



SHIRE OF
HARVEY



Ordinary Council Meeting **Minutes**

Harvey Council Chambers
Tuesday, 26 May 2026
4PM

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, 26 May 2026, commencing at 4pm.

Attendance

Shire President	Ms.	M.	Campbell
	Cr.	K.	McCarthy
	Cr.	W.	Dickinson
	Cr.	J.	Bromham
	Cr.	R.	Coleman
	Cr.	A.	Hitchcock
	Cr.	L.	Morley
	Cr.	C.	Carbone
	Cr.	R.	Holly

Staff

Chief Executive Officer	Ms.	A.	Riordan
Director Infrastructure Services	Mr.	C.	Yardley
Director Sustainable Development	Mr.	P.	Hughes
Director Corporate Services	Mr.	D.	Winter
Director Community and Lifestyle	Ms.	S.	Haslehurst
Manager Governance and Strategy	Ms.	K.	Williams
Executive Advisor to the CEO	Mr.	D.	Putland
Procurement Officer	Ms.	T.	Garrett
Contract Administration Officer	Ms.	C.	Donnelly
Marketing and Communications Officer	Ms.	O.	Polyakova
Manager Finance	Mr.	S.	Chopra
Manager Public Relations and Communications	Ms.	T.	Palmonari
Manager Information Services	Mr.	A.	Ewing
Senior Governance Officer	Ms.	C.	Peterson

There were 23 members of the public and 1 member of the press present.

Agenda

1. Official Opening.....	4
2. Record of Apologies and Leave of Absence	5
3. Applications for Leave of Absence.....	5
4. Declarations of Members' and Officers' Personal Interest.....	5
5. Questions by Members of Which Due Notice Has Been Given.....	6
6. Response to Previous Questions Taken on Notice.....	6
7. Public Question Time.....	7
8. Petitions/Deputations/Presentations.....	16
9. Announcements by Presiding Members or CEO Without Discussion	16
10. Confirmation of Minutes.....	17
11. Receipt of Minutes and Recommendations from Committees.....	17
12. Officer's Reports	18
12.1. Chief Executive Officer	19
12.1.1. City Status Investigation Outcome	19
12.1.2. Appointment of the Audit, Risk and Improvement Committee Independent Presiding and Deputy Members.....	28
12.1.3. South West Country Zone Meeting Minutes April 2026	33
12.1.4. Behaviour Complaints Committee – Update to Authority, Terms of Reference and Appointments.....	35
12.1.5. Code of Conduct Behaviour Complaints Policy Version 3	45
12.2. Infrastructure Services	48
12.2.1. Galway Green Irrigation Mainline Upgrade.....	48
12.2.2. Closure of Unused Road Reserve (PIN 11600482).....	52
12.3. Sustainable Development	56
12.3.1. Draft Updated Local Planning Strategy - Endorsement for Advertising.....	56
12.4. Corporate Services	61
12.4.1. Financial Statements as at 30 April 2026	61
12.4.2. Payments April 2026.....	65
12.4.3. Proposed Fees and Charges 2026–2027.....	68
12.5. Community and Lifestyle	71
12.5.0. Nil	71
13. Elected Members Motions of Which Previous Notice Has Been Given.....	72
14. Notice of Motion for Following Meeting	74
15. Reports of Members	74
16. New Business of an Urgent Nature Introduced by Decision of Meeting	74
17. Matters Behind Closed Doors.....	75
17.1. Executive Services	76
17.1.1. Acceptance of CEO Resignation and Subsequent Policy Approval.....	76
18. Closure of Meeting.....	79

1. Official Opening

The Shire President declared the meeting open at 4pm.

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, their cultures, and to Elders past, present and emerging.

Procedural Motion

President Campbell put forth the following:

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

Moved: President Campbell

Seconded: Cr. Holly

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

Carried 9-0

26/75

Votes:

For: President Campbell, Cr. McCarthy, Cr. Dickinson, Cr. Bromham, Cr. Coleman, Cr. Hitchcock, Cr. Morley, Cr. Carbone and Cr. Holly.

Against: Nil.

2. Record of Apologies and Leave of Absence

Apologies:

Nil.

Leave of Absence:

Nil.

3. Applications for Leave of Absence

Cr. McCarthy requested a Leave of Absence from Friday, 19 June 2026 – Sunday, 5 July 2026 inclusive.

Moved: Cr. Bromham

Seconded: Cr. Coleman

That Cr. McCarthy be granted a Leave of Absence from Friday, 19 June 2026 – Sunday, 5 July 2026 inclusive.

Carried 9-0

26/76

Votes:

For: President Campbell, Cr. McCarthy, Cr. Dickinson, Cr. Bromham, Cr. Coleman, Cr. Hitchcock, Cr. Morley, Cr. Carbone and Cr. Holly.

Against: Nil.

4. Declarations of Members' and Officers' Personal Interest

Cr. Dickinson declared an impartiality interest in Item 12.1.2 – Appointment of the Audit, Risk and Improvement Committee Independent Presiding and Deputy Members. Cr. Dickinson declared she is on the ARIC Committee and that one of the candidates is known to her. Cr. Dickinson declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Shire President Campbell declared an impartiality interest in Item 12.1.2 – Appointment of the Audit, Risk and Improvement Committee Independent Presiding and Deputy Members. The Shire President declared her seat on the ARIC Committee and declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Bromham declared an impartiality interest in Item 12.1.2 – Appointment of the Audit, Risk and Improvement Committee Independent Presiding and Deputy Members. Cr. Bromham declared his seat on the ARIC Committee and declared that he would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Morley declared an impartiality interest in Item 12.1.2 – Appointment of the Audit, Risk and Improvement Committee Independent Presiding and Deputy Members. Cr. Morley declared his seat on the ARIC Committee and declared that he 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 12.1.2 – Appointment of the Audit, Risk and Improvement Committee Independent Presiding and Deputy Members. Cr. Coleman declared her seat on the ARIC Committee and declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. McCarthy declared an impartiality interest in Item 12.1.2 – Appointment of the Audit, Risk and Improvement Committee Independent Presiding and Deputy Members. Cr. McCarthy declared her seat on the ARIC Committee and declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the item.

Cr. Coleman declared an impartiality interest in Item 12.2.2 – Closure of Unused Road Reserve. Cr. Coleman declared she had conversations about this road closure with proponents and declared that she would deal with the matter on its merits and stay in the Chamber for the duration of the item.

CEO Annie Riordan declared a financial interest in Item 17.1.1 – Acceptance of CEO Resignation and Subsequent Policy Approval. The CEO declared a financial and personal interest as the report relates to her employment and declared that she would vacate the Chambers during its discussions.

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

Nil.

6. Response to Previous Questions Taken on Notice

Ms. India Stone asked the following questions to be read by the Shire President:

The Australian Prime Minister recently asked all Australians to do their bit in reducing fuel costs amid concerns regarding fuel shortages due to the ongoing closure of the Straits of Hormuz. The Shire of Harvey fuel costs from the Statement of Accounts for March 2026 were in the vicinity of \$50,000.

Question 1: What measures have been put in place to reduce fuel usage across the Shire, including whether there is a policy that guides vehicle allocation and fuel use with limits and allowances, and how is compliance of this policy monitored and enforced?

Answer 1: The Shire operates a diverse fleet of plant, equipment, and vehicles to deliver essential services across the district, including road maintenance, waste services, parks and reserves maintenance, ranger services, building and asset maintenance, inspections and community facility operations. As a geographically large local government with substantial operational responsibilities, fuel use forms a necessary component of day-to-day service delivery activities. The Shire maintains a range of controls relating to vehicle and fuel use, including fleet allocation processes, fuel card management, vehicle maintenance scheduling, financial oversight, and management review of operational expenditure.

Fuel usage and associated expenditure are monitored through normal operational and financial reporting processes, with fuel card transactions and fleet-related costs subject to internal review and approval requirements. The Shire also continues to consider opportunities to improve operational efficiency and fleet management practices where practical and financially responsible to do so, while maintaining required service levels to the community.

Question 2: The ongoing cost and shortage of fuel compounds the difficulty residents of Australind have in attending Council meetings due to their time and location. Councillors are able to attend Council meetings remotely. Are Council intending to allow residents to remotely attend Council meetings during public question time so that residents are able to actively participate in Council meetings as the majority of questions that are emailed in are taken on notice and responded to via email which removes any nuance or opportunity for clarifications.

Answer 2: The Shire acknowledges the challenges some residents experience in attending Council meetings in person.

Currently, the *Local Government Act 1995*, the Local Government (Administration) Regulations 1996, and the Shire of Harvey Standing Orders Local Law 2017 do not provide for members of the public to attend Council meetings remotely or to participate in Public Question Time electronically. Provisions for electronic attendance currently apply only to Councillors.

That said, Shire Officers are currently exploring the viability of options to support broader community participation, including how public questions may be managed where residents are unable to attend in person. This work is ongoing, and there is no outcome or update to report at this stage.

Should any changes be proposed or implemented in the future, this information will be communicated publicly through the Shire's usual channels. The Shire aims to provide an update as soon as practicable.

In the meantime, Council meetings are livestreamed, and residents may continue to submit questions in writing in accordance with the Standing Orders.

7. Public Question Time

Ms. Pettersson asked the following questions:

Question 1: With Appendix F listing consultation costs totaling \$15,762.28 for printing, postage, venue hire, catering, display stands and survey materials, can clarification please be provided as to why there is no allocation shown for consultant fees, Councillor and staff time associated with public meetings, radio interviews, preparation and consolidation of questions and correspondence, community engagement activities, and mail-outs?

It was also stated that Dale Putland was engaged specifically for the City Status project, however, there does not appear to be any reference to these associated costs within the published consultation expenditure. For transparency, the community should be provided with the full cost of the City Status consultation process.

Answer 1: Budgetary costs included in the report identify additional costs incurred by the Shire in the delivery of the community engagement that specifically relate to the proposed City Status. No consultants were engaged by the Shire. All work was completed by Shire Staff.

Councillors attended meetings during their own time and their time was unpaid. Staff contributed to public meetings, radio interviews, preparation and consolidation of questions and correspondence, community engagement activities, and mail-outs within the scope of their existing duties.

As all the staff who were involved in the City Status consultation, including Dale Putland, who is an employee of the Shire and not a consultant, were also engaged in a variety of other duties and projects. Hours were not specifically tracked for city status activities. No additional staff costs were incurred during this time.

Question 2: From the April 2026 monthly financial statements:

Ordinary	Revenue:	~\$50.4m	actual	vs	\$47.8m	budget
Ordinary	Expenditure:	~\$60.8m	actual	vs	\$45.4m	budget
Capital	Revenue:	~\$49.8m	actual	vs	\$8.4m	budget
Capital	Expenditure:	~\$58.1m	actual	vs	\$7.6m	budget

Given these are not minor deviations but multi-hundred percent variances, particularly in capital activity. Can Council explain:

Were the original budgets unrealistically conservative or is there evidence of poor budget phasing and forecasting?

The reported end-of-period surplus: ~\$18.5 million. How is this possible when operating expenditure exceeds operating revenue?

Answer 2: The figures in the April 2026 Monthly Financial Report appear to have been interpreted in reverse in the question raised.

The larger figures shown represent the adopted full-year budget estimates, while the lower figures represent actual year-to-date results to April 2026.

