding of up to \$100,000 is available for projects and events that meet the funding guidelines and at least one of the following objectives:

- The project is situated directly in Binningup or Myalup.
- Benefits the local community of Binningup and/or Myalup – including social and environmental benefit.
- Demonstrates enduring value for the community.
- Demonstrates that funding from other bodies has or will be sought i.e. State and Federal Government grants, Lotterywest etc.

The funds will not be used for normal operational or maintenance activities of the Shire.

Prior to submission it is essential that the community group or organisation discusses the proposed project with the Shire and that any building plans are developed in consultation with relevant Shire Officers.

Total funding pool is \$100,000.

Organisation	Project	Request	Recommendation
Binningup Community Garden	Binningup Skate Park Hub	\$50,000	\$50,000
TOTAL		\$50,000	\$50,000

Shire of Harvey Community Grants

Community Support Grant

The purpose of this grant category is to provide funding to Community groups for projects which build Community resilience and support a safe, accessible, and connected Community where everyone has the opportunity to contribute and belong. Submissions up to \$5,000 will be accepted with a total funding pool of \$50,000.

- *Stream 1 (not to be considered at this time):*

Funding up to \$1,000 open all year until a total funding pool of \$10,000 has been exhausted.

- *Stream 2 (to be considered at this time):*

Funding up to \$5,000. Total funding pool is \$40,000.

Organisation	Project	Request	Recommendation
Harvey History Online Inc.	Roelands Hall Centenary Celebration	\$ 3,463	\$0 Applicant withdrew application 13 May 2025
Brunswick Junction Community Resource Centre	Community Celebration Lunch 2025	\$ 1,500	\$1,500
Investing in Our Youth Inc	Young Adults Wellbeing Mornings	\$ 5,000	\$5,000
Coastal Rowing WA Inc	ShePaddles Instructor/Guide	\$ 2,340	Not supported at this time
TOTAL		\$12,303	\$6,500

Placemaking Grant

The purpose of this grant category is to support the principles of placemaking to inspire communities to collectively reimagine and reinvent public spaces as the heart of every Community. This category provides funding up to \$2,000 and has a total funding pool of \$20,000.

There were no submissions to this category.

Arts, Culture and Heritage Grant

The purpose of this grant category is to provide funding to support arts, culture and heritage projects which contribute to a vibrant, diverse, and engaged Community. Submissions up to \$5,000 will be accepted with a total funding pool of \$30,000.

Organisation	Project	Request	Recommendation
Harvey & Districts Historical Society Inc	Unique photo exhibition and operate Harvey Museum	\$4,500	\$4,500
South West Opera Company Inc	Harvey Spectacular 2025	\$5,000	\$5,000
TOTAL		\$9,500	\$9,500

Community Events Grant

The purpose of this grant category is to assist Community groups and organisations located within the Shire to conduct Community-based events which encourage participation, engage local businesses, and add vibrancy to the area. Submissions up to \$5,000 will be accepted with a total funding pool of \$50,000.

Due to the timing of the funding round, it will not be possible to provide funding to the Western Australian Rugby Union (Rugby WA) for the NAIDOC tournament. It is therefore recommended that the NAIDOC tournament is funded out of the 2025/26 FY Community Grant Program reserves.

Organisation	Project	Request	Recommendation
Australind & Districts Senior Citizens Club Inc	2025 Christmas Party	\$ 600	\$ 600
Harvey Community Gala Night Committee	2025 Harvey Community Gala Night	\$ 5,000	\$ 5,000
Western Australian Rugby Union (Rugby WA)	Bunbury NAIDOC 7s Tournament	\$ 5,000	\$ 5,000
Australind Junior Soccer Club	2026 Open Day	\$ 2,500	\$ 2,500
Lions Club of Harvey	Harvey Lions Seniors Christmas Dinner 2025	\$ 5,000	\$ 4,200
TOTAL		\$18,100	\$17,300

Infrastructure Grant

The purpose of this grant category is to provide funding to local not-for-profit Community groups or organisations to upgrade, extend or construct well planned sport, recreation and Community facilities that contribute to a vibrant, inclusive, and healthy Shire. Submissions up to \$50,000 will be accepted with a total funding pool of \$100,000.

Organisation	Project	Request	Recommendation
Brunswick Junction Community Men's Shed Inc	Men's Shed Expansion Project	\$ 50,000	\$ 50,000
Brunswick Agricultural Society	Murray Piggot Pavilion – Commercial Kitchen Upgrade	\$ 50,000	\$0 Not supported at this time. There are other facilities that meet this need in the area. Not in Brunswick Recreation Ground Masterplan therefore has not been prioritised. The Shire's Infrastructure and Special Projects team do not have capacity to lead this project in 2026.
TOTAL		\$100,000	\$50,000

Partnership Grant

This grant category provides funding to Community groups or organisations to support the operating capacity of not-for-profit Community groups and organisations to deliver activities, programs, and services to the local Community over a five-year agreement term.

Current Partnership Agreements:

Council should note that the following partnerships are currently in existence.

Organisation	Project	Annual Funding
Brunswick Community Resource Centre	Programming	\$ 30,000
Bunbury Regional Entertainment Centre (BREC)	Regional Entertainment Program	\$ 20,000
Harvey Community Radio	Operational Costs	\$ 10,000
Harvey Community Resource Centre	Service Provision	\$ 30,000
Lot 208 Youth Inc.	Youth Program	\$ 80,000
Southwest Academy of Sport	Support Program	\$ 9,000
TOTAL		\$179,000

At the Ordinary Council meeting Tuesday, 25 February 2025 it was resolved:

“That Council:

- Requests the Chief Executive Officer to invite partnership applications to be submitted in the upcoming Shire of Harvey Community Grant Program round for the following events:*

- Harvey Agricultural Show*
- Brunswick Agricultural Show*
- Youth Cattle Camp*
- Harvey Harvest Festival”*

The following table outlines new requests for three-year partnership agreements for Council’s consideration.

Organisation	Project	Requested Annual Cash Contribution	Requested Annual In-Kind Support	Total Annual Support
Brunswick Agricultural Society	Brunswick Show	\$15,750	\$ 7,475	\$23,225
Harvey Mainstreet Inc	Harvey Harvest Festival	\$28,000	\$ 7,150	\$35,150
WA Youth Cattle Association	WA Youth Cattle Camp	\$ 5,994	\$ 2,600	\$ 8,594
Harvey Agricultural Society Inc	The Harvey Show	\$10,000	\$ 6,690	\$16,690
TOTAL		\$59,744	\$23,915	\$83,659

Officers propose that Council approves the above partnership agreements subject to budget clarifications to the satisfaction of Shire Officers.

Statutory/Policy Environment

Policy 3.1.12 – Community Funding

Strategic Framework

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

<i>Goal 2:</i>	<i>A safe, accessible and connected Community where everyone has the opportunity to contribute and belong.</i>
<i>Objective 2.1</i>	<i>To support people through all stages of life.</i>
<i>Objective 2.3</i>	<i>Active and resilient Community groups and volunteers.</i>
<i>Objective 2.5</i>	<i>Equity for all people.</i>
<i>Objective 2.6</i>	<i>The creative talent and cultural diversity of the Community is recognised, supported and celebrated.</i>
<i>Objective 2.7</i>	<i>An active and healthy Community.</i>
<i>Goal 5:</i>	<i>A representative leadership that is future thinking, transparent and accountable.</i>
<i>Objective 5.1</i>	<i>Effective communication and engagement with the Community.</i>
<i>Objective 5.2</i>	<i>Build partnerships and work collaboratively to amplify the outcomes that can be achieved.</i>

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.

Applicants have had access to support and information from the Community Development team throughout the process.

Promise to the Community

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

Feedback will be provided directly to applicants and the minutes will be published on the Shire's website.

Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The consequences could be **Reputational** and **Financial** should Council not adopt the recommendation to support the grant applications. The consequence rating is considered **Minor** and the likelihood **Unlikely**, resulting in a **Low** risk being present.

Budget Implications

This report recommends the following grant funding allocations be included in the draft 2025–2026 Budget:

Community Support Grant	-	\$6,500
Placemaking Grant	-	\$0
Arts, Culture and Heritage Grant	-	\$9,500
Community Events Grant	-	\$12,300
Infrastructure Grant	-	\$50,000
Partnership Agreements	-	\$59,744
Coastal Community Grant Reserve)	-	\$50,000 (funded from the Coastal Communities Reserve)
Alcoa Harvey Sustainability Fund Sustainability Fund)	-	\$106,805 (funded from the Alcoa Harvey Sustainability Fund)
TOTAL		\$294,849
Current Partnership Agreements	-	\$179,000

Authority/Discretion

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

Voting Requirements

Simple Majority.

Officer's Recommendation

That Council:

- Endorses the following allocations from the Alcoa Harvey Sustainability Fund for the following allocations and lists as per the table below for consideration in the draft 2025–2026 Budget:

Organisation	Project	Recommendation
Brunswick Districts Bowling Club Inc.	Install new boundary fence	\$ 4,380
Binningup Community Garden	Binningup Skate Park Hub	*\$ 50,000
Harvey Community Resource Centre Inc.	Staying in Place – Stage 3	\$ 20,425
Yarloop Equestrian Association	Purchase of Enclosed, Tandem Equipment Trailer	\$ 15,000
Lot 208 Youth Inc.	E-Learn and Social Hub: Aspire Together	\$ 17,000
TOTAL		\$106,805

2. Endorses the following allocations from the Coastal Community Fund for the following allocations and lists as per the table below for consideration in the draft 2024–2025 Budget:

Organisation	Project	Recommendation
Binningup Community Garden	Binningup Skate Park Hub	\$50,000
TOTAL		\$50,000

3. Endorses the following allocations to the Community Grant Program for consideration in the draft 2025–2026 Budget.

Organisation	Project	Category	Recommendation
Brunswick Junction Community Resource Centre	Community Celebration Lunch 2025	Community Support	\$ 1,500
Investing in Our Youth Inc	Young Adults wellbeing Mornings	Community Support	\$ 5,000
Australind & Districts Senior Citizens Club Inc	2025 Christmas Party	Community Events	\$ 600
Harvey Community Gala Night Committee	2025 Harvey Community Gala Night	Community Events	\$ 5,000
Australind Junior Soccer Club	2026 Open Day	Community Events	\$ 2,500
Lions Club of Harvey	Harvey Lions Seniors Christmas Dinner 2025	Community Events	\$ 4,200
Harvey & Districts Historical Society Inc	Unique photo exhibition and operate Harvey Museum	Arts, Culture and Heritage	\$ 4,500
South West Opera Company Inc	Harvey Spectacular 2025	Arts, Culture and Heritage	\$ 5,000
Brunswick Junction Community Men's Shed Inc	Men's Shed Expansion Project	Infrastructure	\$50,000
TOTAL			\$78,300

4. Endorses the following allocation from the Community Grant Program reserves.

Organisation	Project	Category	Recommendation
Western Australian Rugby Union (Rugby WA)	Bunbury NAIDOC 7s Tournament	Community Events	\$5,000
TOTAL			\$5,000

5. Endorses the following three-year Partnership Agreements for consideration in the draft 2025–2026 Budget, pending budget clarification to the satisfaction of Shire Officers.

