



SHIRE OF  
**HARVEY**



# Ordinary Council Meeting **Minutes**

**Harvey Council Chamber**

**Tuesday, 25 March 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, 25 March 2025, commencing at 5pm.

### **Attendance**

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

### **Staff**

Chief Executive Officer	Ms.	A.	Riordan
Acting Director Infrastructure Services	Mr.	S.	Faber
Director Sustainable Development	Mr.	S.	Hall
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 Community Development	Mr.	B.	Rose
Manager Information Services	Mr.	A.	Ewing
Senior Governance Compliance Officer	Ms.	F.	Alldritt

There were 4 members of the public and no member of the press present.

## Agenda

<b>1. Official Opening.....</b>	<b>4</b>
<b>2. Record of Apologies and Leave of Absence .....</b>	<b>5</b>
<b>3. Applications for Leave of Absence .....</b>	<b>5</b>
<b>4. Declarations of Members' and Officers' Personal Interest .....</b>	<b>5</b>
<b>5. Questions by Members of Which Due Notice Has Been Given .....</b>	<b>6</b>
<b>6. Response to Previous Questions Taken on Notice .....</b>	<b>6</b>
<b>7. Public Question Time.....</b>	<b>7</b>
<b>8. Petitions/Deputations/Presentations .....</b>	<b>8</b>
<b>9. Announcements by Presiding Members or CEO Without Discussion.....</b>	<b>9</b>
<b>10. Confirmation of Minutes .....</b>	<b>9</b>
<b>11. Receipt of Minutes and Recommendations from Committees.....</b>	<b>9</b>
<b>12. Officer's Reports .....</b>	<b>11</b>
12.5.2. Review of Policy 3.1.1 – Honours and Awards.....	11
12.1. Chief Executive Officer .....	16
12.1.1. South West Community Care – Lease of Land Request .....	16
12.2. Infrastructure Services.....	20
12.2.0. Nil .....	20
12.3. Sustainable Development.....	21
12.3.1. Proposed 'Basic' Scheme Amendment No. 2 – Treendale Road Policy Area 3B Structure Plan .....	21
12.3.2. Draft Local Biodiversity Strategy for Public Consultation .....	26
12.3.3. Application for Development Approval – Retrospective Change of Use   Holiday House (Unhosted Short-Term Rental Accommodation) – Lot 19 (No.1) Eastwell Road, Australind	31
12.4. Corporate Services .....	37
12.4.1. Forward Capital Works Plan 2025–2030 .....	37
12.4.2. Payments February 2025.....	41
12.4.3. Financial Statements as at 28 February 2025.....	44
12.4.4. Local Roads Community Infrastructure Program – Phase 4.....	48
12.5. Community and Lifestyle .....	55
12.5.1. Leschenault Sporting Association Funding Request update.....	55
12.5.3. Review of Advisory Group's Terms of Reference .....	61
<b>13. Elected Members Motions of Which Previous Notice Has Been Given .....</b>	<b>65</b>
<b>14. Notice of Motion for Following Meeting.....</b>	<b>72</b>
<b>15. Reports of Members.....</b>	<b>72</b>
<b>16. New Business of an Urgent Nature Introduced by Decision of Meeting .....</b>	<b>74</b>
<b>17. Matters Behind Closed Doors .....</b>	<b>74</b>
17.1. Corporate Services .....	75
17.1.1. Sale of Land – A9179 .....	75
17.1.2. Sale of Land – A1277 .....	75
17.1.3. Sale of Land – A549 .....	77
<b>18. Closure of Meeting .....</b>	<b>79</b>

## 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. Capogreco**

**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 10-0**

**25/44**

### Votes:

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

**Against:** Nil.

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

Nil.

**3. Applications for Leave of Absence**

Cr. Junio requested a Leave of Absence from Tuesday, 22 April 2025 – Wednesday, 30 April 2025 inclusive.

**Moved: Cr. Holly**

**Seconded: Cr. Coleman**

**That Cr. Junio be granted a Leave of Absence from Tuesday, 22 April 2025 – Wednesday, 30 April 2025 inclusive.**

**Carried 10-0**

**25/45**

**Votes:**

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

**Against:** Nil.

Cr. Capogreco requested a Leave of Absence for Friday, 18 April 2025.

**Moved: Cr. Coleman**

**Seconded: Cr. Bromham**

**That Cr. Capogreco be granted a Leave of Absence for Friday, 18 April 2025.**

**Carried 10-0**

**25/46**

**Votes:**

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

**Against:** Nil.

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

Cr. Capogreco declared an Impartiality Interest in Item 17.1.1 – Sale of land A9179. Cr. Capogreco declared that he is related to one of the landowners of the property 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. Holly declared a Proximity Interest in Item 12.4.1 – Forward Capital Works Plan 2025–2030. Cr. Holly declared that he lives on Uduc Road which is in proximity to D24.1 and O26.22 and has declared that he will leave the Chamber for the duration of the item.

Cr. Bromham declared an Impartiality Interest in Item 12.4.1 – Forward Capital Works Plan 2025–2030. Cr. Bromham declared that he is a member of the Leschenault Bush Fire Brigade and has declared that he would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Dickinson declared an Impartiality Interest in Item 12.4.1 – Forward Capital Works Plan 2025–2030. Cr. Dickinson declared that:

- B23.4, Q28.1, B24.23, B25.10 – Brunswick Recreation Grounds – She is a committee member of the Brunswick Agricultural Society and Vice President of the Brunswick Town Team who are user groups of the grounds.
- B22.9B – Yarloop Workshops – She is the Council Delegate for the Yarloop Workshop Committee Inc. although has not been advised or attended any meetings this year.
- B17.29B – Harvey Station Master’s House – She is a committee member of the Harvey Districts Historical Society who have use of the building.
- B23.4 – Stanley Road Refuse Capital Works – She is the Council Delegate and Chairperson of the Bunbury Harvey Regional Council.

Cr. Dickinson has 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 a Proximity Interest in Item 12.4.4 – Local Roads Community Infrastructure Program – Phase 4. Cr. Dickinson declared that she lives on Mornington Road which is one of the Asphalt Projects and has declared that she will leave the Chamber for the duration of the item.

Cr. Boylan declared an Impartiality Interest in Item 12.1.1 – South West Community Care – Lease of Land Request. Cr. Boylan declared that she is the Chairperson of the South West Community Care and has declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Hitchcock declared an Impartiality Interest in Item 12.5.2 – Review of Policy 3.1.1 – Honours and Awards. Cr. Hitchcock declared that she is a delegate on the Awards, Honours and Prizes Advisory Group and has declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Coleman declared an Impartiality Interest in Item 12.5.2 – Review of Policy 3.1.1 – Honours and Awards. Cr. Coleman declared that she is a delegate on the Awards, Honours and Prizes Advisory Group and has declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Junio declared an Impartiality Interest in Item 12.4.1 – Forward Capital Works Plan 2025–2030. Cr. Junio declared that he is a Council Deputy on the Yarloop Workshop Committee and has declared that he would deal with the matter on its merits and stay in the Chamber for the duration of the item.

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

Nil.

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

**Ms. Sheila Ferguson asked the following questions at the Ordinary Council Meeting held Tuesday, 25 February 2025:**

*Question 1: Who were the seven “others”? If they were not Councillors, Shire staff, Member of Parliament or a spouse of one of these groups, a school principal, teacher or from the media, local business or local industry, who were they?*

Answer 1: The additional seven guests were not logically fitting into the reported categories and support persons for invited guests and not Shire employees.

*Question 2: At the Annual General Meeting of Electors', I pointed out that two separate entries dated 29 November read "Moka event Harvey Lions Club \$1,300" and "Amana Inn Motel Harvey accommodation Shire staff \$5,520" and asked if these items were related, how many staff were accommodated at the motel, why and for how long? As I was unable to provide the EFT reference numbers the questions were taken on notice. I have not been contacted, and it has not be answered under item 12.1.3.*

*The EFT for the Lions Club event is 69217 and for accommodation for Shire staff it is 69232. Both payments are dated 29 November 2023. The payment for staff accommodation was to NV Engineering Pty Ltd, which I understand owns Amanda Inn Motel. Given that information, can you answer my questions?*

Answer 2: EFT No.69217 of \$1,300 to Lions Club was for refreshments provided during Moka Visit (130 Burgers – \$10 each)

EFT No.69232 of \$5,520 to NV Engineering or Vista Ridge Estate was for accommodation of staffing from 3 October 2023 till 22 December 2023 as part of conditions of employment and was not related to Moka.

*Question 3: At the Annual General Meeting of Electors', I pointed out that incoming visits, by which I meant by delegates from Moka, are not subject to Council approval but are considered by the Shire President and Chief Executive Officer. In view of the fact that the incoming visit in 2023 had cost ratepayers more than the outgoing visit in 2024, I asked if Council would consider, at a meeting in the near future, requiring that a budget for incoming visits be presented to Council in the same way that a budget is required for outgoing visits. The answer was "Yes" that the policy would be reviewed.*

*Later in the meeting, because I had been invited by the President to turn a similar question into a motion which was passed 13-1, and because I understood a motion from the meeting to carry more weight than a question, I turned my question into a motion which was lost 4-8. I then said, "So the response to my question before is what stands?" and the reply was "Yes". This is not recorded in the minutes.*

*Please will you say when the policy will be reviewed. Will the result be presented to Council?*

Answer 3: Council may request the Administration to draft a new Policy at any time. The draft Policy is then to be presented to Council in a report for approval.

*Question 4: Five payments totalling \$5,200 were for accommodation for staff in Harvey or Bunbury, with no reason given. Would you please say in each case why it was necessary for staff to be provided with accommodation, why no information was given, the number of people accommodated and for how many nights. I have the five here, would you like me to read out the EFT details?*

Answer 4: It has been confirmed that the five payments were for accommodation of an Acting Executive as part of the conditions of employment.

## **7. Public Question Time**

**Mr. Booth asked the following questions:**

*Question 1: Why don't Shire owned vehicles have Shire signage on them to make them easily identifiable?*

Answer 1: Taken on Notice.

**Question 2: Mr. Booth sent the below email to Shire administration to ensure that the background and intent of his question was captured correctly.**

*I've been looking at the data from the Ordinary Council Minutes from February 25, 2025 (the document) specifically the graph comparing our population growth to the Full-Time Equivalent (FTE) staffing levels over the last 10 years, from 2014 to 2024. I wanted to bring this up because I'm trying to understand how efficiently we're managing our workforce as our Shire grows, especially since the document talks about balancing community expectations with the sustainability of our staff.*

*Here's what I found: over the 10-year period, our population has grown by 20%, going from 26,186 in 2014 to 31,427 in 2024. That's a steady increase, which is great to see. But during the same time, our FTE staffing levels have gone up by 61%, from 107.35 to 172.31. That's a much bigger jump—more than three times the rate of our population growth.*

*When I looked at this in terms of efficiency, I noticed that in 2014, each FTE was serving about 244 people, but by 2024, that number dropped to 182 people per FTE. To me, this suggests we're using a lot more staff to serve a population that hasn't grown as quickly. If we were being efficient in the sense of 'doing more with less,' I'd expect the staffing increase to be closer to the population growth—maybe around 20% to 30%—or at least for us to see a really big improvement in our services to justify the 61% jump in FTE.*

*I understand efficiency isn't just about keeping staff numbers low—it's also about the outcomes we're delivering for the community. So, I wanted to ask a few questions to get a better sense of what's driving this increase and whether we're still operating efficiently in a broader sense:*

- First, has the 61% increase in FTE led to a significant improvement in the quality or quantity of services we're providing? For example, are we delivering more projects, responding to community needs faster, or seeing higher satisfaction from residents compared to 2014?*
- Second, are there specific reasons for the sharp rise in FTE, especially after 2020? I noticed the biggest jumps happened between 2020 and 2024, when FTE went from 124.88 to 172.31. Is this tied to new initiatives, bigger projects, or maybe post-COVID challenges that required more staff?*
- And finally, the document mentions comparing ourselves to other Band 2 Local Governments in Western Australia. Do we know how our population-to-FTE ratio stacks up against theirs? If other Shires are serving similar populations with a smaller increase in staff, that might give us some ideas on how we can improve our efficiency.*

*I think it's great that we're planning for the sustainability of our workforce, as the document highlights, and I can see how adding staff might help us meet growing community expectations or prepare for future growth. But I just want to make sure we're getting the most value out of our resources and that this staffing increase is delivering the kind of outcomes that justify it. I'd love to hear your thoughts on this and any additional data we might have on our service delivery or community feedback.*

Answer 2: Taken on Notice.

**Question 3: What sort of DEI (diversity, equity and inclusion) programs do we have in the Shire and what sort of money is spent on those programs?**

Answer 3: Taken on Notice.

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

Mr. Beech addressed the council in relation to Item 12.5.2 – Review of Policy 3.1.1 – Honours and Awards.



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

The Shire President thanked Councillors, Shire Officers and Community Members who sent kind messages, cards and flowers with the recent passing of her father, Ian Moore. She also acknowledged and thanked Cr. Bromham for stepping up during the time she was unavailable.

President Campbell also congratulated the Harvey Main Street Committee and everyone else that was involved with the very successful delivery of the three-day Harvey Harvest Festival. This year's festival set a new benchmark and she asked Cr. Capogreco to pass on her congratulations to the Harvey Main Street Committee.

**10. Confirmation of Minutes**

Ordinary Council Meeting – Tuesday, 25 February 2025.

**Recommendation**

That the Minutes of the Council Meeting held on Tuesday, 25 February 2025, as printed be confirmed as a true and correct record.