Ms. Williams asked the following questions:

Question 1: The Shire has informed us that the major advantage for becoming a city is to "get a seat at the table" and for funding for major projects.

Last week, the City of Bunbury, City of Busselton, Shire of Augusta Margaret River and Shire of Capel called for expressions of interest for panel members for the South West Joint Design Review Panel.

To quote them "This is an opportunity for experienced professionals in architecture, urban design, landscape architecture, heritage, sustainability and environmental design, town planning, and arts and culture to join a pool of design review members and help shape quality outcomes across the region. The panel provides independent design advice on selected development applications, at the discretion of each participating local government."

Can the Shire please explain why the Shire of Harvey is not a partner in this initiative when they are the gateway to the South West region?

Answer 1: The South West Design Review Panel is a technical advisory body established by participating local governments to provide early design guidance to developers on proposed developments. The Shire of Harvey has been a contributing member of this initiative.

With respect to the current Expression of Interest process for panel membership, the Shire of Harvey is not participating in the administration or recruitment of prospective panel members.

It is acknowledged that the Shire was not referenced in the associated advertisements; this observation has been noted and will be taken into consideration for future promotions and communications relating to the Design Review Panel.

Notwithstanding this, the Shire of Harvey and applicants seeking development approval within the Shire may continue to access and utilise the services of the South West Design Review Panel.

Question 2: The Sport and Recreation Advisory Group minutes have been made available online. The LLC Court Expansion project was not discussed during this meeting and both the Australind Basketball Association and the Leschenault Netball Assoc, the major stakeholders of this project, are not members of the group.

Can you please provide an update on the LLC Court expansion project and advise how you are prioritising funding for sporting infrastructure projects if you are not using an inclusive, community-led approach? If an asset management plan for community infrastructure is available, will that be available to the public, especially for funding opportunities where co-contribution is required?

Answer 2: The LLC Court Expansion project has re-commenced with a review of the final design and value engineering process. While we are awaiting the signing of the agreement for the funding provided by the election commitment, there are activities occurring in the background.

Shire staff have attended stakeholder sessions with both the Leschenault Netball Association and the Australind Basketball Association to reaffirm their top priorities in the court expansion project, as some re-scoping of the project is required to meet the constraints of funding availability and rising construction costs, while still providing a high quality outcome that aligns with the expectations of the sporting community. The project is scheduled to commence construction in late 2026.

A comprehensive asset management planning process is currently underway with an Asset Management Framework being developed that will prioritise capital expenditure based on asset condition, safety, compliance requirements, future risk, service demand, community need, and long-term financial sustainability.

Asset Management Plans are internal operational documents that continue to evolve over time as condition data and financial modelling are refined and will inform annual budgets and the Long-Term Financial Plan which are publicly available. Existing strategies, and community and stakeholder feedback is considered as part of the process, however Council also needs to balance this against the broader responsibilities outlined above.

Ms. Lovitt asked the following question:

- *By 31st December 2025, all Council members elected between 1st July and 31st December 2025 must have completed mandatory training and submitted a declaration of completion within one month of that date.*
- *The Model Code of Conduct for Councillors was adopted at the Ordinary Council Meeting of 24th March 2026 by this Council.*
- *A meeting of the Behavioural Complaints Committee of Council was held on 14th April 2026 and ran for 1 hour 45 minutes.*
- *A Special Meeting of Council to deal with the same complaints was then called for 12th May 2026.*
- *That Special Meeting was cancelled.*
- *Today's Agenda Briefing in preparation for the May Ordinary Council Meeting of Council contains further recommendations to adopt a new version of the Model Code of Conduct.*

Question 1: What are the differences between the two Model Code of Conduct for Councillor documents that require this to come to Council twice - in March and May 2026?

Answer 1: The Model Code of Conduct for Councillors adopted by Council at the Ordinary Council Meeting held on 24 March 2026 included provisions under clauses 14B relating to the process for managing behavioural complaints and the authorisation of the Behaviour Complaints Committee.

Following adoption of the Code, the Local Government received advice from the Office of the Local Government Inspector regarding the finalisation of the Behaviour Complaint Process. The Shire sought guidance from the Local Government Inspector regarding the determination of the current complaints and a way forward. Following some ambiguity in interpretation of the new provisions, the Inspector

subsequently recommended that the Shire obtain independent legal advice particularly regarding the operation of clause 14B and whether the previously established Behaviour Complaints Committee delegation remained valid following adoption of the amended Code.

That legal advice has now been received and has clarified the process and authority arrangements required for the Behaviour Complaints Committee and Independent Assessor to continue dealing with the complaints. Further the legal advice confirmed that the complaints remain legally undetermined at this time and as result, a further report has been presented to Council to adopt an amended Behaviour Complaints Framework, to ensure the complaints process aligns with the legal advice received and legislative requirements.

Question 2: What is the expected date for an outcome of the original complaints?

Answer 2: Subject to Council's resolution at the May Ordinary Council Meeting, the Behaviour Complaints Committee meeting will be scheduled as soon as practicable.

At this stage, it is not possible to provide a definitive timeframe for the final determination of the complaints. However, it is anticipated that the matter will be progressed as a priority following Council's consideration of the Behaviour Complaints Framework.

Mrs. Ferguson asked the following questions:

Question 1: In response to my questions about payments to the Glenn Flood Group, the following is recorded in the minutes of the March 2026 Council meeting in relation to payments for temporary personnel support for the Shire Managerial Position, which the CEO informed me is the Asset Management Position or Asset Coordinator:

"... A permanent appointment has since been made, with the Shire's new Asset Coordinator commencing on Monday, 16 March 2026. A handover period is currently underway, and the contract arrangement will conclude at the end of March 2026 ... Further payments will be made through to the end of April 2026 to cover the current contracted position providing Asset Management support."

In the current payments list there are three more payments for Temporary Personnel Support for the Shire Managerial Position or Asset Management position. One (for \$13,656) doesn't specify the period the payment is for and may be covered by the above explanation.

The following two payments are for the period 30 March 2026 to 26 April 2026 and appear to represent an annual salary of nearly \$300,000:

CP.47.58 15/4/26 Temporary Personnel Support for Shire Managerial Position 30/3/26 to 12/4/26: \$11,063

CP.50.34 29/4/26 Temporary Personnel Support for Asset Management Position 13/4/26 to 26/4/26: \$11,891

As the Asset Management position was taken up by a new appointee on 16 March and the handover period ended at the end of March 2026:

Question 1: What were these two payments for and why were they necessary?

Question 2: Will you please explain how support for a managerial position for four weeks can cost nearly \$23,000 or the equivalent of nearly \$300,000 annually?

Answer 1 and 2: The temporary personnel support referenced in the payments list relates to specialist asset management support retained during a period of transition within the Shire's Asset Management area.

As stated, a permanent Asset Coordinator commenced with the Shire on 16 March 2026, and an initial transition and handover process was undertaken. At that time, it was anticipated that the temporary support arrangement would conclude shortly thereafter. However, during this period the Shire continued to experience vacancies within the Asset Management team, together with a significant volume of critical asset management and long-term financial planning work already underway across the organisation. Accordingly, the temporary specialist support arrangement was extended for a limited period to maintain continuity of several important projects and organisational priorities while recruitment processes progressed.

The support provided during this period has assisted the Shire to progress a range of strategic infrastructure and asset planning initiatives, including development of the Shire's first draft Leschenault Leisure Centre Asset Management Plan, integration of approximately 30 building condition assessments into future renewal planning, development of bridge and structure asset management planning documentation, and progression of long-term asset renewal forecasting and financial planning inputs.

Asset management planning is a specialised area involving infrastructure lifecycle analysis, condition assessment integration, renewal forecasting, and long-term financial modelling. This work assists the Shire and Council to better plan for future maintenance, renewal, and replacement of community infrastructure assets over the long term.

The arrangement also provided continuity through retaining specialist support already familiar with the Shire's asset base, operational systems, asset registers, reporting requirements and internal formats and templates. This reduced onboarding time, assisted continuity of work already underway and enabled multiple priority asset management projects to continue progressing during the recruitment and transition period.

These payments relate to a short-term specialist engagement providing technical asset management capability across multiple projects and organisational priorities and are not directly comparable to the salary of a permanent employee.

Recruitment activity to further strengthen the Asset Management area is continuing, with the Shire currently progressing recruitment processes. The current temporary specialist support arrangement is scheduled to conclude on 19 June 2026.

Extend Public Question Time

Shire President Campbell requests that, in accordance with Section 6.7(9) of the Standing Orders Local Law 2017, this month's Public Question Time is extended by 15 minutes.

Moved: President Campbell

Seconded: Cr. Coleman

That this month's Public Question Time be extended by 15 minutes.

Carried 9-0

26/77

Votes:

For: President Campbell, Cr. McCarthy, Cr. Dickinson, Cr. Bromham, Cr. Coleman, Cr. Hitchcock, Cr. Morley, Cr. Carbone and Cr. Holly.

Against: Nil.

Mr. Brinkworth asked the following questions:

I anticipate Council will attempt to dismiss the recent 69.5% "No" vote to city status by claiming a public poll is merely a non-binding consultation tool rather than a statutory election. However, this logic exposes an undeniable ethical standard and a misuse of public funds: this Council willingly accepts the verdict of active voters to put yourself into office but actively invents a fictional "silent majority" out of non-responders to wipe out a clear 69.5% majority when the community rejects your agenda. If community feedback is only considered valid when it agrees with Council's predetermined outcomes, then the ratepayer money spent on this consultation program was completely wasted.

I think from everything previously written, it is with no doubt I strongly oppose this city status proposal.

Question 1: Why does Council leadership accept the expressed will of active voters when it grants political authority, yet seek to reinterpret or discount the expressed will of active voters when they reject the city status proposal?

Question 2: If this Council maintains that a 69.5% negative response from active consultation participants is statistically insufficient to halt the city status proposal, what exact threshold of active public rejection does this leadership require to honour its democratic obligation to represent the community?

Answer 1 and 2: The *Local Government Act 1995* requires that Councillors are elected to represent the local community on Council. It is open for all eligible residents and ratepayers to stand for election to Council if they wish to represent their community.

As noted in the report, the *Local Government Act* states the criteria to be a City is for the local government to have a population of more than 20,000 people, with more than half of these people living in an urban area. The Shire of Harvey meets both these criteria.

It is up to each Councillor to consider if the people who made submissions represent the views of the entire community.

Ms. Sanderson asked the following questions:

I chose to live in Leschenault because it was quiet, friendly and NOT a city. I do not want to live in a city or be called City of Harvey or pay the exuberant rates that a city status will undoubtedly bring.

I am a parent and a grandparent and have loved bringing my children up in this beautiful area. I do not want to live in a city or pay for the ridiculous costs city status will bring people. As a single parent of a child with a disability this will push us out of our home.

Question 1: Can you assure the public there will be no costs passed to them if this goes ahead?

Question 2: Can you assure the public that Australind will stay the beautiful, peaceful village feel it is?

Answer 1 and 2: As noted in the report, whether a local government is classified as a City, Town or Shire alters the local government status and position in the local government "hierarchy". Based on the experience of other local governments who have been classified as a City, it would provide more ability to lobby for improved services for its community.

The Shire population is growing and will continue to grow whether the local government is a Shire or a city.