Organisation	Project	Request Cash	Request In-Kind	Total
Brunswick Agricultural Society	Brunswick Show	\$15,750	\$ 7,475	\$23,225
Harvey Mainstreet Inc	Harvey Harvest Festival	\$28,000	\$ 7,150	\$35,150
WA Youth Cattle Association	WA Youth Cattle Camp	\$ 5,994	\$ 2,600	\$ 8,594
Harvey Agricultural Society Inc	The Harvey Show	\$10,000	\$ 6,690	\$16,690
TOTAL		\$59,744	\$23,915	\$83,659

Moved: Cr. Bromham**Seconded: Cr. Capogreco****Amendment**

Cr. Coleman put forth the following:

6. Approves the Brunswick Agricultural Society – Murray Piggot Pavilion – Commercial Kitchen Upgrade project, subject to the resubmission of plans acceptable to the Chief Executive Officer.

Organisation	Project	Request	Funding
Brunswick Agricultural Society	Murray Piggot Pavilion – Commercial Kitchen Upgrade	\$ 50,000	\$50,000
TOTAL		\$50,000	\$50,000

Moved: Cr. Coleman**Seconded: Cr. Dickinson****Carried 5-4****25/100****Votes:****For:** Cr. Hitchcock, Cr. Dickinson, Cr. Coleman, Cr. Capogreco and Cr. Junio.**Against:** President Campbell, Cr. Krispyn, Cr. Holly and Cr. Bromham.**Substantive Motion****Moved: Cr. Bromham****Seconded: Cr. Capogreco**

That Council:

1. Endorses the following allocations from the Alcoa Harvey Sustainability Fund for the following allocations and lists as per the table below for consideration in the draft 2025–2026 Budget:

Organisation	Project	Recommendation
Brunswick Districts Bowling Club Inc.	Install new boundary fence	\$ 4,380
Binningup Community Garden	Binningup Skate Park Hub	*\$ 50,000
Harvey Community Resource Centre Inc.	Staying in Place – Stage 3	\$ 20,425
Yarloop Equestrian Association	Purchase of Enclosed, Tandem Equipment Trailer	\$ 15,000
Lot 208 Youth Inc.	E-Learn and Social Hub: Aspire Together	\$ 17,000
TOTAL		\$106,805

2. Endorses the following allocations from the Coastal Community Fund for the following allocations and lists as per the table below for consideration in the draft 2024–2025 Budget:

Organisation	Project	Recommendation
Binningup Community Garden	Binningup Skate Park Hub	\$50,000

TOTAL	\$50,000
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3. Endorses the following allocations to the Community Grant Program for consideration in the draft 2025–2026 Budget.

Organisation	Project	Category	Recommendation
Brunswick Junction Community Resource Centre	Community Celebration Lunch 2025	Community Support	\$ 1,500
Investing in Our Youth Inc	Young Adults wellbeing Mornings	Community Support	\$ 5,000
Australind & Districts Senior Citizens Club Inc	2025 Christmas Party	Community Events	\$ 600
Harvey Community Gala Night Committee	2025 Harvey Community Gala Night	Community Events	\$ 5,000
Australind Junior Soccer Club	2026 Open Day	Community Events	\$ 2,500
Lions Club of Harvey	Harvey Lions Seniors Christmas Dinner 2025	Community Events	\$ 4,200
Harvey & Districts Historical Society Inc	Unique photo exhibition and operate Harvey Museum	Arts, Culture and Heritage	\$ 4,500
South West Opera Company Inc	Harvey Spectacular 2025	Arts, Culture and Heritage	\$ 5,000
Brunswick Junction Community Men's Shed Inc	Men's Shed Expansion Project	Infrastructure	\$50,000
TOTAL			\$78,300

4. Endorses the following allocation from the Community Grant Program reserves.

Organisation	Project	Category	Recommendation
Western Australian Rugby Union (Rugby WA)	Bunbury NAIDOC 7s Tournament	Community Events	\$5,000
TOTAL			\$5,000

5. Endorses the following three-year Partnership Agreements for consideration in the draft 2025–2026 Budget, pending budget clarification to the satisfaction of Shire Officers.

Organisation	Project	Request Cash	Request In-Kind	Total
Brunswick Agricultural Society	Brunswick Show	\$15,750	\$ 7,475	\$23,225
Harvey Mainstreet Inc	Harvey Harvest Festival	\$28,000	\$ 7,150	\$35,150
WA Youth Cattle Association	WA Youth Cattle Camp	\$ 5,994	\$ 2,600	\$ 8,594
Harvey Agricultural Society Inc	The Harvey Show	\$10,000	\$ 6,690	\$16,690
TOTAL		\$59,744	\$23,915	\$83,659

6. Approves the Brunswick Agricultural Society – Murray Piggot Pavilion – Commercial Kitchen Upgrade project, subject to the resubmission of plans acceptable to the Chief Executive Officer.

Organisation	Project	Request	Funding
Brunswick Agricultural Society	Murray Piggot Pavilion – Commercial Kitchen Upgrade	\$ 50,000	\$50,000
TOTAL		\$50,000	\$50,000

Carried 9-0 25/101

Votes:

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

Against: Nil.

Ms. Alldritt left the Chamber at 6.30pm

12.3. Sustainable Development

Item No.:	12.3.1.
Subject:	Local Biodiversity Strategy – Final Adoption
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Manager Planning Services
Authorising Officer:	Acting Director Sustainable Development
File No.:	F/30/00002
Attachments:	<ol style="list-style-type: none"> 1. Local Biodiversity Strategy – Final [12.3.1.1 - 59 pages] 2. Biodiversity Strategy Summary [12.3.1.2 - 8 pages]

Summary

A review of the Shire of Harvey's (Shire) previous draft Local Biodiversity Strategy has been completed, and, with the assistance of various stakeholders, Officers prepared the Draft Local Biodiversity Strategy 2025–2035 (Draft Strategy). The Draft Strategy was endorsed by Council at its Ordinary Meeting on Tuesday, 25 March 2025 for the purpose of public consultation.

The Draft Strategy was advertised, with no submissions received. It is recommended that Council adopts the Local Biodiversity Strategy 2025–2025 (refer **Attachment 1**).

Background

The Shire's first Local Biodiversity Strategy was drafted in 2009, reviewed in 2011, however was never finalised. Local biodiversity within the Shire is experiencing increasing threats and a finalised Strategy will assist the Shire's commitment to protecting and conserving its significant biodiversity values. The Strategy will support the Shire in managing and conserving biodiversity in its role as decision maker and land manager, by increasing the Shire's capacity to conserve biodiversity. This is achieved by streamlining information into an up-to-date Strategy that focuses on the ecological values of Shire managed lands and supports the effective consideration of biodiversity conservation and protection on private land in the decision-making process.

The Shire received grant funding of \$20,000 through the State's Natural Resource Management "Local Biodiversity and Native Vegetation Management Project" via the Western Australian Local Government Association (WALGA). This funding was utilised to engage a consultant (Natural Area Management) to review and update biodiversity asset statistics and spatial mapping allowing for the further refinement and prioritisation of Local Natural Areas and to assess local opportunities and protection constraints.

Based on feedback and outcomes of the Local Biodiversity Strategy Working Group (Working Group) meetings, Officers prepared the Draft Strategy. The Draft Strategy was endorsed by Council at the Ordinary Meeting held on Tuesday, 25 March 2025 for the purpose of public consultation.

Public Consultation

Advertising of the Draft Strategy commenced on Thursday, 3 April 2025 and concluded Thursday, 24 April 2025, being a period of 21 days. Shire Officers prepared a Summary Brochure (refer **Attachment 2**) that formed part of the advertised document package. Advertising of the document package (Draft Strategy and Summary Brochure) consisted of the following:

- Emailed to all members of the Working Group
- A hard copy was provided to the Parkfield Primary School for review by their Learning and Understanding Sustainability class

- Hard copies were available for viewing at the Shire's Administration Offices and Libraries
- Available on the Shire's website
- Newspaper advertisements in the South Western Times and Harvey Reporter.

Comment

The Strategy (refer **Attachment 1**) will assist the Shire's commitment to protecting and conserving its significant biodiversity values and will support the Shire in managing and conserving biodiversity in its role as decision maker and land manager. In addition, the Strategy will form part of the local planning framework which will further support existing mechanisms to protecting significant vegetation and habitat.

As no submissions were received during the advertising period, it is recommended that the Strategy be adopted without modification.

Statutory/Policy Environment

Shire of Harvey Local Planning Strategy

- Section 2 – Objectives:
 - Recognising places of environmental significance
 - Protecting the significant areas of remnant native vegetation, conservation category wetlands and local / regional ecological linkages.
- Section 2.1 – Themes
 - Heritage and Environmental Conservation—identify and encourage the protection of areas that have cultural, historical and environmental significance.

Shire of Harvey Local Planning Scheme No. 2

- Clause 7 – Contents of the Scheme: the Scheme is to be read in conjunction with the Local Planning Strategy.
- Clause 9 – Aims of the Scheme:
 - “(1) *facilitate the effective implementation of the Local Planning Framework, including the intentions and desired outcomes of the Local Planning Strategy*”
 - “(12) *preserve and protect native vegetation to enhance biodiversity, fauna habitat, land and water-based ecosystem function, ecological linkages and landscape and amenity values.*”

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 1.3	<i>Sustainable urban, rural and industrial development.</i>
Objective 1.5	<i>Enhanced education and training opportunities.</i>

Goal 3:	<i>A natural environment that is highly valued, protected and enjoyed.</i>
Objective 3.2	<i>Manage and protect natural habitats, ecosystems and reserves.</i>
Objective 3.4	<i>Healthy waterways and coastal zones.</i>
Goal 5:	<i>A representative leadership that is future thinking, transparent and accountable.</i>
Objective 5.2	<i>Build partnerships and work collaboratively to amplify the outcomes that can be achieved.</i>

Community Engagement

Community Participation Goal

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

Adoption of the Local Biodiversity Strategy will be advertised.