**Moved: Cr. Dickinson**

**Seconded: Cr. Bromham**

**That the Minutes of the Council Meeting held on Tuesday, 25 February 2025, as printed be confirmed as a true and correct record.**

**Carried 10-0**

**25/47**

**Votes:**

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

**Against:** Nil.

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

Audit Committee Meeting – Tuesday, 18 March 2025

**Recommendation**

That the Minutes of the Audit Committee Meeting held on Tuesday, 18 March 2025, as printed be received and the recommendations therein be adopted.

**Moved: Cr. Holly**

**Seconded: Cr. Bromham**

**That the Minutes of the Audit Committee Meeting held on Tuesday, 18 March 2025, as printed be received and the recommendations therein be adopted.**

**Carried 10-0**

**25/48**

**Votes:**

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

**Against:** Nil.

**Motion to Change Order of Business**

Cr. Carbone put forth the following:

That Council take the Agenda out of order to consider Item 12.5.2 – Review of Policy 3.1.1 – Honours and Awards, before the rest of the Agenda.

**Moved: Cr. Carbone**

**Seconded: Cr. Bromham**

**That Council take the Agenda out of order to consider Item 12.5.2 – Review of Policy 3.1.1 – Honours and Awards, before the rest of the Agenda.**

**Carried 10-0**

**25/49**

**Votes:**

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

**Against:** Nil.

## 12. Officer's Reports

### 12.5. Community and Lifestyle

<b>Item No.:</b>	<b>12.5.2.</b>
<b>Subject:</b>	<b>Review of Policy 3.1.1 – Honours and Awards</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Manager Community Development</b>
<b>Authorising Officer:</b>	<b>Director Community and Lifestyle</b>
<b>File No.:</b>	<b>F/36/00037</b>
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. 2024-2025 - COTY- Guide [12.0.2.1 - 35 pages]</li> <li>2. Policy 3.1.1 Honours and Awards – with track changes [12.0.2.2 - 6 pages]</li> <li>3. Proposed Changes to Policy 3.1.1 [12.0.2.3 - 2 pages]</li> <li>4. DRAFT Policy 3.1.1 Honours and Awards [12.0.2.4 - 5 pages]</li> </ol>

***The following additional information is provided in regard to Item 12.5.2***

Following several queries and clarifications raised at the Agenda Briefing held on Tuesday, 18 March 2025, Officers now provide amended attachments for Council's consideration and adoption.

The most significant changes relate to:

1. Embargo of award recipients – following discussion at the Agenda Briefing, Officers have removed the proposal to inform award recipients prior to their presentations but have added a requirement to provide this information to Australia Day event organisers. This will enable event organisers to encourage award recipients to attend the presentations.
2. In response to concerns raised, Officers have retained the clause that states "*Awards shall be presented at Australia Day functions held in the Shire's main towns*". This allows for presentations to be held in multiple localities.
3. An additional point has been amended to read "*Awards shall be presented and announced by an elected member*" to allow for elected members other than the Shire President to present the awards, where presentations are being held simultaneously in multiple localities.

The Officer's Recommendation has therefore been amended.

### **Summary**

This report outlines the recommended changes to Policy 3.1.1 – Honours and Awards. The review of this policy was initiated following discussions at the Ordinary Council Meeting held on Tuesday 17 December 2024. During this meeting, the Awards, Honours, and Prizes Advisory Group presented its recommendations regarding the Community Citizen of the Year Australia Day Awards recipients. These discussions underscored the necessity to review and revise the policy.

### **Background**

Historically, the Shire had hosted citizenship ceremonies at both Australind and Harvey Australia Day events. In 2025 the process changed and only one ceremony was held at the Harvey event. The decision to host only one was made due to the staffing constraints, the burden on elected members and the complexity associated with attempting to host two large ceremonies at the same time in different locations. It was agreed however, that the Community Citizen of the Year (COTY) Australia

Day Awards presentations would be held in three different locations (Brunswick, Harvey and Australind).

When the Awards, Honours and Prizes Advisory Group (AG) assessed the various nominations for the COTY Awards, it followed the guide set out by Auspire as per **Attachment 1**. Auspire – Australia Day Council WA is a not-for-profit organisation that oversees the award process. The Auspire guide stipulates that there should be one winner across the Shire per category. The AG made its recommendation to Council based on the guide, recommending one winner per category. This meant that in some of the locations where the awards would be presented, there would be no winner from that locality. Due to concerns raised, Council resolved to award additional winners contrary to the Auspire guide. In order to make improvements to the process, at the Ordinary Council Meeting held on Tuesday, 17 December it was resolved:

*“That Council:*

- 3. Requests the Chief Executive Officer to conduct a review of Policy 3.1.1 – Honours and Awards and a report be brought back to Council by March 2025.”*

### **Comment**

When reviewing the Policy 3.1.1 – Honours and Awards, Officers considered the aforementioned issues that occurred during the assessment process and those that arose in the facilitation of presenting the awards. Some of the major concerns raised by various representatives at a debrief about the award presentations were:

- The need to keep biographies short and consistent due to time constraints and ensure that no award outweighs another.
- The embargo on recipients made it difficult to attract the award recipients to the events.
- Lack of staff availability to plan and deliver three separate events.
- Confusion over recipients' residency versus the locality where they had conducted the activities they were nominated for.
- Disappointment at lack of elected member attendance.
- Need for well-structured events to avoid confusion.
- Disorganised photo sessions (Officers were not able to secure a photographer at Brunswick).
- Disability access was lacking for one recipient in a wheelchair.
- Lack of recognition for those who were awarded at a different location e.g. the attendees in Brunswick were not notified of the achievements of the award recipients in other locations and vice versa.
- Timelines didn't enable people to get from one event to the other if they wanted to celebrate a recipient at another location e.g. there were examples of people not being able to celebrate the recognition of a person they knew because they could not get from one presentation to another in time.

After considering these factors, the Awards, Honours and Prizes Advisory Group recommends the tracked changes to Policy 3.1.1 – Honours and Awards made in **Attachment 2** to be endorsed by

Council. The rationale for these recommendations can be found in **Attachment 3**. A clean version of the amended draft policy is provided at **Attachment 4**.

## **Statutory/Policy Environment**

Policy 3.1.1 – Honours and Awards

## **Strategic Framework**

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

- |               |  |
|---------------|--|
| Goal 2:       | <i>A safe, accessible and connected community where everyone has the opportunity to contribute and belong.</i> |
| Objective 2.3 | <i>Active and resilient community groups and volunteers.</i>   |
| Objective 2.6 | <i>The creative talent and cultural diversity of the community is recognised, supported and celebrated.</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.

Various stakeholders participated in a debrief of the Australia Day events and the Awards and Honours and Prizes Advisory Group met to undertake a review of the policy.

### **Promise to the Community**

*Inform:* We will keep you informed.

The minutes from the Council meeting will be available on the website and Shire officers will discuss the outcome with the various Australia Day Committees.

## **Risk Management**

The Risk Theme Profile identified in this report is **Business and Community Disruption**. A potential consequence is **Reputation** damage. If Policy 3.1.1 is not implemented appropriately, community members may become disengaged from the process, and the Shire may fail to properly acknowledge their contributions. The reputational impact is assessed as **Moderate**, with a **Likely** likelihood, resulting in an overall **High** risk rating.

## **Budget Implications**

Nil

## **Authority/Discretion**

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

## **Voting Requirements**

Simple Majority

## Officer's Recommendation

That Council:

1. Approves the amendments to 3.1.1 – Honours and Awards Policy outlined in **Attachment 2** to this report, noting the rationale for the changes provided at **Attachment 3**.
2. Adopts 3.1.1 – Honours and Awards Policy provided at **Attachment 4** to this report.

**Moved: Cr. Carbone**

**Seconded: Cr. Bromham**

## Amendment

Cr. Coleman put forth the following amendment:

That Council:

1. Approves the amendments to 3.1.1 – Honours and Awards Policy outlined in **Attachment 2** as amended, to this report, noting the rationale for the changes provided at **Attachment 3**, with the following amendment:
  - 3.6.1 – the nomination period for the Shire of Harvey community awards is open for six weeks, from 1 March to 15 April.

**Moved: Cr. Coleman**

**Seconded: Cr. Capogreco**

**Carried 10-0**

**25/50**

## Votes:

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

**Against:** Nil.

**Mr. Hall left the Chamber at 5.27pm.**

**Mr. Hall entered the Chamber at 5.29pm.**

## Amendment

Cr. Carbone proposed the following amendment:

That Council:

1. Approves the amendments to 3.1.1 – Honours and Awards Policy outlined in **Attachment 2** as amended, to this report, noting the rationale for the changes provided at **Attachment 3**, with the following amendment:
  - 3.3, Dot Point 5 – Incorporate the wording "or Chairs of the Town's Breakfast Organising Committee".
  - 3.2, Dot Point 3.4 – Removal of the Environmental Champion Award and Arts Excellence Award.

**Moved: Cr. Carbone**

**Seconded: Cr. Capogreco**

**Carried 7-3**

**25/51**

**Votes:**

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

**Against:** President Campbell, Cr. Hitchcock and Cr. Dickinson.

**Substantive Motion**

**Moved: Cr. Carbone**

**Seconded: Cr. Bromham**

**That Council:**

1. Approves the amendments to 3.1.1 – Honours and Awards Policy outlined in *Attachment 2* as amended, to this report, noting the rationale for the changes provided at *Attachment 3*.
  - 3.6.1 – the nomination period for the Shire of Harvey community awards is open for six weeks, from 1 March to 15 April.
  - 3.3, Dot Point 5 – Incorporate the wording “Or Chairs of the Towns Breakfast Organising Committee”
  - 3.2, Dot Point 3.4 – Removal of the Environmental Champion Award and Arts Excellence Award.
2. Adopts 3.1.1 – Honours and Awards Policy provided at *Attachment 4* as amended.

**Carried 9-1**

**25/52**

**Votes:**

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

**Against:** Cr. Hitchcock.

**12.1. Chief Executive Officer**

<b>Item No.:</b>	<b>12.1.1.</b>
<b>Subject:</b>	<b>South West Community Care – Lease of Land Request</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Chief Executive Officer</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>F/40/17363</b>
<b>Attachments:</b>	1. Location Plan [12.1.1.1 - 1 page]

**Summary**

South West Community Care (SWCC) is a not-for-profit organisation and registered charity local to the South West, providing aged care and in-home services to the local community. SWCC has expressed an interest in developing Lot 42 Leisure Drive, Australind to construct a purpose-built centre and infrastructure to support their service delivery.

For the reasons outlined in this report, Shire of Harvey (Shire) Officers are supportive of the proposed location and requests SWCC to prepare and submit a business case in support of its proposal.

A further report to Council on receipt of the business case will be required prior to authorising the Chief Executive Officer (CEO) to progress the preparation of a Draft Lease, if supported, for the use of Lot 42 Leisure Drive, Australind by SWCC.

**Background**

SWCC was established in the Shire in the 1980's and has grown considerably since this time. Current services are delivered across an area from Waroona in the North to Capel in the South, with the administrative centres of the organisation situated within the Shire.

Currently SWCC leases four separate facilities for accommodating their organisation in addition to a Memorandum of Understanding (MoU) with Morrissey Homestead for activity delivery once per week. To ensure that SWCC can cater for the expanding service requirements of the regional population, the organisation is seeking land to construct a purpose-built centre and infrastructure. The centre will include an Activities Centre, secure parking for fleet vehicles, administrative offices and a shed to securely store equipment.

The Harvey Men's Shed (HMS) has had previous discussions with SWCC relating to a potential co-location with their proposed facility in Harvey, which formed part of the HMS request to Council for land development in Harvey.

At its meeting held Tuesday, 12 November 2022, Council resolved in part, in consideration of the request for land by the Harvey Men's Shed:

3. *"Authorises the Chief Executive Officer to engage with South West Community Care to consider if co-location with the Harvey Men's Shed is a viable option."*

In accordance with Item 3 in the above Council resolution, the CEO and Shire President met with representatives from SWCC on Friday, 10 May 2024, during which they confirmed their support of the HMS for their proposed facility however were investigating a more suitable premises specific to its needs.



## Comment

Subsequent to the meeting held with SWCC representatives in May 2024, a meeting was held on Wednesday, 13 November 2024 with SWCC, to consider Shire land which could be leased to the organisation to construct a purpose-built facility in the Australind area. Land at Lot 42 Leisure Drive, Australind was discussed and was considered by SWCC to be of a suitable location and size to accommodate a future build.

A letter of request from SWCC for the potential lease of land at Lot 42 Leisure Drive, Australind was received on Tuesday, 28 January 2025 (refer **Confidential Attachment 1**).

The parcel of land referred to within **Attachment 1** is approximately 5,800m<sup>2</sup> and is zoned Public Open Space. It is not considered that rezoning would be required to facilitate the proposed development. The adjoining lots comprises of organisations delivering community services such as Morrissey and the Leschenault Men's Shed, and it is considered that a facility built by SWCC would be complimentary to the precinct. Power supply to Lot 42 would need to be considered as part of the assessment of the business case once proposed details of the scale of the future development is determined.

## Statutory/Policy Environment

### Local Government Act 1995

- Section 3.58 – Deals with the disposal of property which includes leasing

### Local Government (Functions and General) Regulations 1996

- Clause 30 – details when the disposition of property is exempt from the provision of Section 3.58 of the Act.

*“A disposition of property to a body;*

- The objects of which one of a charitable benevolent, religions, cultural, educational, recreational sporting or other like nature; and*
- The members of which are not entitled to profit from the body's transactions are considered exempt.”*

The exemption refers to not being required to advertise or undertake any other inclusive process of sale or lease, generally in relation to land.