A change in classification will not drive population growth, change the character of the area, or affect residents' lifestyles. However, it may improve the quality of services they receive from State and Commonwealth governments

Ms. O'Neill asked the following questions:

Question 1: Why are you continuing with the city status when 69% of constituents voted AGAINST going forward with it?

Question 2: How come nearly \$60,000 was spent on a survey ALL Councillors ignored anyway.

Answer 1 and 2: During Public Question Time for the May 2026 Ordinary Council Meeting, Council had not yet considered the report or decided to proceed or not.

Ms. Jubb asked the following questions:

I strongly oppose the Shire of Harvey becoming a city. I don't believe this is in the best interest of the Shire as any benefits have not been clearly communicated and the majority of the community is against it. I urge all Councillors to take notice of strong community opposition towards this, both on social media and the survey results, and vote accordingly.

Question 1: Why are you continuing with the city status when 69% of surveyed constituents voted against going forward with it?

Question 2: Why is the survey, and we as rate payers, being ignored after investing so much time and money into the survey?

Answer 1 and 2: During Public Question Time for the May 2026 Ordinary Council Meeting, Council had not yet considered the report or decided to proceed or not. During this month's meeting, when the City Status Report is considered, each Councillor must consider and weigh up the relevant information and factors before voting.

Ms. Yeoman asked the following questions:

Question 1: As I voted in the last election for Council members who I believed would uphold the wishes of ratepayers like myself, why would they seemingly try to override what is clearly significant opposition to the transition to city status, as evidenced in the recent survey?

Answer 1: During Public Question Time for the May 2026 Ordinary Council Meeting, Council had not yet considered the report or decided to proceed or not.

Question 2: Why are the Council Meetings that are open to the electorate, the majority of whom do not live in Harvey town site itself, located in Harvey town site, (for example a 30km round trip from Australind), and held at a time outside the working hours of most working people, forcing people to pose questions remotely?

Answer 2: The Australind Council Chambers were converted into office space for Shire Staff. Works have commenced to reinstate the Australind Council Chamber facilities and Council will make the decision to reinstate meetings thereafter.

Mr. Stafford asked the following questions:

Question 1: Is the Shire going to vote against the wishes of 70% of responders in regard to the city status? If so, why?

Answer 1: During Public Question Time for the May 2026 Ordinary Council Meeting, Council had not yet considered the report or decided to proceed or not. During this month's meeting, when the City Status Report is considered, each Councillor must consider and weigh up the relevant information and factors before voting.

Ms. Stone asked the following questions:

I refer to the South West Country Zone Meeting Minutes April 2026 item 9.1 protecting Council member and employee privacy advocacy position. This item refers to the WALGA State Council Agenda item recommending WALGA advocate to the State government for the removal of the publication of physical addresses for elected members and employees via their reporting requirements, for example when making the declaration of office.

Question 1: I quote "Public disclosure regimes must strike an appropriate balance between public transparency and personal safety....(content continues exactly)... Has Council considered alternatives that align with WALGA and the State Government's position on privacy and confidentiality, such as private verification of addresses, not recording addresses or redacting addresses prior to uploading to YouTube?

Answer 1: This matter is already being considered under Shire processes and the new PRIS Legislation effective 1 July 2026 for privacy collection processes. Any disclosed personal information will be subject to a disclosure process.

The Shire is also reviewing its local law, including the standing orders and may make changes in relation to the local laws if required, in line with the PRIS requirement.

Question 2: Given that the Minister for Local Government and DLGSC may consider the adequacy and outcomes of community consultation when assessing any application for city status, will Council ensure that all public questions, deputations, written submissions and Officer responses relating to the proposal are retained and included within any material or consultation summaries provided to the Minister or DLGSC as part of the application process?

Answer 2: Yes. The Minister and the Department of Creative Industries, Tourism and Sport will be provided with all necessary and relevant documents and information required.

Mr. Obern asked the following questions:

Question 1: Will Council ensure that all deputations and public questions relating to this item are included in full as written attachments to the agenda or minutes, rather than being summarised, to ensure an accurate and transparent record of community submissions for the Minister's consideration?

Answer 1: Under the Standing Orders Local Law 2017, the topic of each deputation and a summary of public questions, together with the response provided, must be recorded in the minutes. The Local Law does not provide for the inclusion of full verbatim submissions or written attachments as part of the official minutes.

While written submissions may be received and considered as part of the process, the formal record of proceedings remains a summary in the minutes, rather than a full transcript or reproduction of all material provided.

Mr. Woods asked the following questions:

Question 1: Is Council keeping roads, rubbish and keeping rates low the main objective of Council?

Question 2: Why are rates higher than the CPI?

Answer 1 and 2: Council aims to provide the level of services demanded of our ratepayers including the provision of safe and well-maintained road and the provision of refuse services.

The Shire endeavours to keep rates as low as possible while still providing the level of services demanded. While CPI is a household cost index, it is not a measure of increased costs to local government. Materials, utilities, insurance and many other costs have all increased more than CPI, and construction/major works costs have increased significantly beyond CPI.

Ms. Lofthouse asked the following questions:

First preference votes from 3 to 3.5% of registered electors voted in six of the present Councillors. Those votes from 3% of ratepayers were considered enough for those Councillors to make important decisions on behalf of the community.

Question 1: How can survey response from 6.6% of electors (that is double the electors) be disregarded as not enough?

Question 2: Recently only 1.4 % of 22,274 registered electors indicated they wish to become a City. How can Council justify this proposal with only 1.4% wanting it?

Answer 1 and 2: During Public Question Time for the May 2026 Ordinary Council Meeting, Council had not yet considered the report or decided to proceed or not. During this month's meeting, when the City Status Report is considered, each Councillor must consider and weigh up the relevant information and factors before voting.

Mr. Moroney asked the following questions:

Question 1: 1. Why are you continuing with the city status when 69% of constituents voted against going forward with it?

Question 2: How come nearly \$60,000 was spent on a survey all Councillors ignored anyway.

Answer 1 and 2: During Public Question Time for the May 2026 Ordinary Council Meeting, Council had not yet considered the report or decided to proceed or not. During this month's meeting, when the City Status Report is considered, each Councillor must consider and weigh up the relevant information and factors before voting.

Mr. Sadler asked the following questions:

The overall community sentiment (i.e. an average 84.4%, or median 87%, of voters) is that ratepayers strongly disagree or disagree to the proposal to seek reclassification from Shire status to city status by ratepayers.

Furthermore, a majority of 135 votes for the name of City of Australind, versus 66 votes for City of Harvey, is also contrary to the proposal being put forward at this week's Council meeting.

Question 1: What was the point of conducting a survey if the Shire blatantly disregards the outcomes?

Question 2: Representing constituents is a fundamental purpose of elected Shire Councillors, in fact in Western Australia this role is legally defined by legislation to ensure local governments serve their communities. My question therefore is why are you not representing your local community who have clearly and unequivocally voted against the proposal to seek reclassification from Shire status to city status?

Answer 1 and 2: During Public Question Time for the May 2026 Ordinary Council Meeting, Council had not yet considered the report or decided to proceed or not. During this month's meeting, when the City Status Report is considered, each Councillor must consider and weigh up the relevant information and factors before voting.

8. Petitions/Deputations/Presentations

The following members of public submitted a request to address Council in relation to City Status:

- Ms. Lovitt
- Mr. Yeoman
- Ms. Ferguson
- Ms. Stone
- Mr. Hayward
- Mr. Williams
- Ms. Canale
- Mr. B Williams
- Ms. C Sadler
- Ms. Leeming
- Mr. Richardson
- Ms. D Williams
- Ms. Goulden
- Ms. Fransen
- Ms. Yeoman
- Mr. McGlew
- Ms. Hovey
- Ms. Morrison
- Mr. Earnshaw
- Mr. Sadler
- Ms. Pettersson
- Ms. Linstrom
- Ms. Combes

Ms. Saxton addressed Council in relation to Australind Junior Soccer Club.

9. Announcements by Presiding Members or CEO Without Discussion

The Shire President addressed the resignation of the Shire's Chief Executive Officer Annie Riordan, thanking her for the past eight years of hard work serving the Shire of Harvey. Annie has provided strong and steady leadership through a period of significant growth, transformation and challenge for the Harvey region.

Annie has been a tireless advocate for the Harvey Shire at both state and federal government levels. Her leadership and strong relationships across government and other industries attracted significant support through grant and government funding.

Annie also navigated the Shire through the unprecedented COVID-19 Pandemic, she was able to keep the organisation functioning through one of the toughest periods of local government. The Shire is proud to see Annie take her next steps as the Chief Executive Officer of the City of Busselton. The Shire President extended a sincere thank you to Annie for her outstanding leadership, compassion and unwavering commitment to the Shire. Good luck for the future Annie.

10. Confirmation of Minutes

Ordinary Council Meeting – Tuesday, 28 April 2026.

Recommendation

That the Minutes of the Council Meeting held on Tuesday, 28 April 2026, as published be confirmed as a true and correct record.

Moved: Cr. Morley

Seconded: Cr. McCarthy

That the Minutes of the Council Meeting held on Tuesday, 28 April 2026, as published be confirmed as a true and correct record.

Carried 9-0 26/78

Votes:

For: President Campbell, Cr. McCarthy, Cr. Dickinson, Cr. Bromham, Cr. Coleman, Cr. Hitchcock, Cr. Morley, Cr. Carbone and Cr. Holly.

Against: Nil.

11. Receipt of Minutes and Recommendations from Committees

Bush Fire Advisory Committee – Monday, 18 May 2026.

Recommendation

That the Minutes of the Bush Fire Advisory Committee Meeting held on Monday, 18 May 2026, as published be received.

Moved: Cr. Coleman

Seconded: Cr. Bromham

That the Minutes of the Bush Fire Advisory Committee Meeting held on Monday, 18 May 2026, as published be received.

Carried 9-0 26/79

Votes:

For: President Campbell, Cr. McCarthy, Cr. Dickinson, Cr. Bromham, Cr. Coleman, Cr. Hitchcock, Cr. Morley, Cr. Carbone and Cr. Holly.

Against: Nil.

12. Officer's Reports

Recommendations contained in the following Officer's Reports are adopted by exemption resolution:

- 12.1.3 – SW Zone Meeting Minutes April 2026
- 12.2.1 – Galway Green Irrigation Mainline Upgrade
- 12.3.1 – Draft Updated LPS – Endorsement for Advertising
- 12.4.1 – Financial Statements as at 30 April 2026
- 12.4.2 – Payments April 2026

Exemption Resolution Motion:

That the Officer's recommendation for Items 12.1.3, 12.2.1, 12.3.1, 12.4.1 and 12.4.2 be adopted as the Council Resolution. All other reports will be addressed and voted on separately.

Moved: President Campbell

Seconded: Cr. Coleman

That the Officer's recommendation for Items 12.1.3, 12.2.1, 12.3.1, 12.4.1 and 12.4.2 be adopted as the Council Resolution.

Carried 9-0

26/80

Votes:

For: President Campbell, Cr. McCarthy, Cr. Dickinson, Cr. Bromham, Cr. Coleman, Cr. Hitchcock, Cr. Morley, Cr. Carbone and Cr. Holly.

Against: Nil.

Ms. K Williams left the Chamber at 5.39pm.

Ms. K Williams returned to Chambers at 5.41pm.