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.

Adoption of the Local Biodiversity Strategy will be advertised.

Risk Management

The Risk Theme Profile identified as part of this report is **Inadequate Engagement Practices** and **Inadequate Environment Management**. The Consequence could be **Reputation** or **Environment** if the relevant stakeholders and community were not adequately consulted, or the Local Biodiversity Strategy is not updated and finalised. The risk is considered **Minor** and the Likelihood **Unlikely**, given the report has been thoroughly researched, peer reviewed and provided by a qualified Shire Officer. The Project involved the establishment of a Working Group with key stakeholders, and the community was consulted, and the Shire made a commitment via the grant funding application to finalise the Strategy, resulting in a **Low** Risk being present.

Budget Implications

The 2024–2025 Budget included a total allocation of \$30,000 for this Project, including the WALGA grant funding of \$20,000.

Authority/Discretion

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

Voting Requirements

Simple Majority.

Officer's Recommendation

That Council:

1. Adopts the Local Biodiversity Strategy 2025–2035 (as contained in **Attachment 1**).

2. Acknowledges the contribution by the members of the Local Biodiversity Strategy Working Group and invited guests in the preparation of the Local Biodiversity Strategy 2025–2035.

Moved: Cr. Coleman

Seconded: Cr. Bromham

That Council:

1. **Adopts the Local Biodiversity Strategy 2025–2035 (as contained in *Attachment 1*).**
2. **Acknowledges the contribution by the members of the Local Biodiversity Strategy Working Group and invited guests in the preparation of the Local Biodiversity Strategy 2025–2035.**

Carried 9-0 25/102

Votes:

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

Against: Nil.

Ms. Alldritt entered the Chamber at 6.32pm

Item No.	12.3.2.
Subject:	Local Planning Strategy – Amendment No. 1: Lot 102 (No. 160) Taranto Road, Myalup
Proponent:	Rowe Group Design (on behalf of Qube Property Group)
Location:	Lot 102 (No. 160) Taranto Road, Myalup
Reporting Officer:	Manager Planning Services
Authorising Officer:	Acting Director Sustainable Development
File No.:	C304/00001, LPST/01/001
Attachments:	<ol style="list-style-type: none"> 1. Modifications to Amendment – LPS – Amendment No. 1 Certification to Advertise [12.3.2.1 - 2 pages] 2. Certified for advertising – Local Planning Strategy Amendment No. 1 [12.3.2.2 - 44 pages] 3. Site Location [12.3.2.3 - 2 pages] 4. Summary of Public Submissions [12.3.2.4 - 30 pages] 5. Summary of Agency Submissions [12.3.2.5 - 18 pages]

The following additional information is provided in regard to Item 12.3.2

At the Agenda Briefing on Tuesday, 20 May 2025, Council queried whether the wording of the proposed Amendment was sufficient to ensure the ‘key matters’ were addressed and whether matters such as Threatened Ecological Communities, Black Cockatoos and Western Ringtail Possums were sufficiently included.

Additional information has been provided under the “Comment” heading of the report.

Summary

The Shire of Harvey (the Shire) received a request from Rowe Group Design (on behalf of Qube Property Group) to initiate an amendment to the Local Planning Strategy (the Strategy) to include Lot 102 (No. 160) Taranto Road, Myalup as a “Development Investigation Area”. At its Ordinary Meeting of Tuesday, 20 December 2022, Council resolved to:

- Endorse the proposed Amendment.
- Refer the proposed Amendment to relevant State Government agencies for preliminary comments.
- Following receipt of comments from the relevant State Government agencies, refer the proposed Amendment to the Western Australian Planning Commission (WAPC) for ‘certification’.
- Following receipt of the WAPC’s ‘certification’, advertise the proposed Amendment in accordance with the Planning and Development (Local Planning Schemes) Regulations 2015 (Regulations).

On Friday, 20 September 2024, the WAPC advised of modifications required to the proposed Amendment (refer **Attachment 1**) and on Monday, 16 December 2024, the WAPC certified the modified Amendment for the purposes of advertising (refer **Attachment 2**). The proposed Amendment has been advertised and is referred to Council for final consideration.

It is recommended that Council supports proposed Amendment No.1 to the Strategy, with modification to address issues raised in the submissions.

Background

Site Description

The majority of Lot 102 (No. 160) Taranto Road, Myalup is zoned “Rural” under the Shire of Harvey Local Planning Scheme No. 2 (the Scheme) and is subject to the following Special Control Areas:

- SCA 2 – Basic Raw Materials
- SCA5C – Environmental Protection Area (Coastal Protection Area)
- SCA6A – Landscape Protection Area (Coastal Lakelands)

A small portion of the site adjacent to its western boundary is reserved for “Regional Open Space” under the Greater Bunbury Region Scheme (refer **Attachment 3**).

The site is of regular shape with an area of 190ha, is undulating and contains native vegetation. The Lot gains access from Taranto Road via a 125m long access leg. The dunes and vegetation on the site have suffered damage from ongoing illegal camping and 4-wheel driving.

Site History

Lot 102 has been identified for potential urban and/or tourism land uses since the 1990’s in a number of State Government regional strategies, including:

- Greater Bunbury Structure Plan (1995): ‘future urban (category B)’, with the coastal foreshore identified as an ‘area under consideration for conservation, scenic protection and reservation’.
- Bunbury-Wellington Region Plan (1995): ‘rural-urban transition and amenity area’ with an area of ‘scenic protection and reservation’.
- Coastal and Lakelands Planning Strategy (1999): ‘area with longer term potential for low-density recreation and tourist development (subject to further study)’.
- Greater Bunbury Strategy (2013): ‘rural’ with a small portion of the southern boundary affected by a ‘water infrastructure buffer’.

Proposal

The Strategy Amendment proposed to include the site within a “Planning Area” (previously referred as Development Investigation Area) to recognise the site’s potential for land uses of a low-scale and low-impact nature at a strategic level. The proposed Amendment identifies the following as ‘Key matters to be considered’:

- Protection of environmental and biodiversity values
- Bushfire hazard, risk assessment and management
- Transport Impact Assessment
- Land use conflict and the need for buffers and/or setbacks to the surrounding area including environmental features and industrial land uses
- Protection of visual and landscape values

- Public access to the beach
- Identification of a coastal foreshore reserve
- Water source impact (groundwater and surface water).

Consent to Advertise

Prior to certifying the proposed Amendment, the WAPC required modifications (refer **Attachment 1**) to address the following:

- Including the proposed Amendment as a new section and changing the terminology from “Development Investigation Area” to “Planning Area”
- Removal of references of the site’s potential for specific land uses, zones or development
- Removal of the ‘Indicative Masterplan Concept’ and any references to this Plan
- Removal of references to outdated planning framework documents.

Advertising

Pursuant to Clause 13 of the Planning and Development (Local Planning Schemes) Regulations 2015 and as required by the WAPC, the proposed Amendment was advertised for a period of 60 days (commencing Thursday, 2 January 2025 and concluding on Monday, 3 March 2025) in the following manner:

- Letters to landowners within 2km of the boundaries of Lot 102 (633 letters)
- Newspaper adverts on four occasions (South Western Times and Harvey Reporter)
- The Shire's Website
- Hardcopy document available at the Shire’s Administration Offices for viewing
- Referral to the following State agencies:
 - Department of Primary Industries and Regional Development
 - Department of Water and Environmental Regulation
 - Department of Mines, Energy, Industry Regulation and Safety
 - Department of Health
 - Department of Biodiversity, Conservation and Attractions
 - Department of Fire and Emergency Services
 - Main Roads WA
 - Water Corporation.

At the conclusion of the advertising period, submissions were received from all State agencies (refer **Attachment 4**) and 22 public submissions were received (refer **Attachment 5**). Comments from the

public submissions were:

Objection	14
Support	1
Comment	4
Objection and Comment	3
Total	22

The main themes from the public submissions can be summarised as:

- Impacts to the coastal area
- Environmental constraints
- Retain as is
- Premature in the absence of further investigations.

Comment

The following table addresses the main themes from the public submissions:

Theme	Officer Response
Impacts to the coastal area.	The vulnerability of the coastline is well-known and acknowledged and is addressed by the State and local planning frameworks. The proposed Amendment identifies the need for detailed investigations to be undertaken to determine the site's capability of supporting future development. Despite the Amendment requiring the 'identification of a coastal foreshore reserve', it doesn't specifically mention an assessment of coastal hazard and/or risk management. In response to submissions received, Officers consider it appropriate that the need for a site-specific Coastal Hazard and Risk Management and Adaptation Plan (CHRMAP) is included as a 'Key matters to be considered'.
Environmental constraints.	The number and nature of environmental constraints, and their potential significance, is acknowledged and is the trigger for the site's consideration for inclusion in the Local Planning Strategy rather than proceeding straight to consideration of amending the Scheme to rezone. The proposed Amendment identifies the need for detailed investigations to be undertaken to determine the site's capability of supporting future development. If these detailed investigations demonstrate that the environmental constraints preclude future development of this site, then future development cannot be progressed. However, if these detailed investigations demonstrate that the environmental constraints can be appropriately managed to allow future development of the site, the subsequent planning process (an amendment to the Scheme to rezone) could be considered, which would be referred to the Environmental Protection Authority and advertised to the public and relevant referral authorities.

Retain as is.	Any landowner has the ability to request their land be considered for future development. Inclusion of the site in the Local Planning Strategy does not guarantee the site's ability to be developed. Such inclusion will guide the nature of detailed investigations required to be undertaken to determine if the site has the capability of supporting future development.
Premature in the absence of further investigations.	Inclusion of the site in the Local Planning Strategy does not guarantee the site's ability to be developed. Such inclusion will guide the nature of detailed investigations required to be undertaken to determine if the site has the capability of supporting future development. If these detailed investigations demonstrate that the site may have the capability of supporting future development, the subsequent planning process (an amendment to the Scheme to rezone) would be referred to the Environmental Protection Authority and advertised to the public and relevant State agencies.