## 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>   |

## 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 request to Council to lease land requires SWCC to develop a business case that provides adequate information to ensure effective decision making by Council. This report provides publicly available information to enable the community to be aware of the process being undertaken by Council in considering this request.

### **Promise to the Community**

*Inform:* We will keep you informed.

This agenda report and subsequent minutes will provide the community with information relating to the request from SWCC and Council's decision.

### **Risk Management**

The Risk Theme profile identified as part of this report is **Providing inaccurate Advice/Information**. The Consequence could be **Reputational** or **Compliance** if incorrect advice is given or the request for a suitable parcel of land is not considered by Council. The risk is considered **Minor** and the likelihood **Unlikely** given that a report has been prepared and is being presented to Council for consideration. This results in a **Low** risk being present.

### **Budget Implications**

Nil.

### **Authority/Discretion**

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

### **Voting Requirements**

Simple Majority

### **Officer's Recommendation**

That Council:

1. Supports the potential use of Lot 42 Leisure Drive, Australind by South West Community Care for the purposes outlined in the report.
2. Requests South West Community Care to prepare and submit a business case for Council's consideration in support of its proposal.

**Moved: Cr. Bromham**

**Seconded: Cr. Holly**

**That Council:**

1. **Supports the potential use of Lot 42 Leisure Drive, Australind by South West Community Care for the purposes outlined in the report.**
2. **Requests South West Community Care to prepare and submit a business case for Council's consideration in support of its proposal.**

**Carried 10-0**

**25/53**

**Votes:**

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

**Against:** Nil.

**12.2. Infrastructure Services**

Nil.

## 12.3. Sustainable Development

<b>Item No.:</b>	<b>12.3.1.</b>
<b>Subject:</b>	<b>Proposed 'Basic' Scheme Amendment No. 2 – Treendale Road Policy Area 3B Structure Plan</b>
<b>Proponent:</b>	<b>Tecon Australia (on behalf of the Commissioner of Main Roads, M. McIntyre, Crystal River Investments Pty Ltd and Collie River Investments Pty Ltd)</b>
<b>Location:</b>	<b>Treendale Road Policy Area 3B</b>
<b>Reporting Officer:</b>	<b>Acting Senior Planning Officer</b>
<b>Authorising Officer:</b>	<b>Director Sustainable Development</b>
<b>File No.:</b>	<b>P309/24, C298/00002, LSP20002</b>
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Report – Scheme Amendment – Updated REV A [12.3.1.1 - 387 pages]</li> <li>2. Location Plan [12.3.1.2 - 1 page]</li> <li>3. Structure Plan [12.3.1.3 - 1 page]</li> </ol>

### Summary

The Shire of Harvey (the Shire) has received a request from Tecon Australia (on behalf of the Commissioner of Main Roads, M. McIntyre, Crystal River Investments Pty Ltd and Collie River Investments Pty Ltd) to initiate an amendment (refer **Attachment 1**) to Local Planning Scheme No. 2 (the Scheme) to rezone Lots 878, 1, 2, 3, 314, 246, 3315 and 157 Treendale Road, Roelands to be consistent with the Treendale Road Policy Area 3B Structure Plan.

It is recommended that Council initiates proposed Amendment No. 2 to the Scheme.

### Background

The Scheme Amendment proposes the following:

- Rezoning portions of Lots 878, 157, 3315, 314, 1, 2 and 3 Treendale Road, Roelands from “Priority Agriculture” to “Rural Residential”.
- Reserve portions of Lots 878, 157, 3315, 246 and 314 Treendale Road, Roelands as “Public Open Space”.

### Site Description

Treendale Road Policy Area 3B is currently zoned “Priority Agriculture” and “Rural” under the Scheme (refer **Attachment 2**). The land is zoned “Rural” and “Primary Regional Roads” under the Greater Bunbury Region Scheme (GBRS). The proposed Scheme Amendment area is approximately 280.8797ha in total. A portion of the land is also subject to the GBRS Planning Control Area No. 1 under section 112 of the *Planning and Development Act 2005* for the Wilman Wadandi Highway.

### Site History

The Treendale Road Policy Area 3B Structure Plan (refer **Attachment 3**) was approved by the Western Australian Planning Commission (WAPC) on Thursday, 6 April 2023.

### Proposal

The Scheme Amendment proposes to amend the zones and reservations of Stage 1 of the Treendale Road Policy Area 3B Structure Plan to enable the commencement of the subdivision process in accordance with the Structure Plan.

The Treendale Road Policy Area 3B Structure Plan will remain valid despite approval of the proposed Amendment.

## **Comment**

### **Type of Amendment**

Council is required to determine the type of Amendment as per the Planning and Development (Local Planning Schemes) Regulations 2015. Pursuant to clause 34, it is considered that the proposed Amendment is a "basic amendment" as it is:

- (vii) an amendment to the scheme map that is consistent with a structure plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme currently includes zones of all types that are outlined in the plan.

## **Conclusion**

The proposed Amendment seeks to facilitate the subdivision and development of the subject area for the purposes of rural residential living and public open space in accordance with the approved Structure Plan.

It is recommended that Council initiates the proposed Scheme Amendment.

## **Statutory/Policy Environment**

### *Planning and Development Act 2005*

- Section 75 – Amending a scheme
- Section 81 – Referral of proposed scheme or amendment to the Environmental Protection Authority (EPA).
- Section 83A – Submission of proposed scheme or amendment to Minister for approval to advertise

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

- Clause 34 – Terms used (definitions of ‘basic’, ‘standard’ and ‘complex’ amendments)
- Clause 35 – Resolution to prepare or adopt amendment to local planning scheme
- Clause 35A – Amendment to local planning scheme affecting area to which structure plan relates
- Clause 57 – Basic amendment not required to be advertised
- Clause 58 – Basic amendment to be provided to Commission
- Clause 76A – Requirements for making documents available to the public

## Strategic Framework

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

- Goal 1: A diversified and thriving economy that offers a wide range of business and work opportunities as well as consumer choice.*
- Objective 1.3 Sustainable urban, rural and industrial development.*

## Community Engagement

### Community Participation Goal

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

Clause 64 of the Planning and Development (Local Planning Schemes) Regulations 2015 requires the:

- Commission to publish the approved amendment in the Government Gazette.
- Shire to advertise the approved amendment in accordance with regulation 76A.

### Promise to the Community

*Inform:* We will keep you informed.

Clause 64 of the Planning and Development (Local Planning Schemes) Regulations 2015 requires the:

- Commission to publish the approved amendment in the Government Gazette.
- Shire to advertise the approved amendment in accordance with regulation 76A.

## 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 Scheme 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 and provided by a qualified Shire Officer and the statutory process has been identified. This results in a **Low** risk being present.

## Budget Implications

All costs incurred are recouped 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. Determines that proposed Amendment No. 2 to Local Planning Scheme No. 2 is a "basic amendment" pursuant to Clause 34(1)(vii) of the Planning and Development (Local Planning Scheme) Regulations 2015 as it is an amendment to the scheme map that is consistent with a structure plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme currently includes zones of all types that are outlined in the plan.
2. Pursuant to Clause 35 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to adopt Amendment No. 2 to Local Planning Scheme No. 2 to:
  - a) Rezone portions of Lots 878, 157, 3315, 314, 1, 2 and 3 Treendale Road, Roelands from "Priority Agriculture" to "Rural Residential".
  - b) Reserve portions of Lots 878, 157, 3315, 246 and 314 Treendale Road, Roelands as "Public Open Space".
  - c) Amend the Scheme Map accordingly.
3. Refers proposed Amendment No. 2 to the Environmental Protection Authority pursuant to Section 81 of the *Planning and Development Act 2005*.
4. Following receipt of comments from the Environmental Protection Authority, submits proposed Scheme Amendment No. 2 to the Western Australian Planning Commission pursuant to Section 58 of the *Planning and Development Act 2005*.

**Moved: Cr. Coleman**

**Seconded: Cr. Bromham**

**That Council:**

1. **Determines that proposed Amendment No. 2 to Local Planning Scheme No. 2 is a "basic amendment" pursuant to Clause 34(1)(vii) of the Planning and Development (Local Planning Scheme) Regulations 2015 as it is an amendment to the scheme map that is consistent with a structure plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme currently includes zones of all types that are outlined in the plan.**
2. **Pursuant to Clause 35 of the Planning and Development (Local Planning Schemes) Regulations 2015, resolves to adopt Amendment No. 2 to Local Planning Scheme No. 2 to:**
  - a) **Rezone portions of Lots 878, 157, 3315, 314, 1, 2 and 3 Treendale Road, Roelands from "Priority Agriculture" to "Rural Residential".**
  - b) **Reserve portions of Lots 878, 157, 3315, 246 and 314 Treendale Road, Roelands as "Public Open Space".**
  - c) **Amend the Scheme Map accordingly.**
3. **Refers proposed Amendment No. 2 to the Environmental Protection Authority pursuant to Section 81 of the *Planning and Development Act 2005*.**



- 4. Following receipt of comments from the Environmental Protection Authority, submits proposed Scheme Amendment No. 2 to the Western Australian Planning Commission pursuant to Section 58 of the *Planning and Development Act 2005*.**

**Carried 10-0**

**25/54**

**Votes:**

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

**Against:** Nil.

<b>Item No.:</b>	<b>12.3.2.</b>
<b>Subject:</b>	<b>Draft Local Biodiversity Strategy for Public Consultation</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Manager Planning Services</b>
<b>Authorising Officer:</b>	<b>Director Sustainable Development</b>
<b>File No.:</b>	<b>F/30/00002</b>
<b>Attachments:</b>	1. Draft Local Biodiversity Strategy [12.3.2.1 - 59 pages]

## Summary

A review of the Shire of Harvey's (Shire) previous unfinalised Local Biodiversity Strategy has been completed and, with the assistance of various stakeholders, Officers have prepared the Draft Local Biodiversity Strategy 2025–2035 (Draft Strategy).

The Draft Strategy is referred to Council for endorsement for public consultation.

## Background

The Shire's first Local Biodiversity Strategy was drafted in 2009, reviewed in 2011, however has never been 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 that 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.

At its meeting on Tuesday, 12 December 2023, Council endorsed the Terms of Reference (ToR) for the Local Biodiversity Strategy Working Group (Working Group) and appointed two Councillors to the Working Group. The Working Group members consisted of the following elected members and stakeholder representatives:

- Shire President Michelle Campbell
- Cr. John Bromham
- Australind Bushland Council
- Birdlife Bunbury
- Brunswick River Restoration Action Group
- Department of Biodiversity, Conservation and Attraction's Kalbar Regional Park Team
- Harvey River Restoration Action Group
- Leschenault Catchment Council

- Leschenault Progress Association
- Myalup Community Association
- Peel-Harvey Catchment Council.

The Working Group was tasked with providing the Shire with community direction on:

- Local natural area prioritisation.
- Opportunities and constraints.
- High conservation value areas.
- Conservation objectives and targets.
- Implementation actions.

Four meetings were held with one meeting being attended by the Parkfield Primary School's 'Learning and Understanding Sustainability' (PLUS) class.

Based on feedback and outcomes of the Working Group meetings, Officers have prepared the Draft Strategy. Officers presented the Draft Strategy to Council at its Concept Forum on Tuesday, 25 February 2025.

### **Comment**

The Draft Strategy has been prepared as two parts for ease of use:

- Part 1 – details the prioritisation of Local Natural Areas and provides the goals, objectives and actions to implement the Strategy.
- Part 2 – provides the background information and informing technical data.

Officers will also prepare a simplified 'one page summary' containing the goals, objectives and actions of the Strategy.

The Draft Strategy requires advertising prior to its final endorsement by Council. Advertising of the Draft Strategy will be for a period of 21 days in the following manner:

- Shire's website
- Local newspaper
- Working Group members
- Parkfield Primary School (PLUS)
- Shire's Administration Offices
- Shire's Libraries.

## 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.

Advertising the Draft Local Biodiversity Strategy will achieve this goal.

### **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.

At the completion of advertising all submissions will be considered by Council in its determination for final approval.

### **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 are 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 has involved the establishment of a Working Group with key stakeholders and the community will be consulted, and the Shire has 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 includes a total allocation of \$30,000 for this Project, including the WALGA grant funding.

### **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 Draft Local Biodiversity Strategy 2025–2035 (as contained in **Attachment 1**) for the purpose of public consultation.

**Moved: Cr. Dickinson**

**Seconded: Cr. Bromham**

### **Amendment**

Cr. Coleman proposed the following amendment:

That Council:

2. At the completion of advertising all submissions will be considered by Council in its determination for final approval.

**Moved: Cr. Coleman**

**Seconded: Nil.**

**Lapsed**

**Moved: Cr. Dickinson**

**Seconded: Cr. Bromham**

**That Council endorses the Draft Local Biodiversity Strategy 2025–2035 (as contained in *Attachment 1*) for the purpose of public consultation.**

**Carried 10-0**

**25/55**

**Votes:**

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

**Against:** Nil.

<b>Item No.:</b>	<b>12.3.3.</b>
<b>Subject:</b>	<b>Application for Development Approval – Retrospective Change of Use   Holiday House (Unhosted Short-Term Rental Accommodation) – Lot 19 (No.1) Eastwell Road, Australind</b>
<b>Proponent:</b>	<b>Crystal Blue Enterprises Pty Ltd</b>
<b>Location:</b>	<b>Lot 19 (No. 1) Eastwell Road, Australind</b>
<b>Reporting Officer:</b>	<b>Planning Officer</b>
<b>Authorising Officer:</b>	<b>Director Sustainable Development</b>
<b>File No.:</b>	<b>P13/25, C291/00855, A003650</b>
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Development Application and Supplementary Forms 2024 – Eastwell [<b>12.3.3.1</b> - 3 pages]</li> <li>2. Location Plan [<b>12.3.3.2</b> - 1 page]</li> <li>3. Summary of Submissions [<b>12.3.3.3</b> - 1 page]</li> <li>4. LPP Assessment [<b>12.3.3.4</b> - 2 pages]</li> </ol>

## Summary

An application for Development Approval has been received for a Retrospective “Change of Use Holiday House (Unhosted Short-Term Rental Accommodation)” on Lot 19 (No. 1) Eastwell Road, Australind (refer **Attachment 1**). The application has been advertised for public comment and is referred to Council as Officers do not have delegation to determine an application that has received objections that are considered to be reasonable.