12.1. Chief Executive Officer

Item No.:	12.1.1.
Subject:	City Status Investigation Outcome
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Executive Advisor to the CEO
Authorising Officer:	Chief Executive Officer
File No.:	C209/00022
Attachments:	1. City Status Investigation Report [12.1.1.1 - 28 pages] 2. City Status Engagement Report [12.1.1.2 - 45 pages] 3. City Status Appendix [12.1.1.3 - 144 pages] 4. City Status Marketing [12.1.1.4 - 13 pages]

***The following additional information was provided in regard to
Item 12.1.1 as an addendum.***

At the Agenda Briefing Session on Tuesday, 19 May 2026, there were clarifying questions from a Councillor regarding the Officer Recommendation. Shire Officers reviewed the matter as enquired by the Councillor, and determined in line with the enquiry, an amended recommendation.

The Shire of Harvey meets all the criteria to be reclassified as a City, exceeding the population requirement by more than 10,000 people and with most of the population living in the Leschenault urban area. The *Local Government Act 1995* does not require public consultation when considering reclassification to City status.

Notwithstanding that there is no requirement for consultation, when the Shire did consult, public interest in the potential reclassification was extremely low. As outlined in the agenda report and the attached consultation and investigation documents, community feedback on the City status proposal was limited. Consequently, the Shire remains unaware of the views of much of the Shire of Harvey community, who did not participate in the City Status survey or provide a submission on the proposal.

Given the very low level of participation in the consultation process that the Shire has undertaken, and the benefits of City status as identified in the investigation report, it is recommended that Council proceed with an application to the Minister for Local Government; Disability Services; Volunteering; Youth; Gascoyne (The Minister) for reclassification to City status.

The *Local Government Act 1995* requires consultation with the community if a change of name is proposed. As it is recommended that the name of the new city be the "City of Harvey" no further consultation is required and this can be considered by the Minister.

Summary

This report details the outcomes of the investigation into the potential for the Shire of Harvey to be reclassified to City status and provides the results of a community survey and feedback received from the community during consultation regarding the City status proposal and potential names for a new city.

The report includes four attachments containing detailed reports on the reclassification investigation and community consultation process and results:

1. City Status Investigation Report (**Attachment 1**)
2. City Status Engagement Report (**Attachment 2**)
3. City Status Engagement Report Appendix (**Attachment 3**)

4. City Status Investigation Community Engagement Report – Marketing (**Attachment 4**)

Background

At its November 2025 Ordinary Council Meeting, Council resolved to investigate potential reclassification for the Shire of Harvey to City status. The resolution included the following key actions for the Chief Executive Officer (CEO):

1. Investigate potential reclassification of the Shire of Harvey to City status, recognising the Shire of Harvey's population growth, urban development, and regional significance.
2. Undertake public consultation to:
 - a. Seek community views on the proposed change of status from Shire to City.
 - b. Gauge community views on naming of the City if the Shire of Harvey acquired City status.
3. Provide information to the community to inform the consultation including:
 - a. An assessment of the Shire of Harvey against criteria to become recognised as a City.
 - b. An outline of the assessment process.
 - c. Potential costs of the transition.
 - d. Potential challenges and benefits of acquiring City status.
4. Prepare a report for Council's consideration which includes:
 - a. The results of the community consultation, including whether there is broad community support or opposition, and the preferred name for the City.
 - b. A recommendation to Council on whether the transition to City status should occur.

The resolution in full is included on page three of the City Status Investigation Report (**Attachment 1**).

Shire Officers commenced collection of the necessary information and assessment against the criteria for City status in December 2025. This information was compiled into a preliminary report and was structured as a set of "Frequently Asked Questions" that were placed in a dedicated "City Status" page on the Shire website.

11,785 letters were sent to residents and ratepayers in the Shire in January 2026 to inform the community about the upcoming consultation. Formal consultation with the community commenced in early February 2026 and continued through to April 2026.

During the consultation process, the Shire conducted seven drop-in community sessions that were held throughout the Shire and attended by Shire Councillors and staff. The drop-in sessions provided an opportunity for community members to receive a briefing on the proposed reclassification and ask questions of the Councillors and staff in attendance.

The proposed reclassification was reported in local newspapers and was shared on community Facebook pages. Additionally, the Shire President and Executive Advisor were interviewed on the local Harvey radio station to maximise awareness of the proposed reclassification and consultation process.

Information was provided to the community via the Shire website and posts on the Shire Facebook page.

The information was regularly updated in response to questions received from members of the community in the form of “questions from the community”. These questions are included in the Appendix D section in **Attachment 3**.

The attached City Status Engagement Report (**Attachment 2**), City Status Engagement Report Appendix (**Attachment 3**) and City Status Engagement Report-Marketing (**Attachment 4**) contain detailed information on the engagement process and outcomes of the consultation.

Comment

Reclassification of a local government from a Shire to a City and changing the name of a local government are dealt with under different sections of the *Local Government Act 1995* and differ greatly in the processes that must be followed. The two processes are set out in the sections below.

City Status

- Requirements for City Status

Requirements for City Status are set out in section 2.4 of the *Local Government Act 1995* (the Act) which sets the criteria for local governments to be classified as a City:

1. The local government must have a population of more than 20,000 people (for regional local governments)
2. More than half of the residents must live in an urban area.

- Assessment Against the Requirements

The Shire of Harvey has the largest population of any Shire in regional Western Australia and is one of the fastest growing local governments in regional WA. The Shire’s population growth rate is double that of the City of Bunbury and is expected to exceed that of the City of Bunbury within the next decade. This will result in the Shire of Harvey becoming the second largest local government by population in the South-West region, with its population only exceeded by the City of Busselton. Only two Shires have a population greater than that of the Shire of Harvey, both of which are in the Perth Metropolitan Area.

A detailed assessment of the requirements for the Shire to be awarded City status is attached to this report. The report, titled the “City Status Assessment Report” (“the report” **Attachment 1**), details the requirements to become a city, provides information obtained from other local governments who have considered city status, and assesses the Shire’s eligibility against these criteria. As noted in the report, the Shire of Harvey meets the criteria to be reclassified as a “City”, and it is open to Council to apply to the Minister for this to occur.

- Community Consultation Results

Notwithstanding that there is no requirement to consult with the community set out in the Act, Council resolved to consult with the community and should consider the community consultation outcomes if considering potential reclassification to City status.

The response rate to the Shire survey was very low, with less than 6.6% of people registered on the State Government electoral roll (or 4.6% of the Shire’s 2024 population) choosing to participate in the survey. Of the participants:

- 69.5% of respondents, or 4.6% of people registered on the electoral roll (or 3.2% of the Shire’s 2024 population), were strongly opposed or opposed to the proposed City Status.

- 21% of respondents, or 1.4% of registered electors (or 1% of the Shire's 2024 population) supported the proposed change in classification.

A summary of the consultation results is included in **Attachment 1**, with detailed analysis of the results included in **Attachment 2**.

The Shire also received questions and written submissions during the consultation process. These are included in **Attachment 3**. This attachment also contains the information that was provided to the community during the consultation process, media coverage that the Shire received, social media posts, and detailed consultation costs.

- Process to Apply for City Status

Applications for reclassification to City status are made directly to the Minister for Local Government (the Minister). There is no established process set out in the Act or any Regulations that establish the form in which this application is made. Information obtained from the City of Busselton and City of Kalamunda suggests that the application should be in the form of a letter from the Shire President, writing on behalf of Council, to the Minister.

Requirements for Change of Name

Requirements for change of name are set out in sections 2.1 and 2.2, and schedules 2.1 and 2.2 of the Act.

These require that the Local Government Advisory Board (LGAB) assesses any application and provides a report to the Minister making recommendation whether to approve the proposed name, not to approve the proposed name, or to propose an alternative name.

The LGAB considers several factors, including:

- Community Interests,
- Physical and topographic features,
- Demographic trends,
- Economic factors, and
- History of the area.

A more detailed list of considerations is provided in **Attachment 1**.

"Community interests" is an important consideration in assessing any potential name change for the Shire of Harvey. For many residents, particularly in Harvey, Brunswick and other rural towns, the current name has strong historical significance and is seen as representing the area's rural character and way of life. However, more than two-thirds of residents now live in the growing urban centres of Australind and Treendale, where population growth is significantly higher than in the rest of the Shire. This shift from a largely rural community to a predominantly urban one has raised concerns for some residents, as reflected in consultation feedback received by the Shire.

While the Act provides for community consultation regarding proposed name changes, consultation is not mandatory. Schedule 2.1 notes that when making its recommendations, the LGAB "may" consult with the public and interested parties".

Notwithstanding there is no absolute requirement to consult, Council resolved to consult extensively with the community to assess the community's views in respect to a potential name change.

The number of submissions regarding a potential name change was lower than those received for City reclassification, with only 431 responses received, most of which (71%) opposed a name change. Most of the survey respondents who indicated they did not support a change in classification did not complete this component of the survey.

Of the positive responses, the most popular names suggested were:

- City of Australind
- City of Harvey
- City of Leschenault

Several suggestions were made for a first nations name, such as the City of Korijekup. Other suggestions were for a hyphenated name, such as the City of Australind-Harvey.

Concluding Remarks

Despite extensive efforts to engage with the community as detailed in **Attachment 4**, including letters sent to residents, public information sessions, information provided through social media and on the Shire website, radio interviews and articles in local newspapers, the community response was limited.

It was evident that a relatively small number of people hold very strong views and are opposed to any change in status, several of whom engaged in protracted debate through emails to Shire staff challenging the veracity of information provided by the Shire. These respondents remain strongly opposed to any change in classification. It was also evident that a much smaller number of people were strongly supportive of the change to City status.

There appeared to be confusion amongst some respondents regarding what a reclassification would entail. Some respondents expressed concerns that a change in reclassification to City status would adversely affect the character of the area itself, or that of the town of Harvey.

Others were concerned that more rural land would be developed for urban housing, Shire rates would rise, or that the Shire would require more staff. Other respondents expressed concern that a change in classification would drive the need for the new city to have its own airports, hospitals and waterfront precincts. Shire staff attempted to respond to these submissions, and a full list of the submissions and responses are included in **Attachment 3**.

However, the views of most Shire residents remain unknown, with more than 95% of the Shire population choosing not to participate in the survey or make a written submission to the Shire. While it is open to Council to decide whether to proceed with a request for reclassification or not, it is noted that most people who chose to make a submission were opposed to reclassification. If Council does resolve to proceed, the proposed name of any future city will require additional consideration if the name should be changed from "Harvey" to another name.

Statutory/Policy Environment

Requirements for City Status are set out in s.2.4 of the *Local Government Act 1995*.

Requirements for change of name are set out in s.2.1 and s.2.2, and schedules 2.1 and 2.2 of the *Local Government Act 1995*.

Strategic Framework

The Shire's Council Plan 2025–2035, states:

<i>Pillar 5 – Performance:</i>	A representative leadership that is future thinking, transparent and accountable.
<i>Objective 21:</i>	Continue to deliver proactive and responsible leadership and governance.

Community Engagement

Community Participation Goal

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

This report contains detailed information regarding an investigation into potential reclassification to City status for the Shire of Harvey (refer **Attachment 1**). The report also contains the results of an extensive community consultation program conducted by the Shire where the Shire requested that members of the community participate in a survey to gauge community views regarding the potential reclassification (refer **Attachments 2, 3 & 4**).