With the exception of the Department of Water and Environmental Regulation (DWER), all comments received from the other State agencies related to matters that would be addressed by the detailed investigations identified as "Key matters to be considered". DWER recommended the detailed investigations be undertaken first and then consider a Scheme Amendment to rezone the land.

The nature of the proposal is not one that would generally be considered for rezoning in the absence of being included in the Local Planning Strategy. This process is further supported by the WAPC's recommendation to the Applicant to apply to amend the Local Planning Strategy rather than proceeding straight to a Scheme Amendment to rezone.

Inclusion of the site in the Local Planning Strategy as a 'Planning Area' does not provide an approval to develop, nor does it provide a guarantee that future development would be/is supported. The intention of the site being included as a 'Planning Area' in the Local Planning Strategy is to guide the nature of detailed investigations required to be undertaken to determine the site's capability for future development. Should these detailed investigations demonstrate the site has a level of capability for future development, these would form the basis of a request for a Scheme Amendment to rezone the site. However, if these detailed investigations demonstrate the site does not have a level of capability for future development, the proposal cannot proceed.

The proposed Amendment report (refer **Attachment 2**) acknowledges the various environmental attributes/constraints of the site that will require investigation including wetlands, native vegetation (including the Tuart woodland) and protected species and fauna communities. It also identifies that additional environmental surveys are likely to be required, including:

- Updated spring survey and targeted flora and vegetation surveys.
- Basic fauna and targeted fauna surveys.
- Environmental assessment report.

Wording

Table 32 proposed to be included in the Local Planning Strategy identifies the 'Planning Actions' required to manage the potential land use change and development of the land. The proposed 'Planning Actions' requires certain detailed investigations to be undertaken to determine the site's suitability for a land use change and/or development.

If the detailed investigations indicate the site has the capacity to accommodate a land use change and/or development, the proponent can then consider progressing by the submission of Local Structure Plan and an amendment to the Local Planning Scheme. Any request to amend the Local Planning Scheme and/or submission of a Local Structure Plan, requires sufficient documentation to support and justify the proposal. Such documentation will include a range of management plans which will identify and discuss the various attributes/constraints (obtained from the detailed investigations already undertaken) and demonstrate how these attributes/constraints will be impacted and addressed. Such management plans are then further detailed and refined through subsequent planning stages such as subdivision and development.

Officers consider that the current proposed wording is sufficient to ensure the 'key matters' are addressed through the subsequent planning stages, if the detailed investigations indicate the site has the capacity to accommodate a land use change and/or development. Notwithstanding, should Council consider it necessary to recommend a modification to the Western Australian Planning Commission, it could be as simple as modifying the wording of the 'Planning Actions' by replacing "*Key matters to be considered include:*" with "*Key matters to be addressed include:*".

Flora / Fauna

A 'key matter' in Table 32 proposed to be included in the Local Planning Strategy requires the 'protection of environmental and biodiversity values' to be considered. The detailed investigations will identify and consider all environmental attributes of the site. Therefore, Officers consider the current proposed wording is sufficient.

Conclusion

For the reasons detailed above, Officers consider the current proposed wording is sufficient. However, support a change to the wording to read "*Key matters to be addressed include*".

Officers consider that more detailed descriptions of key species or ecological communities is not necessary as these are already adequately covered through the current recommendation.

The proposed Amendment will identify Lot 102 Taranto Road, Myalup as a "Planning Area" to guide the nature of detailed investigations to be undertaken to determine the site's capability for future development. Support for the proposal does not provide an approval for future development, nor does it guarantee future development would be supported. On this basis, it is recommended that Council supports the proposed Amendment to the Local Planning Strategy, with modification to address issues raised in the submissions.

Statutory/Policy Environment

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Part 3 – Local planning strategies

- Clause 14 – Consideration of submissions.
- Clause 17 – Amendment to local planning strategy.

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>
Objective 1.3	<i>Sustainable urban, rural and industrial development</i>
Goal 3:	<i>A natural environment that is highly valued, protected and enjoyed.</i>
Objective 3.1	<i>Adopt and encourage sustainable development practices.</i>
Objective 3.2	<i>Manage and protect natural habitats, ecosystems and reserves.</i>
Objective 3.3	<i>Sustainable resource use and waste management.</i>

Community Engagement

Community Participation Goal

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

The proposed Amendment was advertised pursuant to Clause 13 of the Planning and Development (Local Planning Schemes) Regulations 2015. Submitters will be notified when the Agenda is available, of Council's resolution and the WAPC's decision.

Promise to the Community

Inform: We will keep you informed.

Submitters will be notified when the Agenda is available, of Council's resolution and the WAPC's decision.

Risk Management

The Risk Theme Profile identified as part of this report is **Failure to Fulfil Compliance Requirements** and **Inadequate Engagement Practices**. The Consequence could be **Financial, Reputational** or **Compliance** if the statutory procedure is not followed or the Local Planning Strategy is not updated to reflect the changes. The risk is considered **Minor** and the likelihood **Unlikely**, given that the report has been thoroughly researched, peer reviewed, provided by a qualified Shire Officer, public consultation has been undertaken, and the statutory process has been identified and followed. This results in a **Low** risk being present.

Budget Implications

There is no ability for the Shire to impose a fee for the assessment of this Amendment request. However, there is the ability to recoup advertising costs from the Applicant.

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 the submissions received (as contained in **Attachments 4** and **5**) in relation to proposed Amendment No. 1 to the Local Planning Strategy for Lot 102 Taranto Road, Myalup.
2. Supports proposed Amendment No. 1 to the Local Planning Strategy to:
 - a) Include the following under Section 3.13 – Planning Areas:

Planning Area A – Lot 102 Taranto Road, Myalup (Map 6)

Lot 102 (No. 160) Taranto Road, Myalup ('site') is located on coastal land between the settlements of Myalup and Binningup. It is bound by the Indian Ocean to the west, the Harvey River Diversion Drain to the north, agricultural land and limestone/sand extraction quarries to the east, and a Wastewater Treatment Plant and the Southern Seawater Desalination Plant to the south.

The site is zoned Rural under the provisions of Local Planning Scheme No. 2 (LPS2) and under the Greater Bunbury Regional Scheme. The site forms part of a coastal corridor identified in LPS 2 as Special Control Area – Environmental Protection Area (Coastal Protection Area) and Special Control Area – Landscape Protection Area (Coastal Lakelands).

The site is identified as bushfire prone and within a sewerage sensitive area. It abuts an identified geomorphic wetland and is within 1km of a significant wetland. The site is predominantly vegetated which includes areas of Tuart woodland.

The site has historically been used for grazing, yet it is recognised that the use of the site for farming and agricultural purposes may not be viable or sustainable in the long-term given the site's environmental constraints, the lack of available water for irrigation, proximity to the coast and landscape values.

Investigation into a potential change of use would need to consider key environmental considerations (coastal processes, wetlands, bushfire, native vegetation, landscape values, protected species and fauna communities) as well as other key planning matters such as provision of utility services, road access and management of bushfire risks.

Consideration of a potential change in land use requires investigation of key matters outlined in Table 32.

b) Include the following Table 32 after section 3.13:

Table 32: Planning Area A – Lot 102 Taranto Road, Myalup: Planning Direction and Actions

Planning Area	Planning Direction	Planning Actions	Rationale	Timeframe
A – Lot 102 Taranto Road, Myalup	Identify Lot 102 Taranto Road, Myalup as a Planning Area to investigate opportunities for a potential change of use.	<p>Prior to submittal of any planning proposal to amend the designated zone and/or land use/s, detailed investigations are to be undertaken to determine the site's suitability. Key matters to be considered include:</p> <ul style="list-style-type: none"> • Protection of environmental and biodiversity values • Bushfire hazard, risk assessment and management • Transport Impact Assessment • Land use conflict and the need for buffers and/or setbacks to the surrounding area including environmental features and industrial land uses • Protection of visual and landscape values • Public access to beach • Identification of a coastal foreshore reserve • Water source impact (groundwater and surface water). 	Section 3.4.1 recognises that some rural land parcels have a reduced capacity for agricultural purposes due to their environmental values.	Short term

c) Amend Strategy Map (Map 6) accordingly.

subject to, the following modification to address issues raised in the submissions:

- The “Key matters to be considered” is to include a site-specific Coastal Hazard Risk

Management and Adaptation Plan.

3. In accordance with Clause 14(3) of the Planning and Development (Local Planning Schemes) Regulations 2015, submits proposed Amendment No. 1 to the Local Planning Strategy to the Western Australian Planning Commission requesting the Commission's endorsement pursuant to clause 15(1)(b) of the Planning and Development (Local Planning Schemes) Regulations 2015.

Moved: President Campbell

Seconded: Cr. Coleman

That Council:

1. **Notes the submissions received (as contained in *Attachments 4 and 5*) in relation to proposed Amendment No. 1 to the Local Planning Strategy for Lot 102 Taranto Road, Myalup.**
2. **Supports proposed Amendment No. 1 to the Local Planning Strategy to:**
 - a) **Include the following under Section 3.13 – Planning Areas:**

Planning Area A – Lot 102 Taranto Road, Myalup (Map 6)

Lot 102 (No. 160) Taranto Road, Myalup ('site') is located on coastal land between the settlements of Myalup and Binningup. It is bound by the Indian Ocean to the west, the Harvey River Diversion Drain to the north, agricultural land and limestone/sand extraction quarries to the east, and a Wastewater Treatment Plant and the Southern Seawater Desalination Plant to the south.

The site is zoned Rural under the provisions of Local Planning Scheme No. 2 (LPS2) and under the Greater Bunbury Regional Scheme. The site forms part of a coastal corridor identified in LPS 2 as Special Control Area – Environmental Protection Area (Coastal Protection Area) and Special Control Area – Landscape Protection Area (Coastal Lakelands).

The site is identified as bushfire prone and within a sewerage sensitive area. It abuts an identified geomorphic wetland and is within 1km of a significant wetland. The site is predominantly vegetated which includes areas of Tuart woodland.

The site has historically been used for grazing, yet it is recognised that the use of the site for farming and agricultural purposes may not be viable or sustainable in the long-term given the site's environmental constraints, the lack of available water for irrigation, proximity to the coast and landscape values.

Investigation into a potential change of use would need to consider key environmental considerations (coastal processes, wetlands, bushfire, native vegetation, landscape values, protected species and fauna communities) as well as other key planning matters such as provision of utility services, road access and management of bushfire risks.