It is recommended that Council approves the application, subject to appropriate conditions.

## Background

### Site Description

Lot 19 (No. 1) Eastwell Road, Australind (corner of Hymus Lane) is zoned “Residential 15” under the Shire of Harvey Local Planning Scheme No. 2 (the Scheme) and is located within 2km of the Australind Townsite. The site is of regular shape with an area of 814m<sup>2</sup> and is mostly flat land with an existing dwelling and associated outbuilding (refer **Attachment 2**).

The property obtains vehicle access from Hymus Lane. Hymus Lane is currently constructed and sealed between Eastwell Road and Meloy Lane. The remaining portion of Hymus Lane between Meloy Lane and Laura Avenue is unsealed.

### Site History

The site was recently subdivided into four strata lots with all having vehicle access from Hymus Lane. The subject lot contains the existing dwelling, whilst the other three lots are currently vacant.

### Proposal

The application proposes to continue to use the existing three-bedroom dwelling for short-term rental accommodation for a maximum of six guests.

## Comment

### Land Use

The proposed use of “holiday house” is defined in the Scheme as:

*“a single dwelling on a lot used to provide short-term accommodation but does not include a bed and breakfast”*

A Holiday House is an “A” use within the Residential zone, being a use that *“is not permitted unless the local government has exercised its discretion by granting development approval after advertising the application in accordance with clause 64 of the deemed provisions.”*

### Advertising

Pursuant to Clause 64 of Planning and Development (Local Planning Schemes) Regulation 2015 (the Deemed Provisions), the proposal was advertised to landowners within the immediate vicinity of the development site. Advertising commenced on Thursday, 30 January 2025 and concluded on Thursday, 13 February 2025, being a period of 14 days.

At the conclusion of the advertising period, a total of four submissions were received with one supporting the proposal and three objecting to the proposal. All submissions have been summarised and provided in **Attachment 3**.

The main points of objection were:

- The increase in commercial and private traffic flowing through Meloy Lane. There is an existing lack of visibility on Meloy Lane, and the introduction of additional traffic would only increase this lack of visibility.
- The current traffic flow on Meloy Lane is more than the road can handle, an increase to the traffic flow would only be detrimental to the residents along this street.

The Applicant provided the following comment on the objections received:

- The low number of guests utilising the property means there is a negligible impact on the local roads. Both Hymus Lane and Meloy Lane are constructed roads and would be able to handle the small amount of extra traffic generated by the proposal.

### Discussion

The holiday house has been operating since 2024 and the Shire of Harvey (the Shire) has not received any complaints from the surrounding landowners or occupiers relating to noise, traffic flow or parking.

It is considered appropriate that a three-bedroom house could comfortably accommodate three couples, with each person having their own vehicle. The Scheme requires a minimum of four car parking bays for five to eight guests. The proposed occupancy of six guests is consistent with the maximum capacity of the dwelling and four car parking bays can be accommodated on site.

‘Laneways’ such as Hymas and Meloy Lanes, are designed to cater for 300 vehicles per day. With approximately 17 properties currently having access to Hymas and Meloy Lanes, it is estimated there could potentially be 136 vehicle movements per day (based on eight vehicle movements per day per dwelling). This is significantly less than the design capacity of the laneways and therefore Officers consider that there is capacity for the road network to cater for traffic movements from the proposed Holiday House.

The proposal is consistent with the objectives of the Shire’s Local Planning Policy 6.2.1 – Unhosted Short-Term Rental Accommodation. An assessment against the objectives and matters to be considered of the Policy is provided as **Attachment 4**.



## Conclusion

The proposed Holiday House is unlikely to affect the amenity of the surrounding neighbourhood, given the low number of guests. The property can accommodate the proposed number of guests and provide the required number of parking bays on site. Officers consider the tourism benefit of the holiday house to outweigh the potential traffic flow issues. Therefore, Officers recommend the application be approved, subject to conditions.

The Shire's Infrastructure Services has advised that the sealing of the portion of Hymus Lane between Meloy Lane and Laura Avenue was included in the 2024–2025 Budget however, this project has been delayed due to resourcing challenges and will be completed within the 2025–2026 financial year.

## Statutory/Policy Environment

### *Planning and Development Act 2005*

Planning and Development (Local Planning Schemes) Regulations 2015:

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

Shire of Harvey Local Planning Scheme No.2:

- Clause 17 – Zoning Tables
- Clause 18 – Interpreting Zoning Table
- Table 6 – Car Parking Requirements

Local Planning Policy:

- Local Planning Policy 6.2.1 – Unhosted Short-Term Rental Accommodation

Shire of Harvey Delegation:

- Delegation 9.1.2 – Development Applications

## Strategic Framework

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

- Goal 1: A diversified and thriving economy that offers a wide range of business and work opportunities as well as consumer choice.*
- Objective 1.1 The Shire is a tourist destination of choice.*

## 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.

Pursuant to Clause 64 of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Deemed Provisions), the application was advertised to nearby landowners for 14 days.

**Promise to the Community**

*Inform:* We will keep you informed.

The application was advertised to nearby landowners for 14 days in accordance with the Clause 64 of the Planning and Development (Local Planning Schemes) Regulations 2015 (the Deemed Provisions). Submitters will be notified when the Agenda is available.

**Risk Management**

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The Consequences could be **Environmental, Financial, Reputational or Compliance** if an incorrect assessment of the land use occurs or insufficient community engagement occurs. The risk is considered **Minor** and the likelihood **Unlikely**, given that the proposal was advertised, the report has been thoroughly researched, peer reviewed and provided by a qualified Shire Officer. This results in a **Low** risk being present.

**Budget Implications**

Nil.

**Authority/Discretion**

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

**Voting Requirements**

Simple Majority

**Officer's Recommendation**

That Council:

1. Approves the Application for Development Approval for a Retrospective "Change of Use | Holiday House (Unhosted Short-Term Rental Accommodation)" on Lot 19 (No. 1) Eastwell Road, Australind, subject to the following conditions:
  - a) The development and/or use shall be in accordance with the attached approved plans, subject to modifications required as a consequence of any condition(s) of this approval. The approved plans shall not be modified or altered without first obtaining approval from the Shire.
  - b) This approval is valid for a period of two years. If the development is not substantially commenced within this period, a new approval must be obtained before commencing or continuing development.
  - c) The approved use shall have a maximum occupancy of six persons at any given time, to the satisfaction of the Shire of Harvey.
  - d) The approved use shall not be occupied by the same tenant for more than three months at a time in any 12-month period.

- e) Prior to the operation of the approved use, a sign noting the Manager's name and phone number shall be erected on the property. The sign shall be visible to pedestrians without requiring access to the property.
  - f) The approved Operational Management Plan shall be implemented to the satisfaction of the Shire of Harvey.
  - g) Parking shall be provided wholly inside the property boundaries, with no parking being permitted on the Shire verge.
2. Advises the Applicant of the following that are not included as conditions:
- a) Until further direction and/or guidance has been provided by the Department of Energy, Mines, Industry Regulation and Safety, the Shire of Harvey requires written evidence from a registered private building surveyor that the specific building has the appropriate classification and complies with the applicable standards. Should a swimming pool or spa be located within the property, a request for a barrier compliance inspection will need to be made with the Shire's Building Business Unit.

**Moved: Cr. Bromham**

**Seconded: Cr. Dickinson**

**That Council:**

1. **Approves the Application for Development Approval for a Retrospective "Change of Use | Holiday House (Unhosted Short-Term Rental Accommodation)" on Lot 19 (No. 1) Eastwell Road, Australind, subject to the following conditions:**
  - a) **The development and/or use shall be in accordance with the attached approved plans, subject to modifications required as a consequence of any condition(s) of this approval. The approved plans shall not be modified or altered without first obtaining approval from the Shire.**
  - b) **This approval is valid for a period of two years. If the development is not substantially commenced within this period, a new approval must be obtained before commencing or continuing development.**
  - c) **The approved use shall have a maximum occupancy of six persons at any given time, to the satisfaction of the Shire of Harvey.**
  - d) **The approved use shall not be occupied by the same tenant for more than three months at a time in any 12-month period.**
  - e) **Prior to the operation of the approved use, a sign noting the Manager's name and phone number shall be erected on the property. The sign shall be visible to pedestrians without requiring access to the property.**
  - f) **The approved Operational Management Plan shall be implemented to the satisfaction of the Shire of Harvey.**
  - g) **Parking shall be provided wholly inside the property boundaries, with no parking being permitted on the Shire verge.**
2. **Advises the Applicant of the following that are not included as conditions:**
  - a) **Until further direction and/or guidance has been provided by the Department of Energy, Mines, Industry Regulation and Safety, the Shire of Harvey requires written evidence**

**from a registered private building surveyor that the specific building has the appropriate classification and complies with the applicable standards. Should a swimming pool or spa be located within the property, a request for a barrier compliance inspection will need to be made with the Shire's Building Business Unit.**

**Carried 10-0**

**25/56**

**Votes:**

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

**Against:** Nil.

## 12.4. Corporate Services

<b>Item No.</b>	<b>12.4.1.</b>
<b>Subject:</b>	<b>Forward Capital Works Plan 2025–2030</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Accountant</b>
<b>Authorising Officer:</b>	<b>Director Corporate Services</b>
<b>File No.:</b>	<b>F/14/00035</b>
<b>Attachments:</b>	1. FCWP 2025-2030 [ <b>12.4.1.1</b> - 31 pages]

### Summary

This report presents the Forward Capital Works Plan (FCWP) 2025–2030. The FCWP defines and details the proposed investment in capital infrastructure for the next five years and is linked to the Shire of Harvey's (the Shire's) Strategic Community Plan.

Following a workshop of the FCWP held with Councillors on Tuesday, 11 March 2025, Officers now present for consideration and adoption, the Forward Capital Works Plan 2025–2030.

It is recommended that the Forward Capital Works Plan 2025–2030 be adopted (refer **Attachment 1**).

### Background

At a workshop held on Tuesday, 11 March 2025, Councillors reviewed the FCWP. Two amendments made to the Plan (refer **Attachment 1**) following the workshop include;

- Leschenault Bushfire Brigade Building – \$223,000 being allocated from Municipal Funds and \$1.2 million from self-supporting loans. The project cost remains the same, but funding source has changed.
- Stanley Road Refuse Capital works - \$2 million funded from loan funds. The project cost remains the same, but funding source has changed from Reserve Account funding to Loan funding.

Following its adoption by Council, the FCWP will inform the Council Plan as well as feed into the draft 2025–2026 Budget.

### Comment

The FCWP is a five-year rolling plan that is linked to the Shire's strategic Council plans. It identifies major capital works planned to be undertaken over the life of the Plan allowing for those works to be costed and progressed for consideration and inclusion in the draft Budget process.

The Shire's objective in preparing the FCWP is to identify:

- Key infrastructure projects that will benefit its community.
- Cost of the projects in today's dollars and affordability.
- Potential sources of revenue available to the Shire to fund the infrastructure projects.

The FCWP was prepared based on the following principles:

- Planning for new assets aligns with the needs of the community and the Shire's capacity to

maintain them into the future.

- The social, environmental and economic impacts of creating any new assets in the Shire have been carefully considered.
- The Shire has considered the renewal of assets and will ensure that they are maintained in good condition into the future.
- The amount of funding the Shire allocates to capital works is based on the Shire's financial capacity and consideration of sustainability into the future.
- The Shire's future revenue base from rates and other sources is likely to grow along with the community expectations for infrastructure and services.

## **Statutory/Policy Environment**

### *Local Government Act 1995*

- Section 5.56 – deals with planning for the future.

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

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

## **Strategic Framework**

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

- 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.

The Shire will publish the adopted FCWP on its website for public information. The annual Budget, which is made available to the public, will also include projects from the FCWP in the year those projects are to be undertaken.

### **Promise to the Community**

*Inform:* We will keep you informed.

The Shire will publish the adopted FCWP on its website for public information. The annual Budget, which is made available to the public, will also include projects from the FCWP in the year those projects are to be undertaken.

## **Risk Management**

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The Consequence could be **Financial** and **Reputational** should inappropriate or unrealistic assumptions be used in the Forward Capital Works Plan. The risk is considered **Moderate** and the likelihood **Unlikely**. The risk is mitigated by Council having workshopped and reviewed the Plan and the Plan having been prepared by professionally qualified Officers, resulting in a **Low** risk being present.

## **Budget Implications**

The Forward Capital Works Plan 2025–2030 informs the Council Plan and forms the predominant basis for the development of the draft 2025–2026 Budget. It is anticipated the draft 2025–2026 Budget will be presented to Council for consideration in June 2025.