The Shire will advise the community if there is a requirement from Council to consult additionally with the community in relation to this matter.

Promise to the Community

Inform: We will keep you informed.

Following Council's deliberation on this matter, the Shire will keep the community informed of Council's decision and any further steps that Council may wish to take in relation to this matter.

Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/information**. The Consequence could be **Reputational** should some sectors of the community disagree with Council's decision. The Risk consequence is considered **Moderate** and the likelihood **Possible** resulting in a **Moderate** risk being present. The risk may be mitigated to some extent through communicating the reasons for Council's decision to the community: however, the risk remains at a **Moderate** risk.

Budget Implications

Council has authorised expenditure of \$15,000 in the External Strategic Communications budget account 42126 to fund marketing and other expenditure incurred in investigating an application for redesignation to City Status

Consultation costs incurred by the Shire during the public consultation process totalled \$15,762.

If Council resolves to proceed with the reclassification, the immediate rebranding costs will be in the order of \$56,000. Changes to vehicle logos, staff uniforms, street and information signs, and other Shire logos to a new City logo can be made when the equipment itself requires replacement, avoiding the need for any additional costs to be incurred.

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 1 of 2

That Council:

1. Receives the Shire of Harvey City Status Investigation Report at **Attachment 1** to this report.
2. Receives the results of the community consultation as detailed in the attached City Status Investigation Community Engagement Report (**Attachment 2**) and City Status Appendix Report (**Attachment 3**).
3. Notes the marketing and promotional materials and activities developed to undertake the community consultation as outlined in the Community Engagement Report – Marketing (**Attachment 4**).
4. Resolves to proceed with an application for reclassification to City Status for the Shire of Harvey
5. Authorises the Chief Executive Officer to write to the Minister for Local Government; Disability Services; Volunteering; Youth; Gascoyne requesting that the Minister approves reclassification of the Shire of Harvey to a City.
6. Authorises the Chief Executive Officer to provide this report and attachments to the Minister for Local Government; Disability Services; Volunteering; Youth; Gascoyne as evidence that the Shire of Harvey meets all the criteria to be reclassified as a City as set out in Section 2.4 of the *Local Government Act 1995*.
7. Seeks a meeting between the Minister for Local Government; Disability Services; Volunteering; Youth; Gascoyne and the Shire President, Deputy Shire President and Chief Executive Officer to discuss the Shire of Harvey request for reclassification as a City.

Officer's Recommendation 2 of 2

That Council endorses the naming of the proposed reclassified Shire of Harvey to the City of Harvey to be considered by the Minister for Local Government; Disability Services; Volunteering; Youth; Gascoyne.

Moved: Cr. Carbone

Seconded: Cr. McCarthy

Officer's Recommendation 1 of 2

That Council:

1. **Receives the Shire of Harvey City Status Investigation Report at Attachment 1 to this report.**
2. **Receives the results of the community consultation as detailed in the attached City Status Investigation Community Engagement Report (Attachment 2) and City Status Appendix Report (Attachment 3).**

3. Notes the marketing and promotional materials and activities developed to undertake the community consultation as outlined in the Community Engagement Report – Marketing (*Attachment 4*).
4. Resolves to proceed with an application for reclassification to City Status for the Shire of Harvey
5. Authorises the Chief Executive Officer to write to the Minister for Local Government; Disability Services; Volunteering; Youth; Gascoyne requesting that the Minister approves reclassification of the Shire of Harvey to a City.
6. Authorises the Chief Executive Officer to provide this report and attachments to the Minister for Local Government; Disability Services; Volunteering; Youth; Gascoyne as evidence that the Shire of Harvey meets all the criteria to be reclassified as a City as set out in Section 2.4 of the *Local Government Act 1995*.
7. Seeks a meeting between the Minister for Local Government; Disability Services; Volunteering; Youth; Gascoyne and the Shire President, Deputy Shire President and Chief Executive Officer to discuss the Shire of Harvey request for reclassification as a City.

Carried 6-3 26/81

Votes:

For: President Campbell, Cr. McCarthy, Cr. Dickinson, Cr. Bromham, Cr. Hitchcock and Cr. Carbone.

Against: Cr. Coleman, Cr. Morley and Cr. Holly.

The Ordinary Council Meeting was adjourned at 6.26pm.

The Ordinary Council Meeting was resumed at 6.32pm.

Cr. Carbone Alternative Motion – 12.1.1 Recommendation 2 of 2

Cr. Carbone proposed the following alternative Motion:

That Council:

1. Requests the Chief Executive Officer prepares a discussion paper for consultation and advertises the consultation on the options for naming of the City, requesting written submissions from the community for a period of six weeks and prepare a report to Council on the outcomes of the consultation.
2. Requests the Chief Executive Officer use the highest-ranking names from the previous consultation as suggested options for names for the new district to gauge community interest. These being:
 - City of Australind
 - City of Harvey
 - City of Leschenault
 - A First Nation name, such as the City of Korijekup, or
 - A hyphenated name, such as the City of Australind-Harvey

3. Requests the Chief Executive Officer submit a comprehensive review report to Council for consideration of the preferred name for submission to the Local Government Advisory Board.

Moved: Cr. Carbone

Seconded: Cr. Bromham

1. Requests the Chief Executive Officer prepares a discussion paper for consultation and advertises the consultation on the options for naming of the City, requesting written submissions from the community for a period of six weeks and prepare a report to Council on the outcomes of the consultation.
2. Requests the Chief Executive Officer use the highest-ranking names from the previous consultation as suggested options for names for the new district to gauge community interest. These being:
 - City of Australind
 - City of Harvey
 - City of Leschenault
 - A First Nation name, such as the City of Korijekup, or
 - A hyphenated name, such as the City of Australind-Harvey
3. Requests the Chief Executive Officer submit a comprehensive review report to Council for consideration of the preferred name for submission to the Local Government Advisory Board.

Carried 6-3

26/82

Votes:

For: President Campbell, Cr. McCarthy, Cr. Dickinson, Cr. Bromham, Cr. Hitchcock and Cr. Carbone.

Against: Cr. Coleman, Cr. Morley and Cr. Holly.

Item No.:	12.1.2.
Subject:	Appointment of the Audit, Risk and Improvement Committee Independent Presiding and Deputy Members
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Governance Officer
Authorising Officer:	Chief Executive Officer
File No.:	C082/00005
Attachments:	1. Confidential Attachment 1 2. Confidential Attachment 2

Reason for Confidentiality

Pursuant to Section 5.23(4)(b) of the *Local Government Act 1995*, portions of this report contained within **Confidential Attachment 1** and **Confidential Attachment 2** include information relating to the personal affairs of an individual.

This information has not been made public, and its disclosure could reasonably be expected to impact the candidates. Accordingly, the contents of **Confidential Attachment 1** and **Confidential Attachment 2** are provided to Council on a confidential basis.

Should Council wish to discuss the information contained within the confidential attachment, Council will be required to resolve to close the meeting to members of the public in accordance with Section 5.23 of the *Local Government Act 1995*.

During the closed session, discussion is to be limited to the confidential information contained within the attachment and matters directly relating to the tender evaluation and recommendation.

Summary

Suitable candidates have been identified for appointment as the Independent Presiding Member and Independent Deputy Member of the Audit, Risk and Improvement Committee (ARIC) until October 2027. The recommended appointments meet legislative requirements and support the establishment of an effective and fully compliant ARIC, ensuring the Shire meets its obligations ahead of the 30 June 2026 statutory deadline. The candidates are outlined in **Confidential Attachment 1**.

The selection process has now been completed, with interviews held on Tuesday, 5 May 2026, the summary can be found in **Confidential Attachment 2**.

This report presents the interview outcomes to Council and makes a recommendation on which candidate should be appointed for the respective positions.

Background

This report follows on from the formal transition of the Audit Committee to the Audit, Risk and Improvement Committee (ARIC) and the adoption of updated Committee Terms of Reference at the April 2026 Ordinary Council Meeting. The Shire of Harvey (Shire) is maintaining compliance with the Local Government Regulations Amendment Regulations (No. 4) 2025 which require all local governments to establish an Audit, Risk and Improvement Committee (ARIC), including the appointment of an Independent Presiding Member (Chair) and optional Independent Deputy Presiding Member (Deputy), by no later than Tuesday, 30 June 2026.

In January 2026, Council endorsed the commencement of an Expression of Interest (EOI) process for the appointment of independent Chair and Deputy positions for the Committee.

The EOI was formally endorsed at the February 2026 Ordinary Council Meeting, Officers released the Candidate Information Pack and commenced recruitment thereafter.

At the April 2026 Audit Committee meeting, a report was presented outlining the progress of the recruitment process, including the update that shortlisted candidates have been selected by the Panel and interviews were to commence. At the same meeting, the Committee considered and recommended for adoption the updated Terms of Reference, formally transitioning the Committee to the Audit, Risk and Improvement Committee (ARIC) in full, consistent with legislative requirements and enabling the appointment of independent Members.

Comment

Interviews with two candidates were conducted on Tuesday, 5 May 2026, at the Harvey Council Chambers. The interview panel comprised of the Shire President, Cr. Dickinson, and Cr. Bromham. In attendance were the Acting Director Corporate Services and the Acting Chief Executive Officer.

Both candidate applications are contained in **Confidential Attachment 1**, comprising of resume and cover letter for both. The Interview summaries are contained in **Confidential Attachment 2** which outline the interviewers' overall scoring, determination of suitability, applicable comments, and recommendation.

The selection process was conducted in a transparent, merit-based manner and the Councillors present confirmed that the recommended appointees possess the appropriate skills, experience and independence required to effectively fulfil the statutory functions of the ARIC independent Chair.

This report recommends that Council does not appoint an ongoing Independent Deputy Presiding Member. Instead, the recommendation requests an Independent Deputy Member be appointed to act on a standby basis should the Independent Presiding Member be unable to attend a meeting. Under this arrangement, the Deputy will not be required to attend all meetings and will only be called upon to chair meetings where the Presiding Member is unavailable. The same fee structure outlined below will apply to the Deputy for meetings attended and chaired only.

The appointment of the Independent Presiding Member and Independent Deputy Member is recommended to be until the next local government elections, scheduled for October 2027. After which appointment terms will be aligned with the local government election cycle. Aligning the term of appointment with election cycles supports continuity, stability and consistency in governance arrangements while allowing for periodic review in line with Council terms.

Once the Independent Presiding Member has been appointed, the Audit, Risk and Improvement Committee Terms of Reference must be brought before the ARIC for review. This review will include the inclusion of defined term lengths for independent appointments to ensure the Terms of Reference remain current, clear and consistent with legislative requirements.

Statutory/Policy Environment

This report is informed by the *Local Government Act 1995*, the Local Government Regulations Amendment Regulations (No. 4) 2025, the Local Government (Audit) Regulations 1996 and the Local Government (Administration) Regulations 1996. These legislative instruments require the establishment of an ARIC before Tuesday, 30 June 2026 and mandate the appointment of an independent Presiding Member.

While the Regulations do prescribe the need to have Independent Presiding Member, there is no requirement for the ARIC to have a Deputy Presiding Member, however, this report recommends a Deputy to act on a standby basis should the Independent Presiding Member be unable to attend a meeting.