Consideration of a potential change in land use requires investigation of key matters outlined in Table 32.

- b) **Include the following Table 32 after section 3.13:**

Table 32: Planning Area A – Lot 102 Taranto Road, Myalup: Planning Direction and Actions

Planning Area	Planning Direction	Planning Actions	Rationale	Timeframe
A – Lot 102 Taranto Road, Myalup	Identify Lot 102 Taranto Road, Myalup as a Planning Area to investigate opportunities for a potential change of use.	<p>Prior to submittal of any planning proposal to amend the designated zone and/or land use/s, detailed investigations are to be undertaken to determine the site's suitability. Key matters to be considered include:</p> <ul style="list-style-type: none"> • Protection of environmental and biodiversity values • Bushfire hazard, risk assessment and management • Transport Impact Assessment • Land use conflict and the need for buffers and/or setbacks to the surrounding area including environmental features and industrial land uses • Protection of visual and landscape values • Public access to beach • Identification of a coastal foreshore reserve • Water source impact (groundwater and surface water). 	Section 3.4.1 recognises that some rural land parcels have a reduced capacity for agricultural purposes due to their environmental values.	Short term

c) Amend Strategy Map (Map 6) accordingly.

subject to, the following modification to address issues raised in the submissions:

- The “Key matters to be considered” is to include a site-specific Coastal Hazard Risk Management and Adaptation Plan.

3. In accordance with Clause 14(3) of the Planning and Development (Local Planning Schemes) Regulations 2015, submits proposed Amendment No. 1 to the Local Planning Strategy to the Western Australian Planning Commission requesting the Commission's endorsement pursuant to clause 15(1)(b) of the Planning and Development (Local Planning Schemes) Regulations 2015.

Carried 9-0 25/103

Votes:

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

Against: Nil.

Item No.:	12.3.3.
Subject:	Adoption of Shire of Harvey and Dardanup Joint Town Planning Scheme Minutes – 24 April 2025
Proponent:	Shire of Harvey
Location:	Shires of Harvey and Dardanup
Reporting Officer:	Senior Governance Compliance Officer
Authorising Officer:	Chief Executive Officer
File No.:	B000116
Attachments:	1. Draft Minutes April 2025 [12.3.3.1 - 7 pages]

Summary

Minutes from the Thursday, 24 April 2025 meeting of the Shire of Harvey (the SoH) and Shire of Dardanup (SoD) Joint Town Planning Scheme (JTPS) Meeting are attached for Council's consideration.

It is recommended that Council receives these Minutes.

Background

The JTPS authorises the SoH and the SoD with the administration of the Scheme. The Shires have formed a Joint Committee consistent with the *Local Government Act 1995*, with equal representation from the SoH and SoD, to assist the Shires in the administration of the Scheme.

The most recent meeting of that Joint Committee was held Thursday, 24 April 2025.

Comment

The draft Minutes from the Committee meeting held Thursday, 24 April 2025 are attached for Council's consideration, and it is recommended that they be received by Council.

Should Council wish to amend the Minutes contained within the Officer's Recommendation, adoption of them will need to be deferred and the amendment referred to the Joint Town Planning Scheme Committee for consideration.

Statutory/Policy Environment

Shire of Harvey and Shire of Dardanup Joint Town Planning Scheme No 1.

Strategic Framework

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

- Goal 5: A representative leadership that is future thinking, transparent and accountable.*
- Objective 5.1 Effective communication and engagement with the community.*
- Objective 5.4 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.

Committee to be advised.

Promise to the Community

Inform: We will keep you informed.

Committee to be advised.

Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The Consequences could be **Reputational** or **Compliance** if the Minutes are not appropriately received by Council. The risk is considered **Minor** and the likelihood **Unlikely**, given that the report has been provided by a qualified Shire Officer with a recommendation for the resolution of the Joint Town Planning Scheme Committee to be endorsed. This results in a **Low** risk being present.

Budget Implications

Nil, funds held within and distributed from the Joint Town Planning Scheme Trust Fund, does not impact on the Shire of Harvey's annual Budget(s).

Authority/Discretion

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

Voting Requirements

Simple Majority.

Officer's Recommendation

That Council:

1. Receives the minutes of the Shire of Harvey and Shire of Dardanup Joint Town Planning Scheme No. 1 Committee Meeting held on Thursday, 24 April 2025 (refer **Attachment 1**),
2. Endorses the following resolution of the Joint Town Planning Scheme No. 1 Committee meeting as follows:

"That the Shire of Harvey and the Shire of Dardanup Joint Town Planning Scheme No. 1 Committee recommends that the Councils of the Shires of Harvey and Dardanup appoint LK Advisory as an external Consultant to independently administer the JTPS 1 in real-time, including calculating invoices upon request, updating the JTPS 1 model and maps, advising each local government of the refunds due and payable in real time for payment to the developers and undertaking each annual review up until 2028."

Moved: Cr. Dickinson

Seconded: Cr. Bromham

That Council:

1. **Receives the minutes of the Shire of Harvey and Shire of Dardanup Joint Town Planning Scheme No. 1 Committee Meeting held on Thursday, 24 April 2025 (refer *Attachment 1*),**
2. **Endorses the following resolution of the Joint Town Planning Scheme No. 1 Committee meeting as follows:**

“That the Shire of Harvey and the Shire of Dardanup Joint Town Planning Scheme No. 1 Committee recommends that the Councils of the Shires of Harvey and Dardanup appoint LK Advisory as an external Consultant to independently administer the JTPS 1 in real-time, including calculating invoices upon request, updating the JTPS 1 model and maps, advising each local government of the refunds due and payable in real time for payment to the developers and undertaking each annual review up until 2028.”

Carried 9-0

25/104

Votes:

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

Against: Nil.

12.4. Corporate Services

Item No.	12.4.1.
Subject:	Payments April 2025
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Manager Finance
Authorising Officer:	Director Corporate Services
File No.:	FM/S/006
Attachments:	1. Payments April 2025 [12.4.1.1 - 18 pages]

Summary

A listing of payments for goods and services for April 2025 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 April 2025 is presented as **Attachment 1**, as summarised below.

<u>Voucher</u>		<u>Amount</u>
Schedule of Accounts		
Municipal	EFT 76679 – EFT 77090	\$ 4,395,468.66
	117697 – 117700	\$ 4,044.45
	DD28560.1 – DD28613.30	\$ 224,743.52
CBA Credit Cards		\$ 14,850.52
Electronic Funds Submitted		<u>\$ 1,383,914.31</u>
Total		<u>\$ 6,023,021.46</u>

Purchasing Card Payments included in the Municipal payments above

AMPOL Fuel Card	\$ 2,522.11
BP Fuel Card	\$ 5,114.62
Puma Fuel Card	\$ 1,009.42
Coles Card	<u>\$ 2,950.55</u>
Total	<u>\$ 11,596.70</u>

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 Council receiving the payments report on a monthly basis and in a form that is in 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 April 2025 totalling \$6,023,021.46.

Moved: Cr. Holly

Seconded: Cr. Dickinson

That Council notes the list of accounts paid at *Attachment 1* for the period of April 2025 totalling \$6,023,021.46.

Carried 9-0 25/105

Votes:

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

Against: Nil.

Item No.	12.4.2.
Subject:	Financial Statements as at 30 April 2025
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Accountant
Authorising Officer:	Director Corporate Services
File No.:	FM/S/006
Attachments:	1. Monthly Financials April 25 [12.4.2.1 - 11 pages]

Summary

The Financial Statements as at Wednesday, 30 April 2025 are provided at **Attachment 1**.

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

	ACTUAL 30 April 2025	BUDGET 2024–2025	VARIANCE
Statement of Financial Performance			
Ordinary Revenue	\$48,314,033	\$49,037,395	\$723,362
Ordinary Expenditure	\$45,421,762	\$57,403,257	\$11,981,494
Capital Revenue	\$3,654,756	\$34,355,021	\$30,700,265
Capital Expenditure	\$15,827,443	\$41,637,971	\$25,810,528
End of Period Surplus/(Deficit)			\$3,204,935
Statement of Financial Position			
Current Assets			\$42,646,420
Net Assets			\$819,903,474

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 Friday, 27 September 2024. Approximately 94.2% of the rates were collected by Wednesday, 30 April 2025 compared to 92.8% for the previous year.

Cash Flow and Interest Earnings

The Shire holds by way of cash and term deposits \$9 million in Municipal funds and \$31.4 million in restricted Trust and Reserve funds. The average interest rate on these funds is 4.9%. New term deposits are attracting an interest rate of approximately 5% 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. Three grant instalments have been received to date with the third instalment being received in February 2025. This leaves one final grant instalment of around \$144,000 to be received this financial year.

Employee Costs

These accounts include the first ten months of the financial year. The Shire anticipates employee costs will remain under budget for the 2024–2025 financial year due to staff vacancies and the difficulty experienced in filling some positions.

Material, Contracts, Utilities and Other Expenses

These accounts reflect the first ten months of the financial year and are currently under budget due to projects yet to commence and expenditure timing variance. It is anticipated that significant expenditure will occur in June 2025 along with the usual end of year transactions resulting in the full allocation of budgeted expenditure in these areas 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 \$15.8 million on capital works has been reported at the end of April 2025, which is made up of various major projects such as \$800,000 on the Harvey Senior Citizens Centre Renovation, \$2.5 million on the Brunswick River Cottages Stage 3, \$2.3 million on Yarloop Workshop Redevelopment, \$2.1 million on Plant Purchases and \$1.6 million on Road Construction to date. 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.

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* Section 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 bought 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 bought 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 April 2025 provided at ***Attachment 1***.

OFFICERS RECOMMENDATION ADOPTED BY EXEMPTION RESOLUTION – REFER TO RESOLUTION 25/96 APPEARING AT ITEM 12.

Item No.	12.4.3.
Subject:	Proposed Fees and Charges 2025–2026
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Manager Finance
Authorising Officer:	Director Corporate Services
File No.:	FMH001
Attachments:	1. Budget 25-26 Proposed Fees and Charges v 4 no landfill or waste [12.4.3.1 - 12 pages]

Summary

The Schedule of Fees and Charges, as workshopped by Council on Tuesday, 22 April 2025 is attached for Council's consideration for the 2025–2026 financial year.