## **Authority/Discretion**

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

## **Voting Requirements**

Simple Majority

## **Officer's Recommendation**

That Council adopts the Forward Capital Works Plan 2025–2030 as per **Attachment 1**.

## **Officer's Recommendation 1 of 2**

Moved: Cr. Carbone

Seconded: Cr. Dickinson

That Council adopts the Forward Capital Works Plan 2025–2030, with the exception of D24.1 and O26.22, as per **Attachment 1**.

Carried 10-0                      25/57

## **Votes:**

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

**Against:** Nil.

## **Officer's Recommendation 2 of 2**

Cr. Holly left the Chamber at 5.51pm.

Moved: Cr. Carbone

Seconded: Cr. Dickinson

That Council adopts D24.1 and O26.22 into the Forward Capital Works Plan 2025–2030.

Carried 9-0                      25/58

**Votes:**

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

**Against:** Nil.

**Cr. Holly entered the Chamber at 5.57pm.**



<b>Item No.</b>	<b>12.4.2.</b>
<b>Subject:</b>	<b>Payments February 2025</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Manager Finance</b>
<b>Authorising Officer:</b>	<b>Director Corporate Services</b>
<b>File No.:</b>	<b>FM/S/006</b>
<b>Attachments:</b>	1. Payments February 2025 [ <b>12.4.2.1</b> - 21 pages]

## Summary

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

<u>Voucher</u>		<u>Amount</u>
Schedule of Accounts		
Municipal	EFT 75739 – EFT 76242	\$ 4,657,140.11
	117686 – 117689	\$ 3,428.15
	DD28231.1 – DD28359.28	\$ 217,881.39
CBA Credit Cards		\$ 13,960.89
Electronic Funds Submitted		\$ 1,274,736.41
<b>Total</b>		<b><u>\$ 6,167,146.95</u></b>

## Purchasing Card Payments included in the Municipal payments above

AMPOL Fuel Card	\$ 1,867.12
BP Fuel Card	\$ 5,168.62
Puma Fuel Card	\$ 2,674.67
Coles Card	\$ 743.24
<b>Total</b>	<b><u>\$ 10,453.65</u></b>

## Statutory/Policy Environment

### *Local Government Act 1995*

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

## Local Government (Financial Management) Regulation 1996

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

## Strategic Framework

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

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

## Community Engagement

### Community Participation Goal

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

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

### Promise to the Community

*Inform:* We will keep you informed.

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

## Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The Consequence could be **Financial, Reputation or Compliance** if the payments report is not reported accurately, timely or in the required format. The risk is considered **Minor** and the Likelihood **Unlikely**. The risk is mitigated by 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 February 2025 totalling \$6,167,146.95.

**Moved: Cr. Carbone**

**Seconded: Cr. Holly**

**That Council notes the list of accounts paid at *Attachment 1* for the period of February 2025 totalling \$6,167,146.95.**

**Carried 10-0**

**25/59**

### **Votes:**

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

**Against:** Nil.

<b>Item No.</b>	<b>12.4.3.</b>
<b>Subject:</b>	<b>Financial Statements as at 28 February 2025</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Manager Finance</b>
<b>Authorising Officer:</b>	<b>Director Corporate Services</b>
<b>File No.:</b>	<b>FM/S/006</b>
<b>Attachments:</b>	1. Monthly Financials 28 Feb 2025 [ <b>12.4.3.1</b> - 11 pages]

## Summary

The Financial Statements as at 28 February 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.

	<b>ACTUAL</b> 28 February 2025	<b>BUDGET</b> 2024–2025	<b>VARIANCE</b>
<b>Statement of Financial Performance</b>			
Ordinary Revenue	\$ 46,775,081	\$49,037,395	\$2,262,314
Ordinary Expenditure	\$ 36,626,020	\$57,403,257	\$20,777,237
Capital Revenue	\$ 3,169,476	\$34,355,021	\$31,185,545
Capital Expenditure	\$ 12,670,722	\$41,637,971	\$28,967,249
End of Period Surplus/(Deficit)			\$10,877,230
<b>Statement of Financial Position</b>			
Current Assets			\$50,421,671
Net Assets			\$826,849,608

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

## Background

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

## Comment

### Rates Revenue

Rates revenue of \$30.27 million and waste service charges of \$6.10 million including the waste facilities maintenance rate were raised in July 2024. The due date for rates payment was 27 September 2024. Approximately 85.6% of the rates were collected by 28 February 2025 compared to 84.9% for the previous year.

### Cash Flow and Interest Earnings

The Shire holds by way of cash and term deposits \$15.2 million in Municipal funds and \$31.5 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. Third instalment of Financial Assistance Grant 2024–2025 was also received in February 2025.

**Employee Costs**

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

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

Although these accounts only reflect the first eight months of the financial year, it is anticipated the Shire will operate within its means and in line with the Shire’s adopted Budget for the 2024–2025 financial year.

**Capital Expenditure**

The Shire has budgeted to spend \$41.6 million on capital projects throughout the Shire in 2024–2025. Some of these projects include carry over projects from the financial year 2023–2024. Expenditure totalling \$12,670,722 on capital works has been reported at the end of February 2025. 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 brought to Council monthly for Council and the public to view and be informed of the Shire's financial position.

### **Promise to the Community**

*Inform:* We will keep you informed.

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

## **Risk Management**

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

## **Budget Implications**

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

## **Authority/Discretion**

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

## **Voting Requirements**

Simple Majority

## **Officer's Recommendation**

That Council receives the Financial Statements as at 28 February 2025 provided at **Attachment 1**.

**Moved: Cr. Boylan**

**Seconded: Cr. Capogreco**

**That Council receives the Financial Statements as at 28 February 2025 provided at Attachment 1.**

**Carried 10-0**

**25/60**

## **Votes:**

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

**Against:** Nil.

<b>Item No.:</b>	<b>12.4.4.</b>
<b>Subject:</b>	<b>Local Roads Community Infrastructure Program – Phase 4</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Various</b>
<b>Reporting Officer:</b>	<b>Manager Finance</b>
<b>Authorising Officer:</b>	<b>Director Corporate Services</b>
<b>File No.:</b>	<b>F000291</b>
<b>Attachments:</b>	<b>Nil</b>

## Summary

The Local Roads and Community Infrastructure (LRCI) Phase 4 Program was announced on Monday, 13 February 2023. Funding was made available from Saturday, 1 July 2023, with the eligible construction period set to end on Monday, 30 June 2025.

This report recommends reallocating funds from two projects that cannot be completed by Monday, 30 June 2025.

## Background

### Ordinary Council Meeting – Tuesday, 24 May 2022

At the meeting Council was advised that the Australian Government Department of Infrastructure, Transport, Regional Development, Communications and the Arts, (the Department) who are responsible for administering the LRCI program, had proposed a Phase 3 Extension. The extension proposed local governments would receive a funding allocation equal to their Phase 1 nominal funding allocation i.e. \$668,775 for the Shire of Harvey (the Shire).

Council subsequently endorsed the following projects and Officers submitted the program to the Department, for approval.

<b>LRCI Phase 3A</b>	<b>Total Cost \$</b>	<b>LRCI \$</b>	<b>Other \$</b>	<b>Comments</b>
Hackett Street – Cookernup	115,000	94,563	20,437	Direct Grant
Wynyard Road – Spinnaker to Marine	100,000	100,000	0	
Old Coast Road Australind	50,000	50,000	0	
Johnston Road – Intersections	50,000	50,000	0	
Parking – Binningup Oval	115,000	115,000	0	
Harvey Skate Park Project	150,000	150,000	0	
LLC Parking Improvements	179,212	109,212	70,000	Muni funds
<b>TOTAL</b>	<b>\$759,212</b>	<b>\$668,775</b>	<b>\$90,437</b>	

### Friday, 2 September 2022

Shire Officers contacted the Department enquiring on the status of the Shire's submitted program. The following response was subsequently received.

*"The Department is not able to accept nominations for Phase 3 Extension at this time. The Phase 3 Extension was announced as a separate Grant Opportunity to be delivered like a further Phase, and is not simply additional funds for Phase 3. Guidelines and Grant Agreements will be drafted by the Department over the coming months and Councils will be notified once we are able to accept nominations"*



**Ordinary Meeting of Council – Tuesday, 25 October 2022**

Council considered a further report on Bridge No. 4930 Collie River Road (Krone's Bridge) where it was advised that Main Roads WA (MRWA) had determined a cost-effective replacement proposal for the Bridge.

The proposal included a solution where the cost to both the Shires of Harvey and Dardanup had been estimated to cost in the order of \$500,000 (subject to geotechnical investigations/final design/tender submissions).

Following consideration of the report, Council made the following decision, in part.

*"That Council:*

- 1. Advises Main Roads WA and the Shire of Dardanup that it supports the proposal to replace Bridge No 4930 over the Collie River with a 'Uni Bridge' Structure as outlined in the report, at an estimated cost of \$500,000.*
- 2. Notes that the estimated funding shortfall is in the order of \$323,000.*
- 3. Approves the estimated shortfall of \$323,000 to be funded from the recently announced additional Local Roads Community Infrastructure funding."*

**Monday, 13 February 2023**

The Phase 3 Extension program was retitled Phase 4 LRCI.

The Shire was advised as follows:

*"Local governments would be able to access their Phase 4 funding allocations from July 2023, with projects to be delivered by June 2025. This longer delivery window will allow councils more time to plan larger or more complex projects that may be a higher priority and have a bigger impact in your community".*

**Wednesday, 3 May 2023**

The Shire received correspondence from the Federal Minister for Infrastructure, Transport, Regional Development and Local Government confirming that the funding for Phase 4 of the LRCI program would be made available for Saturday, 1 July 2023.

The Shire's agreed funding allocation is as follows:

Phase 4 – Part A	Phase 4 – Part B	Total
\$668,775	\$385,752	\$1,054,527

**Ordinary Council Meeting – Tuesday, 23 May 2023**

The Council approved revision in the projects listed for LRCI Phase 4A and 4B:

LRCI Phase 4A	Total Cost	LRCI \$	Other \$	Comments
Hackett Street – Cookernup	115,000	94,563	20,437	Direct Grant
Binningup Parking Landscaping/Info structure	284,212	254,212	30,000	Muni funds
Meriden Park Path/landscaping	115,000	115,000	0	
LLC Parking Improvements	170,000	170,000	0	

CCTV Stage 2 Australind Skate Park	35,000	35,000	0	
<b>LRCI Phase 4B</b>	<b>LRCI funding</b>	<b>Shire of Dardanup</b>	<b>Main Roads</b>	<b>Total Project Cost</b>
Bridge No.4930 Collie River Road (Krone's Bridge)	\$385,752	\$125,000	\$600,000	\$1,110,752

### Ordinary Council Meeting – Tuesday, 28 May 2024

While adopting the Shire's Forward Capital Works Plan 2024–2025, Council approved reallocating \$170,000 from Leschenault Leisure Centre (LLC) Parking Improvements to Meriden Park parking upgrade and extension.

### Comment

The Department has informed the Shire that no extensions will be granted for LRCI projects. All approved projects must be completed by Monday, 30 June 2025, or the Shire will forfeit funding for any unfinished projects.

### Friday, 28 February 2025

The Shire contacted the department for reallocation of funding to projects which can be delivered by Monday, 30 June 2025 and received the following confirmation:

*"Council are permitted to vary their current standing LRCI Phase 4 Work Schedule to reflect the withdrawal of the projects that will not be delivered on time, and the nomination of the new projects that can be delivered in the construction time period."*

The Shire will not be able to complete the following projects by Monday, 30 June 2025:

Project	LRCI Phase	Infrastructure Type	LRCI Funding
Meriden Park parking upgrade and extension	4A	Community	\$170,000
Bridge No.4930 Collie River Road (Krone's Bridge)	4B	Road	\$385,752

It is therefore recommended to reallocate the funding to the following projects in order to prevent the loss of the funding.

### LRCI Phase 4A

Project	Total Cost \$	LRCI Funding \$	Other \$	Comments
Binningup Water Sports	422,995	148,000	274,995	Coastal Reserve, Building Reserve, Group Contribution
Harvey off lead Dog Park	60,000	22,000	38,000	Municipal fund
<b>TOTAL</b>	<b>482,995</b>	<b>170,000</b>	<b>312,995</b>	

### LRCI Phase 4B

LRCI Phase 4B funding can only be reallocated to road infrastructure projects

Project	Total Cost \$	LRCI Funding \$	Other \$	Comments
Australind Road	190,000	190,000	0	
<b>Asphalt Overlays Projects</b>				
Harvey Quindanning Road Causeway	30,000	30,000	0	
Rigg Road	30,000	30,000	0	
Mornington Road	135,752	135,752	0	
<b>TOTAL</b>	<b>385,752</b>	<b>385,752</b>		

## 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 2.3 Active and resilient community groups and volunteers.*
- Objective 2.7 An active and healthy community.*
- Goal 4: A liveable, sustainable and well-designed built environment that is accessible to all.*
- Objective 4.2 A connected and well maintained network of local roads, footpaths, cycle ways and trails.*

## 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 documented in the publicly accessible Council minutes.

## Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The Consequence could be **Financial** or **Reputational** if the Council decided not to support the recommendation resulting in loss of funding for the Shire. The risk consequence is considered **Moderate** and the likelihood **Unlikely**. The risk is mitigated by liaising with the department to reallocate the funding to other projects. As such it is considered that a **Low** risk is present.

## Budget Implications

Allocating LRCI funding to municipal funded projects will increase the Shire's year end surplus, which can be used to fund the postponed projects in future years.