Strategic Framework

The Shire's Council Plan 2025–2035, states:

Pillar 5 – Performance: A representative leadership that is future thinking, transparent and accountable.

Objective 21: Continue to deliver proactive and responsible leadership and governance.

Community Engagement

Community Participation Goal

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

This report will be published to the Shire's website and form part of the Ordinary Council Meeting Agenda and Minutes for the May meetings. Once appointed, the Independent Presiding and Deputy Presiding Members will be added to the Shire of Harvey's website.

Promise to the Community

Inform: We will keep you informed.

This report will be published to the Shire's website and form part of the Ordinary Council Meeting Agenda and Minutes for the May meetings.

Risk Management

The Risk Theme Profile identified as part of this report is **Failure to fulfill Compliance Requirements**. The consequences could be **Compliance** if there was a failure to comply with legislative requirements. The Risk Consequence is considered **Minor** and the likelihood **Unlikely** resulting in a **Low** risk being present.

Budget Implications

Independent members of an Audit, Risk and Improvement Committee may be paid a meeting attendance fee in accordance with section 5.100(1)(b) of the *Local Government Act 1995* (Act).

The meeting attendance fee must be set within the prescribed range for independent ARIC members:

- Minimum: \$105 per meeting
- Maximum: \$1,215 per meeting.

Meeting attendance fees are inclusive of preparation time and meeting attendance and are exclusive of superannuation. Council must resolve that any fee adopted represents value for money, having regard to the skills and experience required for the role.

Independent ARIC members may also be reimbursed for reasonable travel and associated expenses incurred in attending meetings, in accordance with sections 5.100(4)–(6) of the Act. The 2025–2026 Budget contains provisions for \$9,400 which is considered sufficient given the average number of meetings for the Committee.

It is recommended that the budget be similar for the next financial year and aligned with any increases required by the State Administrative Tribunal.

A sitting fee of \$880 is recommended for the ARIC Independent Chair, acknowledging that this fee aligns with what a Band Two Shire President could receive as a sitting fee, should the meeting fees not be set annually by the Shire.

Authority/Discretion

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

Voting Requirements

Absolute Majority

Officer's Recommendation

That Council:

1. Receives the applicant information contained in ***Confidential Attachment 1*** and the interview summary contained in ***Confidential Attachment 2***.
2. Authorises the appointment of Candidate Two as the Independent Presiding Member of the Audit, Risk and Improvement Committee, to commence at the July Audit, Risk and Improvement Committee meeting, until October 2027.
3. Authorises the appointment of Candidate One as the Independent Deputy Presiding Member, to preside only in the absence of the Independent Presiding Member.
4. Approves a sitting fee of \$880, payable only to the member chairing the meeting attended.

BY ABSOLUTE MAJORITY

Moved: Cr. Bromham

Seconded: Cr. Dickinson

That Council:

1. Receives the applicant information contained in ***Confidential Attachment 1*** and the interview summary contained in ***Confidential Attachment 2***.
2. Authorises the appointment of Candidate Two as the Independent Presiding Member of the Audit, Risk and Improvement Committee, to commence at the July Audit, Risk and Improvement Committee meeting, until October 2027.
3. Authorises the appointment of Candidate One as the Independent Deputy Presiding Member, to preside only in the absence of the Independent Presiding Member.
4. Approves a sitting fee of \$880, payable only to the member chairing the meeting attended.

BY ABSOLUTE MAJORITY

Carried 9-0

26/83

Votes:

For: President Campbell, Cr. McCarthy, Cr. Dickinson, Cr. Bromham, Cr. Coleman, Cr. Hitchcock, Cr. Morley, Cr. Carbone and Cr. Holly.

Against: Nil.

Item No.:	12.1.3.
Subject:	South West Country Zone Meeting Minutes April 2026
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Governance Officer
Authorising Officer:	Chief Executive Officer
File No.:	F/40/26270
Attachments:	1. Minutes South West Country Zone April 2026 [12.1.3.1 - 36 pages]

Summary

Minutes from the Friday, 24 April 2026 meeting of the Western Australian Local Government Association (WALGA) South West Country Zone Meeting are attached (**Attachment 1**) for Council's noting.

Background

Zone Meetings were established by WALGA as an opportunity for geographically aligned Member Councils, who are responsible for the direct elections of State Councillors, providing input into policy formulation and advice on various matters to come together and collaborate on these issues.

Comment

The Minutes of the South West Country Zone meeting held on Friday, 24 April 2026 are contained within **Attachment 1** for Council's consideration, and it is recommended that they be noted by Council.

Statutory/Policy Environment

Nil.

Strategic Framework

The Shire's Council Plan 2025–2035, states:

- Pillar 5 – Performance:* A representative leadership that is future thinking, transparent and accountable.
- Objective 21:* Continue to deliver proactive and responsible leadership and governance.
- Objective 22:* Continue to deliver customer-centred service, communication and engagement.

Community Engagement

Community Participation Goal

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

This report and the corresponding minutes are made available on the Shire's website.

Promise to the Community

Inform: We will keep you informed.

This report and the corresponding minutes are made available on the Shire's website.

Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice/Information**. The Consequences could be **Reputational**. If the Minutes are not appropriately received by Council. The risk is considered **Minor** and the likelihood **Unlikely**. This results in a **Low** risk being present.

Budget Implications

Nil.

Authority/Discretion

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

Voting Requirements

Simple Majority

Officer's Recommendation

That Council notes the Minutes of the WALGA South West Country Zone meeting held on Friday, 24 April 2026 in **Attachment 1**.

OFFICERS RECOMMENDATION ADOPTED BY EXEMPTION RESOLUTION – REFER TO RESOLUTION 26/80 APPEARING AT ITEM 12.

Item No.:	12.1.4.
Subject:	Behaviour Complaints Committee – Update to Authority, Terms of Reference and Appointments
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Governance Officer
Authorising Officer:	Chief Executive Officer
File No.:	CC/C/0141
Attachments:	1. Behaviour Complaints Committee Terms of Reference version 2 Draft [12.1.4.1 - 6 pages] 2. BCC ToR version 2 Tracked [12.1.4.2 - 7 pages] 3. Behaviour Complaints Committee Terms of Reference - Version 1 [12.1.4.3 - 3 pages] 4. Confidential Attachment 1 5. Confidential Attachment 2

Reason for Confidentiality

Pursuant to Section 5.23(4)(a) of the *Local Government Act 1995*, portions of this report contained within **Confidential Attachment 1** contains legal advice, or other information, over which the local government holds legal professional privilege. This information will not be made public, and its disclosure could reasonably be expected to impact the Shire of Harvey's (Shire) legal representation, advice and legal professional privilege.

Pursuant to Section 5.23(4)(b) of the *Local Government Act 1995*, portions of this report contained within **Confidential Attachment 2** include information relating to the personal affairs of an individual. This information has not been made public, and its disclosure could reasonably be expected to impact the business, impartiality and applicable information of the Assessor.

Accordingly, the contents of **Confidential Attachment 1** and **Confidential Attachment 2** are provided to Council on a confidential basis.

Should Council wish to discuss the information contained within the confidential attachment, Council will be required to resolve to close the meeting to members of the public in accordance with Section 5.23 of the *Local Government Act 1995*.

During the closed session, discussion is to be limited to the confidential information contained within the attachment and matters directly relating to the tender evaluation and recommendation.

Summary

This report responds to the commencement of the Local Government (Model Code of Conduct) Regulations 2021 (Code) and the Shire's adoption of the Model Code of Conduct in March 2026. The updated Code altered how behaviour complaint functions must be exercised, resulting in the cessation of the Behaviour Complaints Committee's former delegation and necessitating updated governance arrangements.

The report seeks Council's endorsement of updated Terms of Reference for the Behaviour Complaints Committee, together with the formal authorisation required to enable the Committee to continue performing Council's functions lawfully under the Code of Conduct. It also addresses the authorisation of Shire Officers to undertake complaint administration functions, provides for the appointment of an Authorised Independent Assessor where required, and ensures the Shire's Register of Delegated Authority remains accurate and up to date.

Collectively, the recommendations re-establish a compliant, transparent and robust framework for the management of behaviour complaints, aligned with current legislative requirements and contemporary governance practice.

Background

The Shire of Harvey has an established Behaviour Complaints Committee (the Committee) to manage behaviour complaints made under the Code of Conduct for Council Members, Committee Members and Candidates. The Committee was originally established as a committee of Council under section 5.8 of the *Local Government Act 1995* and was previously authorised to exercise powers under sections 12 and 13 of the Code of Conduct through a delegation made under section 5.16 of the Act. This delegation was recorded in the Shire's Register of Delegated Authority and enabled the Committee to dismiss complaints, make findings and determine outcomes in relation to behaviour complaints, in accordance with the former legislative framework.

On 1 January 2026, amendments to the Local Government (Model Code of Conduct) Regulations 2021 commenced. These amendments provided a three-month transition period, until Wednesday, 1 April 2026, for local governments to adopt the Model Code of Conduct. At its March 2026 Ordinary Council Meeting, Council endorsed the updated Code of Conduct for Council Members, Committee Members and Candidates (Resolution 26/45).

The amended Code clarified that the functions for dealing with behaviour complaints under clauses 12 and 13 of the Code must, by default, be performed by Council itself. The Code further provides that Council may only confer those functions on a committee of Council members or an independent person by passing a resolution in accordance with clause 14B.

The adoption of the Model Code necessitates a review of the Shire's existing behaviour complaints framework, including the Behaviour Complaints Committee's Terms of Reference, authority arrangements and supporting administrative roles. As a result of the change in the regulatory framework, the previous delegation to the Behaviour Complaints Committee ceased to have effect and requires replacement with an express authorisation that aligns with the current Code.

Comment

Legal Advice

The Shire has obtained independent legal advice in relation to the operation of the Code (see **Confidential Attachment 1**). That advice confirms that, upon Council adopting the updated Code of Conduct in March 2026, the previous delegation to the Behaviour Complaints Committee ceased to have effect, as the legislative framework introduced under clause 14B requires an express authorisation of a committee or independent person by resolution of Council.

The advice further indicates that, in the absence of such authorisation, the statutory functions relating to the determination of behaviour complaints default to Council, and any determinations made by a committee without the required authorisation may not constitute a valid discharge of those functions. The advice also confirms that investigative and administrative steps undertaken prior to any determination remain valid and may be relied upon in any subsequent consideration of the matter.

Where behaviour complaints were considered by the Behaviour Complaints Committee after the adoption of the updated Code of Conduct but prior to a compliant authorisation under clause 14B, those matters have not been validly determined and remain outstanding. Accordingly, such matters will need to be reconsidered once the appropriate authorisation framework is reinstated.

In undertaking any reconsideration, Council may have regard to, and rely upon, the investigative and administrative steps already completed, including any evidence collected and reports prepared, as these actions remain valid.

The outcome of any reconvened committee meeting will then be required to be presented to Council for formal endorsement, to ensure that a valid determination is made in accordance with the Code of Conduct and Council's authorisation.

Updated Terms of Reference

The updated Terms of Reference (Terms) (**Attachment 1**) have been prepared to align the Behaviour Complaints Committee's role, authority and operating arrangements with the requirements of the Code. For comparison purposes, **Attachment 3** contains the existing Terms, and **Attachment 2** shows a tracked-changes version of the updated document to demonstrate the nature and extent of the amendments.