The average increase applied to the Shire of Harvey (the Shire) fees and charges is approximately 4%–5%. This increase in fees and charges is utilised to cover costs incurred in the provision of Shire services.

The proposed schedule does not include waste collection and landfill related fees and charges at this stage. These will be presented to Council separately in the coming months. Delaying the adoption of these waste related fees and charges will allow additional time for further clarity around the operating logistics of FOGO and any operating subsidy requirements of the Bunbury Harvey Regional Council, both of which may affect the quantum of fees and charges.

It is recommended Council adopts the Schedule of Fees and Charges (refer **Attachment 1**) and advertise the Fees and Charges to the public.

Background

The Shire adopts the Schedule of Fees and Charges on an annual basis in accordance with Section 6.16 of the *Local Government Act 1995*. In terms of this section, the Shire may impose and recover a fee or charge for any goods or services it provides or proposes to provide, other than a service for which a service charge is imposed.

The Shire has approximately 650 different fees and charges. Section 6.16(3) of the *Local Government Act 1995* states that these fees and charges are to be imposed when adopting the annual budget but may be imposed during a financial year by Absolute Majority and with the requirement to advertise them. This item is presented to Council to allow the early introduction of the fees and charges prior to the adoption of the 2025–2026 Budget. This allows for the new fees and charges to apply from 1 July, following the statutory advertising period.

The Schedule of Fees and Charges will also be included as part of the draft 2025–2026 Budget.

Comment

The Schedule of Fees and Charges includes both fees set under a head of authority that allows the Shire to determine their amounts, and fees over which the Shire has no control. The fees and charges that the Shire is authorised to set have, on average, increased by approximately 4%–5%.

Of the other changes to fees and charges, there are some new fees and charges proposed in the Environmental Health, Leschenault Leisure Centre and Ranger Services as highlighted in the attached Schedule of Fees and Charges (refer **Attachment 1**) all of which were workshopped with Council on Tuesday, 22 April 2025.

Council usually adopts the annual Budget towards the end of July. Part of the Budget adoption is the inclusion of the Schedule of Fees and Charges. The purpose of adopting the Schedule of Fees and Charges prior to the annual Budget is to allow for the amended fees and charges to be imposed from 1 July.

Section 6.19 of the *Local Government Act 1995* states that where a local government wishes to impose any fees or charges outside of the annual budget adoption, it is to give local public notice of its intention to do so along with the date the fee or charge is to be imposed from.

Statutory/Policy Environment

Local Government Act 1995

- Section 6.16 – allows for the imposition of fees and charges by Council by Absolute Majority.
- Section 6.17 – gives guidance in determining the level of fees or charges (i.e. taking into account the cost to the local government in providing that service or good).

Waste Avoidance and Resources Recovery Act 2007

- Provides authority for the Shire to collect refuse waste and to recoup the cost of same.

Strategic Framework

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

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

Community Engagement

Community Participation Goal

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

Council's resolution will be included as part of the Ordinary Council Meeting Minutes. These minutes are uploaded to the website and are accessible to the public.

Promise to the Community

Inform: We will keep you informed.

Council's decision will be recorded in the publicly accessible Council minutes. In addition, a local public notice outlining Council's intention to impose the fees and charges, along with the date, will be advertised.

Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/information**. The Consequence could be **Financial**, **Reputational** or **Compliance** should an inappropriate or unrealistic fee be adopted by Council. The Risk consequence is considered to be **Moderate** and the likelihood **Unlikely** resulting in a **Low** risk being present.

Budget Implications

The proposed Schedule of Fees and Charges has allotted income streams included as part of the draft 2025–2026 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

Absolute Majority

Officer's Recommendation

That Council:

1. Adopts the attached Schedule of Fees and Charges for the 2025–2026 financial year (refer **Attachment 1**), excluding waste collection and landfill changes:
2. Requests the Chief Executive Officer provide local public notice of Council's intention to impose the fees and charges along with the date they will be applied being 1 July 2025.

BY ABSOLUTE MAJORITY

Moved: Cr. Bromham

Seconded: Cr. Dickinson

That Council:

1. **Adopts the attached Schedule of Fees and Charges for the 2025–2026 financial year (refer Attachment 1), excluding waste collection and landfill changes:**
2. **Requests the Chief Executive Officer provide local public notice of Council's intention to impose the fees and charges along with the date they will be applied being 1 July 2025.**

Carried by Absolute Majority 9-0

25/106

Votes:

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

Against: Nil.

12.5. Community and Lifestyle

Item No.:	12.5.1.
Subject:	Alternative Delivery Models for Library Services – Progress Report
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Manager Libraries
Authorising Officer:	Director Community and Lifestyle
File No.:	F/17/00007
Attachments:	Nil

Summary

The purpose of this Report is to update Council on the outcome of the Alternative Delivery Models for Library Services trial that was endorsed by Council at its Ordinary Council Meeting held Tuesday, 23 April 2024.

Background

The Alternative Delivery Models for Library Services trial explored the possibility of establishing “pop-up libraries” within community facilities in Yarloop and Brunswick.

This was in response to a suite of actions identified in the Library Vision 2032 (the Strategy) including:

- Provide a mobile library service by either using a vehicle and/or collocating with other Shire facilities.
- Investigate the viability of co-location of the Yarloop Library with another community facility in the area to maximise use.
- Explore opportunities of working with the Brunswick Community Resource Centre (BCRC) to assist in the library services currently provided.

At the Ordinary Council meeting held Tuesday, 23 April 2024, it was resolved:

“That Council:

- 1. Endorses a trial for a pop-up library in Yarloop with the intention of expanding pop-up library services to other appropriate locations within the Shire of Harvey, potentially integrating it with operational community facilities.*
- 2. Supports the initial trial of the ‘book nook’ at the Brunswick Community Resource Centre with a review of outcomes at the end of the trial.*
- 3. Requests the Chief Executive Officer provide Council with an interim trial report on the alternate delivery models, as outlined in the Report, for library services at the April 2025 Ordinary Council Meeting.”*

The purpose of this Report is to update Council of the outcomes of the trial and make final recommendations.

Comment

The Alternative Delivery Models for Library Services report found that operating a mobile library service using a van was expensive and recommended a pop-up library as the most cost-effective model to

replace the current Yarloop Library service and provide a viable option for Brunswick. Shire of Harvey (the Shire) Officers met with Yarloop Community Resource Centre (YCRC) and Brunswick Community Resource Centre (BCRC) staff to discuss the proposal. YCRC was open to the idea but did not commit as they wanted to explore it further. BCRC was open to the idea, but their preference was to trial a book nook first and revisit the pop-up library idea after a trial period. The book nook trial has been in operation since April 2024.

Yarloop Library

Plans to set up a pop-up library at YCRC are currently on hold. Discussions between Shire Officers and YCRC staff indicated that YCRC preferred to wait until its lease renewal in (due in December 2024), at which point the possibility of setting up a pop-up library in the facility would be considered as part of the lease negotiations. At the time of writing this report, a draft lease had been provided to the YCRC, but the lease agreement has not yet been finalised.

It is important to mention that since the previous report was presented to Council, Yarloop Library visitations have increased significantly. Between February 2024 and February 2025, Yarloop Library achieved the following:

- **Visitor Numbers:** 554 visitors attended the library during this period.
- **Children's Storytime Participants:** 343 children have participated in Storytime sessions since its launch in May 2024.
- **Participants in the Educated by Nature Program:** There were a total of 86 participants who attended across the three Educated by Nature incursions in November 2024.
- **Average Monthly Visitor Numbers:**

February 2023 – January 2024 – 10 per Month

February 2024 – February 2025 – 43 per Month (330% increase)

The re-introduction of the children's programs has had a positive impact on visitor numbers, demonstrating that these programs have successfully drawn families back into the Yarloop Library.

On the contrary, the data has also highlighted a gap in the use of library services by older demographics. While programs have helped attract young families, the library has yet to attract the older population of Yarloop. The current location of the library at the school is a contributing factor.

Since the initial report, visitation numbers have significantly increased, making the relocation of the full library service to the YCRC a more feasible option. This was not considered in the initial report due to low library usage. However, with the recent rise in library use and limited engagement from older community members at the current school-based location, Shire Officers now recommend that relocating the full library service to the YCRC should be explored as an alternative. The YCRC's central location, its potential to better engage older demographics, and its capacity to support expanding children's programs make it a strong candidate for the library's future home.

Shire Officers have raised this new development with YCRC staff, who have expressed that operating the full library from the YCRC is not feasible due to space limitations, as all rooms are currently being used for other YCRC services. However, Shire Officers consider that there is sufficient space to accommodate both services and in fact, the increased patronage could contribute to the organisation's sustainability in the face of decreasing government funding. YCRC's concerns about the lack of space and potential compensation to be paid can be explored further during lease negotiations.

Brunswick Community Resource Centre (BCRC) Book Nook

The BCRC book nook trial received mixed results. Shire Officers met with BCRC staff to review its progress, and they have confirmed that while the book nook had more use than the previous library setup, it had not reached the level of usage they had hoped for.

The previous library space contained a large number of books, occupying valuable space, yet saw minimal usage. Of the 1,000 items in the collection, about 5% were borrowed. In contrast, the book nook occupies a much smaller space that consists of 50 items or less. At least 33% of items were borrowed during the trial period. The high borrowing rate is evidence that the book nook trial is working. The number of library users remains steady, averaging around five people per month. In addition to borrowing books, BCRC staff also run a "Book and Film" book club, which averages six participants each month. The space that previously contained the collection of 1,000 items has been repurposed for other activities in the BCRC.

While an analysis of statistics provides useful insights, it has limitations when evaluating a program's overall success. Although the book nook has led to an increase in book borrowing, the data does not reflect the sense of community it fosters in the BCRC and the added social value to the centre. Community members may come in to borrow a book, but they are staying longer and engaging with other services at the centre because of the social connections and the welcoming atmosphere.

BCRC staff have indicated that they continue to remain open to the pop-up library idea and have not ruled it out entirely. Given the varied success of the book nook trial, they recognise the potential for a pop-up library in Brunswick. As a result, Shire Officers recommend that the Shire continues to support the book nook and to work with BCRC to prepare for the potential implementation of a pop-up library in the future.

Conclusion

The pop-up library model can work effectively in operational community facilities. It is a cost effective and sustainable alternative to deliver library services to smaller towns in the Shire. Pop-up libraries can revitalise empty spaces and have the potential to draw additional users into these facilities. The BCRC version of a pop-up library i.e. their book nook is evidence of this.