## 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

Officer's Recommendation 1 of 3 – Simple Majority

Officer's Recommendation 2 of 3 – Simple Majority

Officer's Recommendation 3 of 3 – Absolute Majority

## Officer's Recommendation 1 of 3

That Council authorises the Chief Executive Officer to apply to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts to reallocate Local Roads and Community Infrastructure Phase 4 funding as included in this report to the following projects:

Project	Total Cost \$	LRCI funding \$
Binningup Water Sports	422,995	148,000
Harvey off lead dog park	60,000	22,000
Australind Road	190,000	190,000
<b>Asphalt Overlays Projects</b>		
Harvey Quindanning Road Causeway	30,000	30,000
Rigg Road	30,000	30,000

Moved: Cr. Bromham

Seconded: Cr. Junio

That Council authorises the Chief Executive Officer to apply to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts to reallocate Local Roads and Community Infrastructure Phase 4 funding as included in this report, with the exclusion of Mornington Road, to the following projects:

Project	Total Cost \$	LRCI funding \$
<b>Binningup Water Sports</b>	<b>422,995</b>	<b>148,000</b>
<b>Harvey off lead dog park</b>	<b>60,000</b>	<b>22,000</b>
<b>Australind Road</b>	<b>190,000</b>	<b>190,000</b>
<b>Asphalt Overlays Projects</b>		
<b>Harvey Quindanning Road Causeway</b>	<b>30,000</b>	<b>30,000</b>
<b>Rigg Road</b>	<b>30,000</b>	<b>30,000</b>

Carried 10-0

25/61

## Votes:

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

**Against:** Nil.

**Officer's Recommendation 2 of 3**

That Council authorises the Chief Executive Officer to apply to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts to reallocate Local Roads and Community Infrastructure Phase 4 funding as included in this report, to the following projects:

Asphalt Overlays Projects	Total Cost \$	LRCI funding \$
Mornington Road	135,752	135,752

Cr. Dickinson left the Chamber at 5.59pm.

Moved: Cr. Capogreco

Seconded: Cr. Boylan

That Council authorises the Chief Executive Officer to apply to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts to reallocate Local Roads and Community Infrastructure Phase 4 funding as included in this report, to the following projects:

Asphalt Overlays Projects	Total Cost \$	LRCI funding \$
Mornington Road	135,752	135,752

Carried 9-0 25/62

**Votes:**

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

**Against:** Nil.

Cr. Dickinson entered the Chamber at 6.00pm.

**Officer's Recommendation 3 of 3**

That Council, subject to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts approval reallocation of Local Roads and Community Infrastructure Phase 4 funding, authorises the overbudgeted expenditure of \$148,000 to account number 119314 – Binningup Surf Lifesaving Building Upgrade (Binningup Water Sports project).

**BY ABSOLUTE MAJORITY**

Moved: Cr. Dickinson

Seconded: Cr. Boylan

That Council, subject to the Department of Infrastructure, Transport, Regional Development, Communications and the Arts approval reallocation of Local Roads and Community Infrastructure Phase 4 funding, authorises the overbudgeted expenditure of \$148,000 to account number 119314 – Binningup Surf Lifesaving Building Upgrade (Binningup Water Sports project).

Carried by Absolute Majority 10-0 25/63

**Votes:**

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

**Against:** Nil.

**12.5. Community and Lifestyle**

<b>Item No.:</b>	<b>12.5.1.</b>
<b>Subject:</b>	<b>Leschenault Sporting Association Funding Request update</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Community Development Officer - AM</b>
<b>Authorising Officer:</b>	<b>Chief Executive Officer</b>
<b>File No.:</b>	<b>C054/00002</b>
<b>Attachments:</b>	1. Draft Loan Agreement [ <b>12.5.1.1</b> - 8 pages] 2. Draft Grant Agreement [ <b>12.5.1.2</b> - 7 pages]

**Summary**

This report outlines the request from Leschenault Sporting Association (LSA) to amend the Draft Loan Agreement (**Attachment 1**) and Draft Grant Agreement (**Attachment 2**). The loan and grant agreements were populated with conditions based on the resolution of Council at the Ordinary Council Meeting held on Tuesday, 26 November 2024. LSA has concerns regarding the term of the loan, the requirements relating to members being guarantors if they are no longer members, and there have been some delays in meeting the deadline for the development of a Business and Marketing Plan.

**Background**

At the Ordinary Council Meeting held on Tuesday, 26 November 2024, Council approved a request from the LSA for financial assistance to support the ongoing operations of the Leschenault Sporting Pavilion (Pavilion). It was resolved:

*"That Council:*

1. *Approves a term repayable grant of \$30,000 to the LSA to support on-going sustainability and operation of the Pavilion at the Leschenault Recreation Park, to be sourced from the Community Grants Reserve, subject to the following conditions:*
  - a) *Written confirmation from members of the LSA to guarantee repayment of the term repayable grant by 30 June 2026.*
  - b) *Monthly financial reports must be submitted to the Shire no later than the tenth day of the month following the reporting month.*
  - c) *A detailed business and marketing plan must be developed outlining how the LSA will improve financial outcomes to achieve on-going sustainability to be submitted to the Shire no later than Monday, 7 April 2025.*
2. *Approves a one-off community grant of \$10,000 to the LSA to support the development of a detailed business and marketing plan, to be sourced from the Community Grants Reserve.*
3. *Requests the Chief Executive Officer execute the grant agreement on the abovementioned terms.*
4. *Requests the Chief Executive Officer to provide a report to Council at the April 2025 Ordinary Council Meeting to provide an update on this matter.*
5. *Notes that a lease renewal will be considered following a further report to Council."*

To formalise the arrangement with LSA, Shire of Harvey (the Shire) Officers prepared a Draft Loan Agreement (**Attachment 1**) and Draft Grant Agreement (**Attachment 2**). These documents were presented to LSA on Monday, 11 December 2024. At a follow up meeting on Thursday, 6 February 2025 the LSA Treasurer requested amendments to the conditions of the Draft Loan Agreement.

## Comment

The following outlines the amendments requested by LSA to the Draft Loan Agreement:

1. The LSA is requesting an extension on the loan agreement timeframe from 2026 to 2028 to ensure they can effectively manage their financial obligations. LSA has been loaned \$25,000 from five clubs (Leschenault Cricket Club, Bunbury Districts Cricket Association, Crabs Masters AFL, Australind Junior Football Club and Australind Senior Football Club). This extension will allow LSA to repay the clubs in a timely manner and utilise the Shire funds as a buffer, ensuring ongoing viability and stability.

Draft loan agreement:

- *“Clause 1 – The Shire shall lend to the Debtor on execution of this Acknowledgment of Debt the sum of THIRTY THOUSAND DOLLARS (\$30,000.00) excluding GST (the Principal Sum) and the Debtor HEREBY AGREES to repay the same as follows by lump sum to be made by 30 June 2026 without interest.”*

Requested amendment:

- *“Extend repayment date to 30 June 2028.”*
2. LSA is not able to provide a financial statement within 10 days from the end of the month and has requested an additional 11 days.

Draft loan agreement:

- *“Clause 3 – The Debtor shall submit monthly financial reports to the Shire no later than the tenth day of the month following the reporting month.”*

Requested amendment:

- *“The Debtor shall submit monthly financial reports to the Shire no later than the 21<sup>st</sup> day of the month following the reporting month.”*
3. The LSA has concerns about members being obliged to underwrite the loan if they are no longer part of the association. If they were to cease in their roles, they would no longer be able to influence the management of the entity but would still be liable if it was unable to repay the loan. They have requested that the guarantor obligation be transferred to new board members appointed to their respective positions. However, Shire officers believe that granting this request would make it very difficult for the LSA to attract replacement positions. There has been precedent for Council to waive the guarantor requirement. At the Ordinary Council Meeting held on Tuesday, 20 September 2022 Council resolved to waive the requirement for Leschenault Men's Shed to guarantee a loan of \$84,585. Given the reluctance of current members to enter into a guarantor agreement for the life of the loan and the complexity associated with transferring this obligation to new members it is recommended to waive the guaranteed requirement.

Draft loan agreement:



- *“Clause 6 – This guarantee is a continuing guarantee and the liability under it is joint.”*

Requested amendment:

- *“Remove obligation for the guarantee to be continuing. Confirm the guarantors can be released in the event the guarantor no longer holds an executive position with the LSA, on the basis a replacement guarantor is obtained.”*

The Shire currently leases the Lot 42 Leisure Drive, Australind to the LSA, with the current lease having expired on Monday, 3 February 2025. The Shire and the LSA agreed by an exchange of letters to hold the existing Lease over on a month-by-month basis, until the matters regarding the loan funding and continuity of the LSA were ratified. Given the Officers recommendation to waiver the guarantor requirement of the loan agreement, it is recommended that a loan repayment obligation be included in the drafting of the new lease with the LSA. Officers recommend any future agreement with the LSA to lease the premises, includes an obligation to repay the loan and that any failure to repay the loan by the specified due date shall constitute a default of the Lease agreement. This would allow the Shire the right to exercise the termination of the Agreement and take possession of the leased premises on default of the loan.

The following outlines the amendments requested by LSA to the Draft Grant Agreement:

1. *“The LSA board has not had time to commence the development of a business and marketing plan. They have been focusing on improving profit margins and managing the day-to-day operations of the facility, leaving them with limited capacity to undertake this work.”*

As the business and marketing plan are key documents that will ensure the ongoing viability of the LSA, Officers recommend that receipt of a suitable business and marketing plan be a condition of the payment of the loan being authorised.

Draft grant agreement:

- *“3. a) A detailed business and marketing plan must be developed outlining how the LSA will improve financial outcomes to achieve on-going sustainability to be submitted to the Shire no later than Monday, 7 April 2025.”*
- *“3. b) An acquittal will be submitted to [communitydevelopment@harvey.wa.gov.au](mailto:communitydevelopment@harvey.wa.gov.au) including expenditure, activities undertaken and performance against objectives for each year of the funding agreement by 7 May 2025.”*

Requested amendment:

- *“3. a) A detailed business and marketing plan must be developed outlining how the LSA will improve financial outcomes to achieve on-going sustainability to be submitted to the Shire no later than Monday, 7 June 2025.”*
- *“3. b) An acquittal will be submitted to [communitydevelopment@harvey.wa.gov.au](mailto:communitydevelopment@harvey.wa.gov.au) including expenditure, activities undertaken and performance against objectives for each year of the funding agreement by 7 July 2025.”*

## **Statutory/Policy Environment**

Council Policy 2.2.7 – Loans – Self-Supporting

## Strategic Framework

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

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

The Shire's Sport and Recreation Plan 2033 contains the following actions in relation to the Pavilion:

- Item 1.10 Undertake a Feasibility Study and Business Case for the extension of the Function Room facilities in the LSA Pavillion*  
*Item 1.43 Provide four additional change rooms to the LSA Pavilion to service Ovals 4 and Ovals 5.*  
*Item 1.44 Undertake an extension of function room facilities in the LSA Pavilion pending Outcome of Feasibility Study and Business Case at Item 1.10.*

## 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 will determine whether to approve the Officer's recommendation and allocate financial assistance to the LSA, based on effective financial management principles and responsible stewardship of community funds.

### Promise to the Community

*Inform:* We will keep you informed.

Council's decision will be documented in the publicly accessible Council minutes.

## Risk Management

The Risk Theme Profile identified as part of this report is **Business and Community Disruption**. The consequence could be **Reputation**, **Financial Impact** and **Service Delivery Disruption** if the LSA is no longer financially viable and may result in the Shire being required to manage the facility. This risk will be heightened by reduced service levels and limited access for the eight clubs that use the facility.

The **Reputation** consequence is considered **Moderate** and the likelihood is **Possible** resulting in a **Medium** risk. The **Financial Impact** consequence is considered **Major** and the likelihood is **Possible** resulting in a **High** risk. The **Service Delivery Disruption** consequence is considered **Moderate** and the likelihood is **Likely** resulting in a **High** risk.

## Budget Implications

\$30,000 has been allocated as a loan to the LSA to be funded from the Community Grants Reserve. The implications from the recommendations in this report would delay the repayment of this loan till Friday, 30 June 2028.

**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 relation to its resolution 24/234 of Tuesday, 26 November 2024 regarding the Leschenault Sporting Association, approves the following amendments to the Draft Loan Agreement and Draft Grant Agreement:
  - a) An extension of the repayable loan term to Friday, 30 June 2028.
  - b) Waiver of the condition "Guarantors, legally bound by contract, will be required for all self-supporting loans" outlined in Council Policy 2.2.7 – Loans (Self-Supporting).
  - c) An extension of the deadline for submitting the detailed business and marketing plan outlining how the Leschenault Sporting Association will improve its financial outcomes from April 2025 to June 2025, with the provision that payment of the loan will be made upon receipt of a satisfactory business and marketing plan.
  - d) An extension of the due date for the Leschenault Sporting Association 's monthly financial reports to the Shire from the 10th to the 21st of each month.
  - e) An extension of the report submission deadline to Council for providing an update from April 2025 to July 2025.
2. In relation to the Lease Agreement:
  - a) Notes that the Leschenault Sporting Association is currently on a month-by-month Lease Agreement.
  - b) Requests the Chief Executive Officer include provisions for a loan repayment obligation to be drafted into the new lease.
  - c) Notes that the new Leschenault Sporting Association Lease will be presented to a future Council Meeting for consideration.

**Moved: Cr. Carbone**

**Seconded: Cr. Bromham**

**That Council:**

1. In relation to its resolution 24/234 of Tuesday, 26 November 2024 regarding the Leschenault Sporting Association, approves the following amendments to the Draft Loan Agreement and Draft Grant Agreement:
  - a) An extension of the repayable loan term to Friday, 30 June 2028.