The revised Terms:

- Clarify that the Behaviour Complaints Committee may perform functions of Council under clauses 12 and 13 of the Code only where Council has expressly authorised the Committee in accordance with clause 14B.
- Clarify that an Independent Assessor may perform some, more limited, functions of Council under clause 12 of the Code only where Council has expressly authorised the Independent Assessor in accordance with clause 14B.
- Incorporate contemporary governance safeguards and reflect current sector guidance. Recommendation one seeks Council's adoption of the updated Terms.

Authority to the Committee and Behaviour Complaints Officers

Recommendation two seeks Council's express authorisation for the Behaviour Complaints Committee to continue performing its functions under the Code in a manner consistent with the amended regulatory framework. The members of the Behaviour Complaints Committee were appointed by Council resolution in October 2025 (Resolution Number 25/212 and 25/213) and therefore do not require reappointment. Rather, this recommendation provides the necessary authorisation under clause 14B to enable the Committee to continue the key aspects of its role lawfully.

The following aspects of a local government's role under the Code of Conduct would, however, be administratively unwieldy for the Behaviour Complaints Committee to personally undertake:

- Prepare a plan to address the elected member's behaviour
- Consult with the elected member in the formulation of that plan
- Implement the plan.

These functions are therefore to be given to the Authorised Independent Assessor: see next subheading.

The updated Terms also clearly define the role of Behaviour Complaints Officers within the Shire. While the nominated Officer positions remain unchanged, a new authorisation is required under clause 11(3) of the Model Code for these Officers to receive behaviour complaints and withdrawals of complaints and to undertake related administrative functions. This authorisation supports procedural efficiency while maintaining a clear separation between administrative functions and decision-making responsibilities.

Authorised Independent Assessor

Recommendation three relates to the appointment of an Authorised Independent Assessor, being an alternative mechanism available to Council under clause 14B(3) of the Model Code.

Details of the proposed assessor, including qualifications, experience, impartiality and fees, are provided in ***Confidential Attachment 2***.

The recommendation is deliberately framed to meet the specific requirements of the Code, including that Council be satisfied the assessor is suitably qualified and experienced, is impartial, and does not have any close association with any Council member or employee of the Shire.

The updated Terms define the scope of the assessor's role, noting that the assessor may collect evidence, form assessments and provide recommended findings to the Behaviour Complaints Committee for recommendation to and endorsement by Council.

The assessor does not exercise decision-making as to whether a breach occurred: that is to be undertaken by the Behaviour Complaints Committee.

The Authorised Independent Assessor is also to be authorised to undertake on the local government's behalf, the following functions:

- Prepare a plan to address the elected member's behaviour
- Consult with the elected member in the formulation of that plan
- Implement the plan.

The Authorised Independent Assessor does not have authority to disclose complaint information outside the authorised Officers, Committee and Council. Recommendation three seeks Council endorsement of the assessor's appointment for these functions and the associated fee structure.

Update of the Delegated Authority Register

Finally, Recommendation four notes that the previous delegation relating to the Behaviour Complaints Committee ceased to have effect following the adoption of the Model Code and seeks Council endorsement for the administrative removal of that delegation from the Register of Delegated Authority.

While the Register is formally presented to Council on an annual basis and is next scheduled for consideration in the second half of 2026, this resolution will allow Officers to ensure the Register remains accurate and current in the interim, reflecting Council's updated authorisation arrangements.

Statutory/Policy Environment

- *Local Government Act 1995*
- Local Government (Model Code of Conduct) Regulations 2021
 - Clause 11 – Behaviour Complaints and Receipt of Complaints
 - Clause 12 – Dealing with Behaviour Complaints
 - Clause 13 – Dismissal of Behaviour Complaints
 - Clause 14B – Performance of Local Government Functions and Authorisation of a Committee or Independent Person
- Local Government (Administration) Regulations 1996
- Policy 1.1.10 – Code of Conduct Behaviour Complaints
- Terms of Reference for the Behaviour Complaints Committee

- Register of Delegated Authority and Authorisations
- Standing Orders Local Law 2017

Strategic Framework

The Shire's Council Plan 2025–2035, states:

Pillar 5 – Performance: A representative leadership that is future thinking, transparent and accountable.

Objective 21: Continue to deliver proactive and responsible leadership and governance.

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 public is, and will continue to be, informed through the publication of Council meeting agendas and minutes on the Shire's website, with additional public reporting provided as required in relation to budgeting matters, the convening of Behaviour Complaints Committee meetings, and the availability of the Register of Delegated Authority.

Promise to the Community

Inform: We will keep you informed.

The public is, and will continue to be, informed through the publication of Council meeting agendas and minutes on the Shire's website, with additional public reporting provided as required in relation to budgeting matters, the convening of Behaviour Complaints Committee meetings, and the availability of the Register of Delegated Authority.

Risk Management

The Risk Theme Profile identified in relation to this item is **Failure to Fulfil Compliance Requirements**. The Consequence could be **Compliance** if Council does not give authority to the Committee, Complaints Officers or appoint an independent assessor. The Risk has been mitigated by Shire Officers obtaining independent legal advice from the Shire's contracted Solicitors and bringing this report before Council. The Risk Consequence is considered **Moderate** and the Likelihood **Unlikely** resulting in a **Medium** level of risk.

Budget Implications

Provision has already been made within the Shire's current budget for the engagement of an independent assessor, should this mechanism be required. Expenditure associated with the appointment of an Authorised Independent Assessor will be accommodated within existing budget allocations under budget item number 45123, and no additional budget allocation is sought as a result of this report.

Authority/Discretion

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

Voting Requirements

Absolute Majority

Officer's Recommendation 1 of 4

That Council receives and adopts the updated Terms of Reference for the Behaviour Complaints Committee, as contained in **Attachment 1**, to align with the Local Government (Model Code of Conduct) Regulations 2021.

BY ABSOLUTE MAJORITY

Officer's Recommendation 2 of 4

That Council:

1. Authorises the Behaviour Complaints Committee in accordance with clause 14B(2) of Schedule 1 of the Local Government (Model Code of Conduct) Regulations 2021, to perform Council's functions under clauses 12 and 13 of the Code of Conduct, in accordance with the now adopted Terms of Reference.
2. Authorises the following Shire Officers as persons authorised under clause 11(3) of Schedule 1 of the Local Government (Model Code of Conduct) Regulations 2021 to receive behaviour complaints and withdrawals of complaints, and to undertake related administrative functions, as provided for in the Terms of Reference and the Code of Conduct:
 - a. Chief Executive Officer
 - b. Director Corporate Services
 - c. Manager Governance and Strategy

BY ABSOLUTE MAJORITY

Officer's Recommendation 3 of 4

That Council:

1. Receives the details of the recommended Authorised Independent Assessor, as contained in **Confidential Attachment 2**.
2. Authorises the Independent Assessor, as named in **Confidential Attachment 2** in accordance with clause 14B(3) of Schedule 1 (Model Code of Conduct) of the Local Government (Model Code of Conduct) Regulations 2021, as Independent Assessor, to perform the following of Council's functions under clause 12 of the Code of Conduct for and on behalf of the local government:
 - a. To prepare a plan to address the behaviour of the person to whom the complaint relates.
 - b. As part of (a), to consult with the person to whom the complaint relates.
 - c. To implement the plan to address the behaviour of the person to whom the complaint relates.

3. Is satisfied that the nominated Authorised Independent Assessor is suitably qualified and experienced to perform the investigation and recommendation reporting functions necessary to enable the Behaviour Complaints Committee to make findings under clauses 12 and 13 of the Code of Conduct, on the basis of the skills, experience and suitability demonstrated in **Confidential Attachment 2**.
4. Authorises the Independent Assessor, as named in **Confidential Attachment 2** to perform the investigation and recommendation reporting functions necessary to enable the Behaviour Complaints Committee to make findings:
 - a. Subject to the Terms of Reference and the Code of Conduct
 - b. On the basis that Council is satisfied the person is impartial and does not have a close association with any Council member or employee of the Shire.
5. Receives and endorses the fee structure for the Authorised Independent Assessor, as outlined in **Confidential Attachment 2**.

BY ABSOLUTE MAJORITY

Officer's Recommendation 4 of 4

That Council:

1. Notes that the previous delegation relating to the Behaviour Complaints Committee has ceased to have effect following the adoption of the Local Government (Model Code of Conduct) Regulations 2021 and endorses the administrative removal of that delegation from the Shire's Register of Delegated Authority.
2. Notes the independent legal advice outlined in **Confidential Attachment 1** in relation to the operation of the Code.

BY ABSOLUTE MAJORITY

Moved: Cr. Dickinson

Seconded: Cr. McCarthy

Officer's Recommendation 1 of 4

That Council receives and adopts the updated Terms of Reference for the Behaviour Complaints Committee, as contained in Attachment 1, to align with the Local Government (Model Code of Conduct) Regulations 2021.

BY ABSOLUTE MAJORITY

Carried 5-4

26/84

Votes:

For: President Campbell, Cr. McCarthy, Cr. Dickinson, Cr. Bromham and Cr. Hitchcock.

Against: Cr. Coleman, Cr. Morley, Cr. Carbone and Cr. Holly.

Moved: Cr. Dickinson**Seconded: Cr. McCarthy**

Officer's Recommendation 2 of 4

That Council:

1. Authorises the Behaviour Complaints Committee in accordance with clause 14B(2) of Schedule 1 of the Local Government (Model Code of Conduct) Regulations 2021, to perform Council's functions under clauses 12 and 13 of the Code of Conduct, in accordance with the now adopted Terms of Reference.
2. Authorises the following Shire Officers as persons authorised under clause 11(3) of Schedule 1 of the Local Government (Model Code of Conduct) Regulations 2021 to receive behaviour complaints and withdrawals of complaints, and to undertake related administrative functions, as provided for in the Terms of Reference and the Code of Conduct:
 - a. Chief Executive Officer
 - b. Director Corporate Services
 - c. Manager Governance and Strategy

BY ABSOLUTE MAJORITY

Carried 6-3**26/85****Votes:****For:** President Campbell, Cr. McCarthy, Cr. Dickinson, Cr. Bromham, Cr. Hitchcock and Cr. Morley.**Against:** Cr. Coleman, Cr. Carbone and Cr. Holly.**Moved: Cr. Bromham****Seconded: Cr. Dickinson**

Officer's Recommendation 3 of 4

That Council:

1. Receives the details of the recommended Authorised Independent Assessor, as contained in *Confidential Attachment 2*.
2. Authorises the Independent Assessor, as named in *Confidential Attachment 2* in accordance with clause 14B(3) of Schedule 1 (Model Code of Conduct) of the Local Government (Model Code of Conduct) Regulations 2021, as Independent Assessor, to perform the following of Council's functions under clause 12 of the Code of Conduct for and on behalf of the local government:
 - a. To prepare a plan to address the behaviour of the person to whom the complaint relates.
 - b. As part of (a), to consult with the person to whom the complaint relates.