While a pop-up library was initially proposed as an option for Yarloop due to its low usage, the increase in library attendees since is evidence the library is getting used again. This is encouraging, however, to maximise usage, relocating the full library service to operate out of the YCRC is preferable.

This report recommends that Council:

- Supports the continuation of the Brunswick Community Resource Centre book nook.
- Authorises the Chief Executive Officer to explore relocation of the full Yarloop library service to the Yarloop Community Resource Centre.
- Supports the expansion of the pop-up library services model to other appropriate locations within the Shire where there are no library services, potentially integrating it with operational community facilities.

Statutory/Policy Environment

Nil.

Strategic Framework

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

- Goal 2: A safe, accessible and connected community where everyone has the opportunity to contribute and belong.*
- Objective 2.1 To support people through all stages of life.*
- Goal 5: A representative leadership that is future thinking, transparent and accountable.*
- Objective 5.1 Effective communication and engagement with the community.*
- Objective 5.6 A customer centred approach to everything we do.*

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.

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

Officers have been working with the BCRC and the YCRC to investigate, implement and monitor options for library services.

Promise to the Community

Inform: We will keep you informed.

This report is presented to Council and the public to view and be informed.

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

Shire Officers will continue to collaborate with BCRC and YCRC to identify the most effective and sustainable approach to expand library services at these locations.

Risk Management

The Risk Theme Profile as identified as part of this report is **Business and Community Disruption**. The Consequence could be **Service Delivery Disruption** if the Shire does not adequately involve and be innovative in how future library services are delivered. The Consequence is considered **Minor** and the Likelihood **Possible** resulting in a **Low** Risk being present. This risk is mitigated by implementing innovative ways to deliver library services sustainably and effectively integrating them with operational community facilities in collaboration with community service providers.

Budget Implications

It is proposed that the existing budget allocated for the Yarloop Library is used to relocate the library to the YCRC if required. Any potential financial impact the move may have on YCRC can be discussed as part of lease negotiations.

The establishment of additional pop-up libraries in the Shire will have financial implications for future budgets.

Authority/Discretion

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

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. Supports the continuation of the Brunswick Community Resource Centre book nook.
2. Authorises the Chief Executive Officer to explore relocation of the full Yarloop library service to the Yarloop Community Resource Centre.
3. Supports the expansion of the pop-up library services model to other appropriate locations within the Shire where there are no library services, potentially integrating it with operational community facilities.

OFFICERS RECOMMENDATION ADOPTED BY EXEMPTION RESOLUTION – REFER TO RESOLUTION 25/96 APPEARING AT ITEM 12.

Item No.:	12.5.3.
Subject:	2025 Homegrown Heroes Awards
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Manager Community Development
Authorising Officer:	Director Community and Lifestyle
File No.:	C455/00001
Attachments:	Confidential Attachment 1

Summary

This report presents the nominations for the 2025 Shire of Harvey (Shire) Homegrown Heroes Awards, to be presented at an Awards Ceremony to be held on Thursday, 26 June 2025. These community awards celebrate and acknowledge the outstanding contributions of individuals and community groups within the Shire. The nominees for the Homegrown Heroes Awards have been assessed by the Awards, Honours and Prizes Advisory Group with the recommendations presented in the minutes provided at **Confidential Attachment 1** for Council's consideration.

Background

The Shire has coordinated the Community Awards since approximately 1990. The awards recognise outstanding contributions to the local community and are presented across four categories:

- Meritorious Service Award:
 - Presented to a Shire resident who has demonstrated exemplary conduct and made an exceptional contribution to the community. As a guide, nominees will generally have provided outstanding service to one or more community organisations over a minimum period of 10 years.
- Appreciation Award:
 - Awarded to Shire residents who have made a significant contribution to their local community over a minimum period of three years.
- Youth Award:
 - Recognises young people aged between 12 and 25 who reside in the Shire and have delivered outstanding service to their local community.
- Community Group Award:
 - Presented to a community group or organisation based in the Shire that has made a significant contribution to the local community for at least five years.

In addition, the Shire may, on occasion, bestow the honorary title of "Freeman of the Shire" on a deserving individual. This prestigious honour acknowledges exceptional contributions made as a representative of local government and/or through longstanding involvement in community service or local organisations.

This report seeks Council's endorsement of the recommendations of the Awards, Honours and Prizes Advisory Group regarding the proposed recipients of the Shire's Homegrown Heroes Awards.

Comment

Promotion of the awards and nomination process took place in local newspapers, the Shire's website and social media accounts, and stakeholders were invited to nominate through the Shire's Advisory Groups and networks.

14 nominations across all award categories were received by the closing date of Wednesday, 30 April 2025. The Awards, Honours and Prizes Advisory Group met on Thursday, 15 May 2025 to assess and score the nominations. All representatives were present, and the Advisory Group's recommendations are tabled in **Confidential Attachment 1**.

Statutory/Policy Environment

Shire of Harvey Policy 3.1.1 – Awards and Honours

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.*

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.

The nominations were widely promoted to enable the community to celebrate their peers.

Promise to the Community

Inform: We will keep you informed.

The minutes will be published on the Shire's website, social media posts will be circulated celebrating winners, and awards will be presented at the awards ceremony.

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 and Honours Advisory Group. The risk consequence is assessed to be **Moderate** and the likelihood **Unlikely** resulting in a **Moderate** risk being present.

Budget Implications

Funds for the Awards presentation event have been allocated within the adopted 2024–2025 Annual Budget.

Authority/Discretion

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

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

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. Awards the 2025 Homegrown Heroes awards in accordance with the recommendations of the Awards, Honours and Prizes Advisory Group as outlined in ***Confidential Attachment 1***.
2. Notes that the 2025 Homegrown Heroes Awards will be presented at a formal ceremony held on Thursday, 26 June 2025, with the announcement of the winners of each award to be embargoed until the evening of the presentations.

Moved: Cr. Coleman

Seconded: Cr. Dickinson

That Council:

1. **Awards the 2025 Homegrown Heroes awards in accordance with the recommendations of the Awards, Honours and Prizes Advisory Group as outlined in *Confidential Attachment 1*.**
2. **Notes that the 2025 Homegrown Heroes Awards will be presented at a formal ceremony held on Thursday, 26 June 2025, with the announcement of the winners of each award to be embargoed until the evening of the presentations.**

Carried 9-0

25/107

Votes:

For: President Campbell, Cr. Hitchcock, Cr. Krispyn, 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

Cr. Carbone requested that the Notice of Motion he put forth at the Ordinary Council Meeting held Tuesday, 22 April 2025, be deferred for consideration at the June 2025 Ordinary Council Meeting.

President Campbell requested that the following Notice of Motion be placed in the Ordinary Council meeting Agenda for May 2025.

That Council:

1. Declares the Shire of Harvey “Owl Friendly” and adopts “Owl Friendly” principles and practices within the Shire’s areas of responsibility’
2. Requests the Chief Executive Officer address the following:
 - a) Ensure that rodenticide treatments used by the Shire for protection of its assets are first generation ‘owl friendly’
 - b) Specify first generation rodenticide treatment in commercial pest operator contracts
 - c) Educate relevant Shire Staff by sourcing and providing information from BirdLife Australia and other reliable sources and then relaying this information to the community and local business on Owl Friendly or safer choices for rodent control
 - d) Educate and encourage local business to use first generation rodenticide; and
 - e) Update the Shire’s Website to reflect its ‘Owl Friendly’ Declaration, including links to the Birdlife Australia and other reliable sources

Reason: Non-target animals including owls, eagles, magpies and other native wildlife are at risk of secondary poisoning by anticoagulant rodenticides. It is important that the community is aware of the risks associated with using second generation anticoagulant rodenticides (SGARs) and their impact on non-target species. There are a number of local governments in WA that have already taken steps to manage rodents in a wildlife responsible manner. To date, councils that have publicly committed to being ‘Owl Friendly’ are, Augusta Margaret River, Denmark, Nannup, Mundaring, Bayswater, Cockburn, Fremantle and East Fremantle. Eradicating these second-generation poisons is excellent, not only for Owls & birds, but other animals including pets. Shire staff can use education and resources from BirdLife WA to impart the correct information to the community regarding rat poison and bird protection.

Officer’s Comments

There are rodent and pest control programs in place at the Shire of Harvey. There is a program that is cyclic, meaning on-going to maintain a rodent and pest free environment, and there is an adhoc approach, meaning where rodents or pests become noticeably active, a targeted eradication program is used. The Administration does not envisage a significant cost increase for exclusively using first generation rodenticide treatments and this can be specified in requestions and to our suppliers. In terms environmental support for the program, being owl friendly offers many environmental benefits, including supporting native wildlife, reducing the need for harmful rodenticides, and promoting biodiversity. By avoiding the use of second-generation anticoagulant rodenticides (SGARs), people also help the protection of vulnerable species and the maintenance of ecosystem integrity.

Moved: President Campbell

Seconded: Cr. Junio

That Council:

- 1. Declares the Shire of Harvey “Owl Friendly” and adopts “Owl Friendly” principles and practices within the Shire’s areas of responsibility’**
- 2. Requests the Chief Executive Officer address the following:**
 - a) Ensure that rodenticide treatments used by the Shire for protection of its assets are first generation ‘owl friendly’**
 - b) Specify first generation rodenticide treatment in commercial pest operator contracts**
 - c) Educate relevant Shire Staff by sourcing and providing information from BirdLife Australia and other reliable sources and then relaying this information to the community and local business on Owl Friendly or safer choices for rodent control**
 - d) Educate and encourage local business to use first generation rodenticide; and**
 - e) Update the Shire’s Website to reflect its ‘Owl Friendly’ Declaration, including links to the Birdlife Australia and other reliable sources.**

Carried 9-0

25/108

Votes:

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

Against: Nil.

Cr. Robyn Coleman requested that the following Notice of Motion be placed in the Ordinary Council meeting Agenda for May 2025.

That Council requests the Chief Executive Officer to:

1. Cease incurring any further costs by the Architect for the Harvey Community precinct Stage 1 until the plans are reviewed and reindorsed by Council.
2. To provide the latest plans for the Harvey Community Precinct Stage 1 to Council prior to the June Agenda Briefing.
3. To provide the Business Case for the Harvey Community Precinct (Stage 1), including whole of life costings to Council prior to the June Agenda Briefing.
4. To provide detailed costs paid and committed for the Harvey Community Precinct Stage 1 prior to June Agenda Briefing.