- b) Waiver of the condition “Guarantors, legally bound by contract, will be required for all self-supporting loans” outlined in Council Policy 2.2.7 – Loans (Self-Supporting).**
- c) An extension of the deadline for submitting the detailed business and marketing plan outlining how the Leschenault Sporting Association will improve its financial outcomes from April 2025 to June 2025, with the provision that payment of the loan will be made upon receipt of a satisfactory business and marketing plan.**
- d) An extension of the due date for the Leschenault Sporting Association ‘s monthly financial reports to the Shire from the 10th to the 21st of each month.**
- e) An extension of the report submission deadline to Council for providing an update from April 2025 to July 2025.**

**2. In relation to the Lease Agreement:**

- a) Notes that the Leschenault Sporting Association is currently on a month-by-month Lease Agreement.**
- b) Requests the Chief Executive Officer include provisions for a loan repayment obligation to be drafted into the new lease.**
- c) Notes that the new Leschenault Sporting Association Lease will be presented to a future Council Meeting for consideration.**

**Carried 7-3**

**25/64**

**Votes:**

**For:** President Campbell, Cr. Carbone, Cr. Boylan, Cr. Dickinson, Cr. Bromham, Cr. Capogreco and Cr. Junio.

**Against:** Cr. Hitchcock, Cr. Coleman and Cr. Holly.

<b>Item No.:</b>	<b>12.5.3.</b>
<b>Subject:</b>	<b>Review of Advisory Group's Terms of Reference</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Manager Community Development</b>
<b>Authorising Officer:</b>	<b>Director Community and Lifestyle</b>
<b>File No.:</b>	<b>F/36/00041</b>
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Draft Terms of Reference Community Sailing Trust [<b>12.5.3.1</b> - 3 pages]</li> <li>2. Draft Terms of Reference Access and Inclusion [<b>12.5.3.2</b> - 4 pages]</li> <li>3. Draft Terms of Reference Awards Honours and Prizes [<b>12.5.3.3</b> - 3 pages]</li> <li>4. Draft Terms of Reference Harvey Recreation and Cultural Centre [<b>12.5.3.4</b> - 4 pages]</li> <li>5. Draft Terms of Reference Sport and Recreation [<b>12.5.3.5</b> - 4 pages]</li> <li>6. Draft Terms of Reference Youth Collective [<b>12.5.3.6</b> - 3 pages]</li> </ol>

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

Following several queries and clarifications raised by Elected Members, Officers now provide amended attachments relating to Item 12.5.3 for Council's consideration and adoption.

The most significant changes relate to:

1. The inclusion of Code of Conduct and Dispute Resolution in all Terms of Reference
2. The inclusion of a Selection Process for Community Representatives
3. Where Elected Members are appointed to the Advisory Group, an Elected Member shall be the Chairperson. The Deputy Chair may be a community representative selected by the Advisory Group.

The Officer's Recommendation has therefore been amended.

## **Summary**

At the Ordinary Council Meeting held on Tuesday, 17 December 2024 Council resolved to reduce the number of Advisory Groups operated by the Shire of Harvey (Shire). This report presents the recommended revised Terms of Reference for the remaining Shire Advisory Groups.

## **Background**

Due to the limited effectiveness of Advisory Groups and the significant resources that were allocated to them, it was resolved at the December 2024 Ordinary Council meeting:

*"That Council.*

1. *Resolves to hold Annual Community Meetings in Australind, Binningup/Myalup, Brunswick, Harvey and Yarloop/Cookernup in August/September each year.*
2. *Resolves to disband the following groups:*

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

## **Comment**

The Council resolution resulted in some minor changes to the activities of the remaining Advisory Groups and some major changes to the membership of all but three of the groups. The Alcoa Sustainability Fund Advisory Group Terms of Reference are not able to be changed by the Shire as they are set out by Alcoa. The revised Terms of Reference for the six advisory groups introduce greater clarity, consistency, and structure across all groups while maintaining slight variations to suit their specific focus areas.

One of the key amendments includes updates to membership, following the decision to reduce the number of executive officers and councillors involved in the groups. Relevant Terms of Reference have also been updated to refine membership selection criteria, emphasising lived experience and expertise to ensure more representative and knowledgeable participation. The role of advisory groups has been expanded beyond providing strategic advice to actively identifying barriers, recommending solutions, and fostering collaboration with the broader community. Governance enhancements include a structured conflict resolution process and a clear division of responsibilities between elected members,

Shire officers, and community representatives. Meeting procedures have been formalised with mandated minute distribution timelines, and a code of conduct has been introduced to uphold professionalism and confidentiality.

While each group's specific terms reflect its unique objectives, these overarching amendments align all advisory groups with best practices in effective civic leadership. Attached are the revised Terms of Reference for the following Advisory Groups:

- Community Sailing Trust **Attachment 1**
- Access and Inclusion **Attachment 2**
- Awards, Honours and Prizes **Attachment 3**
- Harvey Recreation and Cultural Centre **Attachment 4**
- Sport and recreation Advisory Group **Attachment 5**
- Youth Collective **Attachment 6**

### **Statutory/Policy Environment**

Nil

### **Strategic Framework**

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

- Goal 2: A safe, accessible and connected community where everyone has the opportunity to contribute and belong.*
- Objective 2.2 Create a community where people are safe.*

### **Community Engagement**

#### **Community Participation Goal**

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

Members of the Advisory Groups have had input into the development of the Terms of Reference

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

*Inform:* We will keep you informed.

A discussion about the revised Terms of Reference will be added to the agenda of the next Advisory Groups meetings

### **Risk Management**

The Risk Theme Profile identified in this report is **Inadequate Project / Change Management**. A potential consequence is **Reputation** damage. If the Terms of Reference are not updated to a suitable standard Advisory Group members may not understand their roles or the purpose of the groups. The reputational impact is assessed as **Minor**, with a **Possible** likelihood, resulting in an overall **Medium** risk rating

**Budget Implications**

Nil

**Authority/Discretion**

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

**Voting Requirements**

Simple Majority

**Officer's Recommendation**

That Council approves the amendments to the Terms of Reference for the following Shire of Harvey Advisory Groups as outlined in the attachments to this report:

- Community Sailing Trust **Attachment 1**
- Access and Inclusion **Attachment 2**
- Awards Honours and Prizes **Attachment 3**
- Harvey Recreation and Cultural Centre **Attachment 4**
- Sport and Recreation **Attachment 5**
- Youth Collective **Attachment 6**

Moved: Cr. Bromham

Seconded: Cr. Carbone

That Council approves the amendments to the Terms of Reference for the following Shire of Harvey Advisory Groups as outlined in the attachments to this report:

- Community Sailing Trust **Attachment 1 as amended**
- Access and Inclusion **Attachment 2 as amended**
- Awards Honours and Prizes **Attachment 3 as amended**
- Harvey Recreation and Cultural Centre **Attachment 4 as amended**
- Sport and Recreation **Attachment 5 as amended**
- Youth Collective **Attachment 6 as amended.**

Carried 10-0

25/65

**Votes:**

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

**Against:** Nil.



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

**Cr. Coleman requested that the following Notice of Motion be placed in the Ordinary Council meeting Agenda for Tuesday, 25 March 2025:**

**Notice of Motion 1 of 2:**

That Council:

1. Lists for consideration an allocation within the draft 2025–2026 Budget to undertake a Business Case by an independent qualified consultant to determine the appropriate use and financial implications for the development of Lot 8 Wright Street, Harvey for single residential dwellings
2. Advocates to the Minister for Lands to amend the Management Order to enable the development of Lot 9 Hester Street (Hester Street Reserve Harvey, for Independent Living Units.
3. Approaches the State Government to fund and progress the development of Independent Living Units at Lot 9 Hester Street (Hester Street Reserve) Harvey
4. If item 3 above is not supported by state government:
  - a) Lists for consideration an allocation within the draft 2025–2026 Budget to undertake a Business Case by an independent qualified consultant to determine the financial implications for the Shire of Harvey to develop Lot 9 Hester Street (Hester Street Reserve) for Independent Living Units as the sole developer and/or with a joint venture partner.
  - b) Establish a Shire of Harvey Working Group, to progress the construction of an Independent Living Units at Lot 9 Hester Street, Harvey. Membership of the Working Group to include:
    - i. CEO or representative
    - ii. Director Sustainable Development or representative
    - iii. Director Community and Lifestyle or representative
    - iv. Manager Planning
    - v. Manager Special Projects
    - vi. Two elected members
    - vii. Up to four relevant community members
5. Brings a further report to Council in December 2025 on progress relating to the resolution.

**Officer's Comments**

The Shire of Harvey's (the Shire) Land Optimisation Strategy (LOS) identifies both Lot 8 Wright Street and Lot 9 Hester Street are underdeveloped and recommends these lots could be considered for mixed use or residential development. The proposed Notice of Motion seeks to progress the recommendations of the LOS and is supported by Officers.

The preparation of a Business Case to consider the financial implications in undertaking any future development on Lot 8 is considered appropriate.

In 2023 the Shire undertook a “Creating Aged Friendly Communities Survey” that, while having limited responses identified most respondents wished to age in place. The development of Independent Living Units (ILU’s) on Lot 9 Hester is consistent with the survey results and the Shire’s Age Friendly Strategy – Ageing Together 2020–2027. Further evidence of the desire and demand for this type of accommodation for ageing residents within the Shire is the current wait list for the Brunswick River Cottages (BRC).

When approaching the state government for it to develop ILU’s, the findings of the 2023 survey can be utilised to support the Shire’s request. Additionally, the first stage of the BRC was a joint venture between the Shire and the Department of Communities. While this has been beneficial, Officers support the Notice of Motion that seeks the state government to develop and manage ILU’s on Lot 9 at its own cost. If that approach is not supported a joint venture modelled off the BRC maybe an alternative outcome, however, the preparation of a Business Case and establishment of a working group is appropriate when considering the future implications for the Shire. Council will need to be cognisant of the resources that may be required to develop this option both in human and monetary resources and the capacity of the Shire to deliver what would be another major project which is not identified in the Shire’s Forward Capital Works Plan.

### **Resolution 1 of 2:**

That Council lists for consideration an allocation within the draft 2025–2026 Budget to undertake a Business Case by an independent qualified consultant to determine the appropriate use and financial implications for the development of Lot 8 Wright Street, Harvey for single residential dwellings.

**Moved: Cr. Coleman**

**Seconded: Cr. Capogreco**

### **Amendment**

President Campbell proposed the following amendment to resolution 1 of 2:

That Council lists for consideration an allocation of up to \$50,000, within the draft 2025–2026 Budget to undertake a Business Case by an independent qualified consultant to determine the appropriate use and financial implications for the development of Lot 8 Wright Street, Harvey for single residential dwellings.

**Moved: President Campbell**

**Seconded: Cr. Bromham**

**Carried 8-2**

**25/66**

### **Votes:**

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

**Against:** Cr. Carbone and Cr. Boylan.

### **Substantive Motion**

**Moved: Cr. Coleman**

**Seconded: Cr. Capogreco**

**That Council lists for consideration an allocation of up to \$50,000, within the draft 2025–2026 Budget to undertake a Business Case by an independent qualified consultant to determine the appropriate use and financial implications for the development of Lot 8 Wright Street, Harvey for single residential dwellings.**

**Carried 10-0**

**25/67**

**Votes:**

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

**Against:** Nil.

**Resolution 2 of 2:**

That Council:

1. Advocates to the Minister for Lands to amend the Management Order to enable the development of Lot 9 Hester Street (Hester Street Reserve Harvey, for Independent Living Units.
2. Approaches the State Government to fund and progress the development of Independent Living Units at Lot 9 Hester Street (Hester Street Reserve) Harvey
3. If item 2 above is not supported by state government:
  - a) Lists for consideration an allocation within the draft 2025–2026 Budget to undertake a Business Case by an independent qualified consultant to determine the financial implications for the Shire of Harvey to develop Lot 9 Hester Street (Hester Street Reserve) for Independent Living Units as the sole developer and/or with a joint venture partner.
  - b) Establish a Shire of Harvey Working Group, to progress the construction of an Independent Living Units at Lot 9 Hester Street, Harvey. Membership of the Working Group to include:
    - i. CEO or representative
    - ii. Director Sustainable Development or representative
    - iii. Director Community and Lifestyle or representative
    - iv. Manager Planning
    - v. Manager Special Projects
    - vi. Two elected members
    - vii. Up to four relevant community members
4. Brings a further report to Council in December 2025 on progress relating to the resolution.

**Moved: Cr. Coleman**

**Seconded: Cr. Capogreco**

**Amendment**

President Campbell proposed the following amendment to resolution 2 of 2:

1. Requests the Chief Executive Officer to advocate to the Minister for Lands to amend the Management Order to enable the development of Lot 9 Hester Street (Hester Street Reserve Harvey, for Independent Living Units.

2. Requests the Chief Executive Officer to approach the State Government to fund and progress the development of Independent Living Units at Lot 9 Hester Street (Hester Street Reserve) Harvey
3. If item 2 above is not supported by State Government:
  - a) Amends the 2025–2026 Budget to include an allocation of funds to undertake a Business Case by an independent qualified consultant to determine the financial implications for the Shire of Harvey to develop Lot 9 Hester Street (Hester Street Reserve) for Independent Living Units as the sole developer and/or with a joint venture partner.
  - b) Following consideration by Council of the Business Case, and if supported, establish a Shire of Harvey Internal Working Group, to progress the construction of an Independent Living Units at Lot 9 Hester Street, Harvey. Membership of the Internal Working Group to include:

**Moved: President Campbell**

**Seconded: Cr. Bromham**

**Carried 7-3**

**25/68**

**Votes:**

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

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

**Substantive Motion**

**Moved: Cr. Coleman**

**Seconded: Cr. Capogreco**

**That Council:**

1. Requests the Chief Executive Officer to advocate to the Minister for Lands to amend the Management Order to enable the development of Lot 9 Hester Street (Hester Street Reserve) Harvey, for Independent Living Units.
2. Requests the Chief Executive Officer to approach the State Government to fund and progress the development of Independent Living Units at Lot 9 Hester Street (Hester Street Reserve) Harvey
3. If item 2 above is not supported by State Government:
  - a) Amends the 2025–2026 Budget to include an allocation of funds to undertake a Business Case by an independent qualified consultant to determine the financial implications for the Shire of Harvey to develop Lot 9 Hester Street (Hester Street Reserve) for Independent Living Units as the sole developer and/or with a joint venture partner.
  - b) Following consideration by Council of the Business Case, and if supported, establish a Shire of Harvey Internal Working Group, to progress the construction of an Independent Living Units at Lot 9 Hester Street, Harvey. Membership of the Internal Working Group to include:
    - i. CEO or representative
    - ii. Director Sustainable Development or representative

iii. **Director Community and Lifestyle or representative**

iv. **Manager Planning**

v. **Manager Special Projects**

vi. **Two elected members**

vii. **Up to four relevant community members**

**4. Brings a further report to Council in December 2025 on progress relating to the resolution.**

**Carried 7-3**

**25/69**

**Votes:**

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

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

**Notice of Motion 2 of 2:**

That Council requests the Chief Executive Officer:

1. Introduces Agenda Notes which documents the verbatim questions submitted in writing from Council Members relating to the Agenda items on the current Council Agenda, along with the verbatim responses in writing from staff.
2. To publish the Agenda Notes in conjunction with the Minutes from the Ordinary Council Meeting on the Shire's website, effective from April 2025.

**Officer's Comments**

The current established practice for Council Member questions is for them to be provided to the Shire of Harvey's (the Shire) Administration ahead of the meeting. This allows reasonable time for Officers to gather the relevant information ensuring Council Members can make informed decisions. Often Shire Officers respond to the questions prior to the meeting in writing, providing the opportunity for Council Members to consider the response and request any further details or clarity; however, sometimes Officers will provide their answers during the meeting.

There are no legislative requirements for a Council Member to publicise the questions asked to the Administration ahead of the meeting. However, if a Council Member would like to make these questions and answers public, they are able to ask their questions when the item relating to their questions is up for discussion. All questions asked by Council Members and members of the public during a meeting of Council are captured on the Shire's audio and visual record, are livestreamed and made available on the Shire's website for the prescribed timeframe.

There is no requirement for a Council Member to publicise their written questions and the answers for an Agenda Item, however the Local Government keeps records of all correspondence in relation to that Item. The correspondence in relation to this, other than those items which are confidential in accordance with section 5.23 of the *Local Government Act 1995* (the Act), is retrievable by the public via a Freedom of Information request.

At the Ordinary Council Meeting held on Tuesday, 26 March 2024, Council was asked to form an opinion on the proposed draft Regulations as part of the Act Reforms. This discussion paper would help to inform the drafting of a Standardised Local Law for Local Governments and included questions in relation to Council Member questions during a meeting.

Council agreed via an Amended Motion by Cr Coleman, that:

1. Council Members can ask the Chief Executive Officer (CEO) questions related to any item on an agenda by providing the question in writing by 12 noon the day before the meeting.
2. Council Member questions are to be answered during the 'questions from Elected Members' agenda item.
3. And in opposition to the reform proposal, that Council should be able to ask clarification questions during the debate, without Shire President approval.

The Substantive Motion included an attachment with the confirmed opinion of Council on other reform matters and was carried by Council unanimously.

The means by which Council Members are to address their questions to the CEO in relation to items on the agenda may change with the Reform process and a new meeting procedure Local Law.

The Council previously supported, through the reform consultation process, that questions should be provided to the CEO by at least 12 noon the day prior to the meeting; and that the Council Member questions would be raised during a 'question from members' agenda item. How the Council Member questions and answers will be transcribed into the minutes in the future may not be able to be determined until there is clarification on the proposed Local Law Reform. Should Council support this proposed motion, it should be noted that it may no longer comply with the new Regulations once adopted.

The Administration understands that the proposed standardised meeting procedure Local Law is still in Draft and the Department of Local Government, Sport and Cultural Industries have stated that it is a priority for 2025.

Should Council support the motion, the Administration proposes the questions and answers would be a verbatim report, which is published by the CEO on the Shire's website at the time which the Shire's Minutes are uploaded. In accordance with the proposed motion, the Administration would not be required to proof the questions and answers prior to publicising as they are to be taken as written. The most effective way to do this would be with a simple register where questions and answers are copied over, with reference to the item number and title.

It should be noted that there is currently no requirement for the Administration to have a response 'in writing' to Council prior to, or at any point during the Agenda cycle. The current practice is for the CEO to be able to respond to questions in the Agenda Briefing Session Meeting or Ordinary Council Meeting respectively. Often the CEO and Directors will respond verbally without having provided a written response, especially if the questions were raised shortly before the meeting, or during the meeting.

Council should consider providing directions to the CEO via further information in this Notice of Motion, or via a Policy which gives regard to when a response in writing is required, or when the response is to be provided in the meeting verbally. Further, if the response is required in writing, then direction on an expected timeframe for a response for written submissions to Elected Members would be required.

**Moved: Cr. Coleman**

**Seconded: Cr. Carbone**

**That Council requests the Chief Executive Officer:**

- 1. Introduces Agenda Notes which documents the verbatim questions submitted in writing from Council Members relating to the Agenda items on the current Council Agenda, along with the verbatim responses in writing from staff.**
- 2. To publish the Agenda Notes in conjunction with the Minutes from the Ordinary Council Meeting on the Shire's website, effective from April 2025.**

**Lost 2-8**

**25/70**

**Votes:**

**For:** Cr. Carbone and Cr. Coleman.

**Against:** President Campbell, Cr. Hitchcock, Cr. Boylan, Cr. Dickinson, Cr. Holly, Cr. Bromham, Cr. Capogreco and Cr. Junio.

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

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

That Council:

1. Revokes the decision made at its Ordinary Council Meeting held on Tuesday, 14 June 2014 in relation to vacant Shire land on the eastern side of Mulgara Street.
2. Looks into the sale of the vacant Shire land on the eastern side of Mulgara Street.

**15. Reports of Members**

**Cr. Bromham reported on his attendance at the following:**

**December:**

- Binningup Water Sports Facility Building Maintenance Committee Meeting
- Coastal Place Advisory Group Meeting
- Bunbury Harvey Regional Council Meeting
- Leschenault Progress Association Meeting at Settlers Hall
- Local Emergency Management Advisory Committee Meeting
- Agenda Briefing Session
- Brunswick Primary School
- Settlers Hall
- Lions Dinner in Harvey
- Audit Committee Meeting
- Concept Forum
- Ordinary Council Meeting
- Christmas Dinner at the Wokalup
- Funeral Service of Ex. Shire President Jim Offer
- Lot 208 Management Committee with Ben and Patrick in Waroona.

**January:**

- Audit Committee Meeting
- Councillor discussions with the Executive Leadership Team prior to Agenda Briefing Session



- Agenda Briefing Session
- Australia Day Breakfast and Ceremony in Australind
- Concept Forum
- Ordinary Council Meeting
- Annual General Electors Meeting
- Grant writing course at the Boundary
- Bunbury Harvey Regional Council Meeting.

**February:**

- Attended a fire at Roses Farm in Myalup as a fire fighter
- Attended BunGeo Meeting in Capel
- Leschenault Men's Shed Breakfast
- Tour of Harvey, Southwest Highway and Brunswick Junction
- Chief Executive Officer Employment Committee Discussions
- David Bolt Presentation
- Councillor discussions with the Executive Leadership Team prior to Agenda Briefing Session
- Agenda Briefing Session
- Concept Forum
- Ordinary Council Meeting.

**Cr. Dickinson reported on her attendance at the following:**

**February:**

- Peel Harvey Biosecurity Group Meeting electronically.

**March:**

- Awards and Honours Advisory Group Meeting in Australind
- Sabrina Hahn gardening talk at the Stirling Cottage Gardens
- Alcoa WGP/WDL CCN Minesite Tour Larego
- Outdoor Concert at the HRCC
- Harvey Harvest Festival Long Table Lunch at Uduc Hall
- Harvey Harvest Festival at the Harvey Museum

- Forward Capital Works Workshop at the Leschenault Sporting Association
- Greater Bunbury Heritage Organisations Network Meeting at the Bunbury Museum
- International Agritourism Congress lunch at Stirling Cottage Gardens
- Audit Committee Meeting
- Councillor discussions with the Executive Leadership Team prior to Agenda Briefing Session
- Peel Naturaliste Partnership Meeting at the City of Mandurah with Cr. Bromham.

**President Campbell reported on her attendance at the following:**

**March:**

- Shire Chat
- SEN Radio
- Forward Capital Works Plan Workshop
- Brunswick Community Resource Centre morning tea
- Shire visit with the CSIRO in-situ laboratory
- Audit Committee Meeting
- Agenda Briefing Session
- ALCOA / Shire Sustainable Grant photo shoot
- Ordinary Council Meeting
- WALGA Training
- Cattle Muster in Brunswick
- HBLFC Celebration of Lights.

**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. Boylan**

**That Council moves behind closed doors.**

**Carried 10-0**

**25/71**

**Votes:**

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

**Against:** Nil.

***Council moved behind closed doors at 6.49pm.***

**17.1. Corporate Services**

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

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

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

<b>Item No.:</b>	<b>17.1.1.</b>
<b>Subject:</b>	<b>Sale of Land – A9179</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Rates Collection Officer</b>
<b>Authorising Officer:</b>	<b>Director Corporate Services</b>
<b>File No.:</b>	<b>A009179</b>
<b>Attachments:</b>	<b>Nil</b>

**Summary**

Council approval is sought to commence legal proceedings to sell property with Rates Assessment Number A9179 to recover unpaid rates and charges in accordance with section 6.64 of the *Local Government Act 1995* (the Act).

**Voting Requirements**

Simple Majority

**Officer's Recommendation**

**Moved:** Cr. Bromham

**Seconded:** Cr. Dickinson

**That Council authorises the Chief Executive Officer to proceed with the sale of property with Rates Assessment Number A9179 in accordance with section 6.64 of the *Local Government Act 1995* to recover unpaid rates imposed along with all costs associated with the recovery of those rates.**

**Carried 10-0**

**25/72**

**Votes:**

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

**Against:** Nil.

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

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

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

<b>Item No.:</b>	<b>17.1.2.</b>
<b>Subject:</b>	<b>Sale of Land – A1277</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Rates Collection Officer</b>
<b>Authorising Officer:</b>	<b>Director Corporate Services</b>
<b>File No.:</b>	<b>A001277</b>
<b>Attachments:</b>	<b>Nil</b>

### Summary

Council approval is sought to commence legal proceedings to sell property with Rates Assessment Number A1277 to recover unpaid rates and charges in accordance with section 6.64 of the *Local Government Act 1995* (the Act).

### Voting Requirements

Simple Majority

### Officer's Recommendation

Moved: Cr. Carbone

Seconded: Cr. Holly

That Council authorises the Chief Executive Officer to proceed with the sale of property with Rates Assessment Number A1277 in accordance with section 6.64 of the *Local Government Act 1995* to recover unpaid rates imposed along with all costs associated with the recovery of those rates.

Carried 10-0

25/73

### Votes:

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

**Against:** Nil.

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

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

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

<b>Item No.:</b>	<b>17.1.3.</b>
<b>Subject:</b>	<b>Sale of Land – A549</b>
<b>Proponent:</b>	<b>Shire of Harvey</b>
<b>Location:</b>	<b>Shire of Harvey</b>
<b>Reporting Officer:</b>	<b>Rates Collection Officer</b>
<b>Authorising Officer:</b>	<b>Director Corporate Services</b>
<b>File No.:</b>	<b>A000549</b>
<b>Attachments:</b>	<b>Nil</b>

### Summary

Council approval is sought to commence legal proceedings to sell property with Rates Assessment Number A549 to recover unpaid rates and charges in accordance with section 6.64 of the *Local Government Act 1995* (the Act).

### Voting Requirements

Simple Majority

### Officer's Recommendation

Moved: Cr. Carbone

Seconded: Cr. Bromham

That Council authorises the Chief Executive Officer to proceed with the sale of property with Rates Assessment Number A549 in accordance with section 6.64 of the *Local Government Act 1995* to recover unpaid rates imposed along with all costs associated with the recovery of those rates.

Carried 10-0

25/74

### Votes:

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

**Against:** Nil.

### Returning from Behind Closed Doors

Moved: Cr. Hitchcock

Seconded: Cr. Holly

That Council return from behind closed doors.

Carried 10-0

25/75

### Votes:

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

**Against:** Nil.

***Council returned from behind closed doors at 6.51pm.***

**18. Closure of Meeting**

There being no further business to discuss, the meeting was declared closed at 6.52pm.

I, Ms. Michelle Campbell, certify that the aforesaid Minutes of the meeting held on Tuesday, 25 March 2025, are a true and correct record of that meeting on Tuesday, 25 March 2025.

A handwritten signature in black ink, appearing to read 'Michelle Campbell', is written over a horizontal line.

Ms. Michelle Campbell  
**Shire President**