Officer's Comments

Section 5.92 of the *Local Government Act 1995* (the Act) outlines the rights of Council and Committee members to access information held by the local government. Specifically, any Council or Committee member is entitled to access information relevant to their duties under the Act or any other written law. This includes, but is not limited to, all written contracts that the local government has entered into, as well as all documents related to contracts that the local government plans to enter into. This provision ensures that Council and Committee Members have the necessary information to perform their functions effectively. In relation to the information requested, which can be requested by a Councillor at any time, the following information can be provided:

- The Shire of Harvey (the Shire) has not expended any funds on the Harvey Community Precinct since the 2023–2024 financial year. The Shire is currently waiting for the Growing Regions Grant Funding agreement to be issued and approved before engaging Christou for the amended construction documents and scoping amendments for Stage 1 only.
- Information in relation to the Contract with Christou, can be viewed by Council however should be considered confidential in accordance with section 5.23(2)(c) of the Act, “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.”
- The plans for the Harvey Community Precinct were presented to the August 2022 Ordinary Council Meeting, which included information on the initiation of the project, subsequent master planning as well as the community engagement which had been undertaken on the Precinct. The latest plans for the Harvey Community Precinct, which remain unchanged at present, were last presented to the Harvey Community Precinct Reference Group stakeholders by Christou in a series of workshops in August 2023.
- Council will receive a further report from Officers once the Harvey Community Precinct Reference Group has been consulted regarding the Stage 1 implementation and proposed amendments to the site layout to accommodate only Stage 1 at present. Minor design changes will be proposed during this phase to maximise the community benefit of Stage 1. These changes will be presented to Council prior to giving the architect approval to proceed with revised construction documentation.
- Council will also receive a further report to award the Construction Contract for Stage 1, and Officers can provide further detail on the specifics of the construction and costing at that time. Currently the pre-tender design documents are Confidential, and have not been uploaded, however they may be made available to Councillors upon request as per the above Act

reference.

- Whole of life costing for the Harvey Community Precinct has been provided in the internal 2023 Feasibility and Business Case, however, at present only the Cost Benefit Analysis for construction has been updated to include only Stage 1. The expended costs for the project planning have been reported through the Annual Financial Statements for the 2021, 2022 and 2023 Financial years; Harvey Community Precinct Stage 1 Planning account 41302 (\$1,509,013), and Harvey Community Precinct Stage 2 Planning 41301 (\$40,000).
- In September 2024, Council supported a funding application to the Growing Regions – Round 2. The Shire lodged the application and was ultimately successful in being awarded grant funding for Stage 1 of the Project which is the construction of the Harvey Library, Community Radio and servicing amenities. Delivery of the Harvey Multi-Use Learning and Community Hub, Stage 1 will cost a total of \$14.15 million with funds provided via the Growing Regions Fund (\$6.1 million) and the Shire of Harvey (\$8 million). The Project is considered a shovel ready project and an updated business case for Stage 1 of the project was provided as part of the successful Grant Submission in 2024.

Some of the requested information in the Notice of Motion which would be required for the June 2025 Ordinary Council Meeting is at various stages of planning and is difficult to produce at this stage of the project lifecycle. The business case can provide estimated figures for Stage 1 of the project; however, it did not include information on whole of life costings for operation of the facility, rather considered the construction cost benefit analysis. Planning for the operation of the Stage 1 including whole of life costing for the facility, is intended to commence at the end of the design review process.

Moved: Cr. Coleman

Seconded: Cr. Capogreco

That Council requests the Chief Executive Officer to:

- 1. Cease incurring any further costs by the Architect for the Harvey Community precinct Stage 1 until the plans are reviewed and reindorsed by Council.**
- 2. To provide the latest plans for the Harvey Community Precinct Stage 1 to Council prior to the June Agenda Briefing.**
- 3. To provide the Business Case for the Harvey Community Precinct (Stage 1), including whole of life costings to Council prior to the June Agenda Briefing.**
- 4. To provide detailed costs paid and committed for the Harvey Community Precinct Stage 1 prior to June Agenda Briefing.**

Lost 2-7

Votes:

For: Cr. Coleman and Cr. Junio.

Against: President Campbell, Cr. Hitchcock, Cr. Krispyn, Cr. Dickinson, Cr. Holly, Cr. Bromham and Cr. Capogreco.

14. Notice of Motion for Following Meeting

Cr. Carbone requested that the following Notice of Motion be placed in the Ordinary Council Meeting Agenda for June 2025.

That Council investigate the installation of a fish cleaning station at Ridley Place and provide a report back to Council.

15. Reports of Members

President Campbell reported on her attendance at the following:

April:

- Joint Town Planning Scheme Meeting
- ANZAC Services at Binningup, Brunswick and Harvey
- Official opening of the Harvey Show
- HAS Official Luncheon
- WALGA Zone Meeting in Nannup
- FUTYR Workshop with Councillors and ELT
- Shire Chat.

May:

- SEN Radio
- Shire Chat
- FUTYR Workshop in Australind
- BGGC Governance Meeting
- Leschenault Bush Fire Brigade Open Day
- FUTYR Workshop in Harvey
- FUTYR Workshop in Brunswick
- Awards and Honours Advisory Group
- FUTYR Workshop in Yarloop
- Biggest Morning Tea at the Harvey Library.

Cr. Dickinson reported on her attendance at the following:

April:

- Meeting with Shire Officers and Harvey River Restoration Taskforce at Stirling Cottage

- Talkin Tourism Industry Sundowner, Bolla Bidi Dreaming
- Visit by Shire of Murray to the Shire of Harvey Chambers and Depot
- Audit committee Meeting
- ELT Discussions with Council
- Agenda Briefing Session
- Concept Forum
- Ordinary Council Meeting
- Joint Town Planning Scheme Meeting
- Worsley Refinery CLC Meeting at the Chamber of Minerals and Energy of WA Bunbury Office
- ANZAC Day dawn service in Yarloop, Brunswick and Harvey
- FUTYR Workshop at the Boundary in Harvey
- MWAC Meeting online.

May:

- FUTYR Workshop in Australind
- FUTYR Workshop in Harvey
- Awards and Honours Advisory Group
- Agenda Briefing Session
- Bunbury Harvey Regional Council Chairperson and CEO Catchup at Stanley Road, Wellesley
- FUTYR Workshop in Yarloop
- Brunswick Community Resource Centre volunteer campfire
- Ordinary Council 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. Bromham

Seconded: Cr. Dickinson

That Council moves behind closed doors.

Carried 9-0

25/109

Votes:

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

Against: Nil.

Council moved behind closed doors at 7.10pm.

17.1. Executive Services**17.1.1. Tender T022025 – LLC Air handling and Heat Pump Replacement**

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

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

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

Item No.:	17.1.1.
Subject:	Tender T022025 – LLC Air handling and Heat Pump Replacement
Proponent:	Shire of Harvey
Location:	Lot 42, Leisure Drive, Australind
Reporting Officer:	Manager Special Projects
Authorising Officer:	Chief Executive Officer
File No.:	F/37/00167
Attachments:	Nil

Summary

Tender T022025 for the Leschenault Leisure Centre (LLC) Aquatic Hall – Supply and Install Replacement Air Handling System and Water Heating closed on Thursday, 24 April 2025 and at the close of Tender, there were no submissions received.

The Officer’s Recommendation is to authorise the Chief Executive Officer to commence negotiations with Contractors; within a six-month period until a suitable submission is received and prepare a further report to Council with a recommendation to award a Contract.

Voting Requirements

Simple Majority

Officer’s Recommendation

Moved: Cr. Bromham

Seconded: Cr. Capogreco

That Council:

- 1. Notes that no Tenders were submitted during the Public Tender period for Tender No. T022025 Leschenault Leisure Centre Aquatic Hall – Supply and Install Replacement Air**

Handling System and Water Heating that met the Tender specifications or satisfied the value for money assessment.

- 2. In accordance with Local Government (Function and General Regulations) 1996, Regulation 11 (2)(c)(i) authorises the Chief Executive Officer to engage in negotiations with alternative contractors for parts or all the Project.**
- 3. Provides a further report to Council within six months, should the Tender amount exceed the Chief Executive Officer's delegation limit, to make recommendation on the Award of Contract to provide goods and services for the Leschenault Leisure Centre Aquatic Hall – Supply and Install Replacement Air Handling System and Water Heating Project.**

Carried 9-0 25/110

Votes:

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

Against: Nil.

17.1.2. Tender T012025 – LLC Electrical Services Power Upgrade

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

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

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

Item No.:	17.1.4.
Subject:	Tender T012025 – LLC Electrical Services Power Upgrade
Proponent:	Shire of Harvey
Location:	Lot 42, Leisure Drive, Australind
Reporting Officer:	Manager Special Projects
Authorising Officer:	Chief Executive Officer
File No.:	F/37/00208
Attachments:	Nil

Summary

Tender T012025 for the Leschenault Leisure Centre (LLC) Electrical Services Power Upgrade closed on Wednesday, 7 May 2025 and at the close of Tender, there was one submission received.

The Officer's Recommendation is to award Tender T012025 to ERG Electrics Pty Ltd for the contract sum of \$471,724 (excl. GST).

Voting Requirements

Simple Majority

Officer's Recommendation

Moved: Cr. Holly

Seconded: Cr. Dickinson

That Council:

- 1. Awards Tender T012025 – Leschenault Leisure Centre Electrical Services Power Upgrade to ERG Electrics Pty Ltd for the Tendered price of \$471,724 excluding GST.**
- 2. Authorises the Chief Executive Officer to prepare and sign the required Contract documentation.**

Carried 9-0

25/111

Votes:

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

Against: Nil.

Returning from Behind Closed Doors

Moved: Cr. Dickinson

Seconded: Cr. Hitchcock

That Council return from behind closed doors.

Carried 9-0

25/112

Votes:

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

Against: Nil.

Council returned from behind closed doors at 7.12pm.

18. Closure of Meeting

There being no further business to discuss, the meeting was declared closed at 7.13pm.

I, Ms. Michelle Campbell, certify that the aforesaid Minutes of the meeting held on Tuesday, 27 May 2025, are a true and correct record of that meeting on Tuesday, 27 May 2025.

Ms. Michelle Campbell
Shire President