- c. To implement the plan to address the behaviour of the person to whom the complaint relates.
3. Is satisfied that the nominated Authorised Independent Assessor is suitably qualified and experienced to perform the investigation and recommendation reporting functions necessary to enable the Behaviour Complaints Committee to make findings under clauses 12 and 13 of the Code of Conduct, on the basis of the skills, experience and suitability demonstrated in *Confidential Attachment 2*.
4. Authorises the Independent Assessor, as named in *Confidential Attachment 2* to perform the investigation and recommendation reporting functions necessary to enable the Behaviour Complaints Committee to make findings:
 - a. Subject to the Terms of Reference and the Code of Conduct
 - b. On the basis that Council is satisfied the person is impartial and does not have a close association with any Council member or employee of the Shire.
5. Receives and endorses the fee structure for the Authorised Independent Assessor, as outlined in *Confidential Attachment 2*.

BY ABSOLUTE MAJORITY

Carried 6-3 26/86

Votes:

For: President Campbell, Cr. McCarthy, Cr. Dickinson, Cr. Bromham, Cr. Hitchcock and Cr. Morley.

Against: Cr. Coleman, Cr. Carbone and Cr. Holly.

Moved: Cr. Dickinson

Seconded: Cr. Bromham

Officer's Recommendation 4 of 4

That Council:

1. Notes that the previous delegation relating to the Behaviour Complaints Committee has ceased to have effect following the adoption of the Local Government (Model Code of Conduct) Regulations 2021 and endorses the administrative removal of that delegation from the Shire's Register of Delegated Authority.
2. Notes the independent legal advice outlined in *Confidential Attachment 1* in relation to the operation of the Code.

BY ABSOLUTE MAJORITY

Carried 6-3 26/87

Votes:

For: President Campbell, Cr. McCarthy, Cr. Dickinson, Cr. Bromham, Cr. Hitchcock and Cr. Morley.

Against: Cr. Coleman, Cr. Carbone and Cr. Holly.

Item No.:	12.1.5.
Subject:	Code of Conduct Behaviour Complaints Policy Version 3
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Governance Officer
Authorising Officer:	Chief Executive Officer
File No.:	F/36/00010
Attachments:	1. Policy 1.1.10 - Code of Conduct Behaviour Complaints V2 [12.1.5.1 - 11 pages] 2. Policy 1 1 10 Behavioural Complaint Policy V3 Draft [12.1.5.2 - 8 pages]

Summary

This report seeks Council's adoption of Policy 1.1.10 Code of Conduct Behaviour Complaints Policy Version 3 (**Attachment 1**) to complete the alignment of the Shire's behaviour complaints framework with the Model Code of Conduct and the updated Terms of Reference for the Behaviour Complaints Committee presented in the previous report of this month's Council Meeting documents.

Adoption of the updated policy will provide clear procedural guidance for Officers and elected members, support lawful decision-making, and strengthen the Shire's overall governance framework for the management of behaviour complaints.

Background

The Shire of Harvey has an established framework for managing behaviour complaints made under the Code of Conduct for Council Members, Committee Members and Candidates. This framework is supported by Policy 1.1.10 Code of Conduct Behaviour Complaints Policy, which provides procedural guidance for the receipt, administration and consideration of behaviour complaints. The existing version 2 of this policy can be reviewed in **Attachment 2**.

Following the commencement of amendments to the Local Government (Model Code of Conduct) Regulations 2021 on 1 January 2026, and Council's subsequent adoption of the Model Code of Conduct, a review of the Shire's behaviour complaints governance arrangements was undertaken. This review identified the need to update the Behaviour Complaints Committee Terms of Reference (TOR) and to ensure that supporting policies are fully aligned with the current legislative requirements.

Comment

The updated third version of Policy 1.1.10 Code of Conduct Behaviour Complaints Policy (**Attachment 1**) has been prepared to ensure consistency with the Local Government (Model Code of Conduct) Regulations 2021 and to clearly articulate the Shire's procedures for managing behaviour complaints under clauses 11 to 15 of the Model Code.

The revised policy supports the updated TOR by clearly distinguishing between:

- Administrative responsibilities undertaken by authorised Officers, including the receipt and initial handling of complaints.
- Decision-making functions that are performed by Council and the authorised Behaviour Complaints Committee.
- The functions of an Authorised Independent Assessor in accordance with clause 14B of the Model Code.

Version 3 of the policy also reflects contemporary governance practice, improves procedural clarity, and supports transparency and procedural fairness for complainants and respondents.

Adoption of the updated policy will ensure that the Shire's behaviour complaints framework is coherent, legally compliant and capable of consistent application.

Statutory/Policy Environment

Policy 1.1.10 – Code of Conduct Behaviour Complaints

Strategic Framework

The Shire's Council Plan 2025–2035, states:

Pillar 5 – Performance: A representative leadership that is future thinking, transparent and accountable.

Objective 21: Continue to deliver proactive and responsible leadership and governance.

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 public is informed through the publication of Council meeting agendas, minutes and updated policy on the Shire's website.

Promise to the Community

Inform: We will keep you informed.

The public is informed through the publication of Council meeting agendas, minutes and updated policy on the Shire's website.

Risk Management

The Risk Theme Profile identified as part of this report is **Providing Inaccurate Advice / Information** and **Failure to Fulfil Compliance Requirements**. The Consequence could be **Compliance** if due processes are not followed, and Policies are not amended to reflect changes in the organisation. The risk has been mitigated by Shire Officers obtaining independent legal advice from the Shire's contracted Solicitors. Risk Consequence is considered **Minor** and the likelihood **Unlikely** resulting in a **Low** risk being present.

Budget Implications

Provision has already been made within the Shire's current budget for the engagement of an independent assessor throughout the complaint review process. Should this mechanism be required, expenditure associated with the appointment of an Authorised Independent Assessor will be accommodated within existing budget allocations under budget item number 45123, and no additional budget allocation is sought as a result of this policy update.

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 proposed updates to Policy 1.1.10 – Code of Conduct Behaviour Complaints (**Attachment 1**)

Moved: Cr. Dickinson

Seconded: Cr. Bromham

That Council endorses the proposed updates to Policy 1.1.10 – Code of Conduct Behaviour Complaints (Attachment 1**)**

Carried 6-3

26/88

Votes:

For: President Campbell, Cr. McCarthy, Cr. Dickinson, Cr. Bromham, Cr. Hitchcock and Cr. Morley.

Against: Cr. Coleman, Cr. Carbone and Cr. Holly.

12.2. Infrastructure Services

Item No.:	12.2.1.
Subject:	Galway Green Irrigation Mainline Upgrade
Proponent:	Shire of Harvey
Location:	Galway Green, Australind
Reporting Officer:	Manager Parks Service
Authorising Officer:	Director Infrastructure Services
File No.:	T062026
Attachments:	Confidential Attachment 1

Reason for Confidentiality

Pursuant to Section 5.23(4)(c) and (d) of the *Local Government Act 1995*, portions of this report contained within **Confidential Attachment 1** include information from submitted tenders that is confidential in nature.

The confidential information includes:

- Tendered prices or methodologies for calculating prices submitted by tenderers; and
- Commercially sensitive information, including details of technologies, processes, or methodologies proposed by tenderers in delivering the contract.

This information has not been made public, and its disclosure could reasonably be expected to adversely affect the commercial interests of the tenderers. Accordingly, the contents of **Confidential Attachment 1** are provided to Council on a confidential basis.

Should Council wish to discuss the information contained within the confidential attachment, Council will be required to resolve to close the meeting to members of the public in accordance with Section 5.23 of the *Local Government Act 1995*.

During the closed session, discussion is to be limited to the confidential information contained within the attachment and matters directly relating to the tender evaluation and recommendation.

Summary

Tender T062026 was advertised on Thursday, 26 March 2026 via the Shire of Harvey's E-tendering website, Tenderlink, The West Australian, South Western Times and the Shire's website and public notice board for the Upgrade of the Galway Green Irrigation Mainline.

The Tender closed at 3pm AWST on Thursday, 23 April 2026, at which time one submission was received.

The submission was evaluated in accordance with the Shire's Tender evaluation methodology, and the criteria outlined in the Request for Tender documentation.

The Tender Evaluation Panel has provided a recommendation for Council's consideration in **Confidential Attachment 1**.

Background

The Galway Green Irrigation System supplies irrigation water to public open space (POS), residential verges and road verge areas throughout the Galway Green Estate, Australind.

The system was constructed as part of the Galway Green Estate development and has now reached an advanced stage of asset deterioration.

The irrigation network is supplied by a new Yarragadee bore, which pumps groundwater to a localised holding lake. Water is distributed throughout the estate via an irrigation pump located within the lake.

The system operates as a fully pressurised mainline network, meaning it relies heavily on the ongoing integrity of underground pipework, fittings and joints to operate efficiently and reliably.

Over recent years, the irrigation mainline has progressively deteriorated to the end of its serviceable life. Failures of the mainline and associated fittings have become increasingly frequent during irrigation seasons, largely due to pipe fatigue, joint failure and ageing materials that are under constant pressure. These failures have compromised the reliability of the system and significantly increased maintenance requirements.

As a result, Parks Services has been required to undertake frequent reactive repairs to restore system functionality. On average, the system has experienced four to five major mainline failures per year over the past two years, with individual repair costs typically ranging between \$5,000 and \$7,000 per incident. These costs are continuing to escalate and represent poor value when compared with proactive asset replacement.

In addition to direct repair costs, each failure results in disruption to the irrigation supply for POS and verge areas, negatively impacting turf and landscape condition during critical watering periods. These failures, when they occur in the residential verges, impact landowners through flooding, loss of access and damage to adjacent infrastructure. This has included damage to private landscaping, concrete crossovers and driveways, resulting in some community dissatisfaction and reputational risk for the Shire.

Compounding these issues, several sections of the mainline are located beneath concrete footpaths. When failures occur in these locations, footpaths must be removed and fully reinstated to access the pipework, significantly increasing repair time, cost and disruption.

Comment

Tender Evaluation

The Tender Evaluation Panel (Panel) included the Manager Parks Services, Acting Manager Infrastructure Services and the Technical Officer – Parks. The Tender submission was assessed using the following criteria and weightings.

Evaluation Criteria	Weighting
Contract Price	40%
Past experience in provision of required services and provision of at least three (3) references and compliance with tender specification and Health/Safety requirements	25%
Methodology of Irrigation installation works with project Gantt Chart	20%
Organisational structure/ financial capacity/resources	15%
TOTAL	100%

Details of the Tender received are outlined in **Confidential Attachment 1**.

Given the age of the system, the frequency of failures, ongoing operational impacts and escalating maintenance costs, the Galway Green Irrigation System is no longer performing at an acceptable or sustainable level.

Continued reactive repairs are not cost-effective and do not address the underlying condition of the asset.

Replacement of the irrigation mainline with new, modern infrastructure will significantly improve system reliability, reduce ongoing maintenance expenditure, minimise disruption to residents and ensure the continued delivery of irrigation to POS and verge assets. The proposed upgrade represents a proactive, long-term solution aligned with sound asset management principles and will reduce overall lifecycle costs while improving service outcomes for the community.

Statutory/Policy Environment

- *Local Government Act 1995*
- Local Government (Functions and General) Regulations 1996 – Part 4 Tenders for Providing Goods and Services

Strategic Framework

The Shire's Council Plan 2025–2035, states:

<i>Pillar 3 – Place:</i>	A liveable, sustainable and well-designed built environment that is accessible to all.
<i>Objective 12:</i>	Enhance the appearance of public spaces and streetscapes.
<i>Objective 15:</i>	Ensure Shire facilities, buildings, gardens and grounds are fit for purpose and well maintained.

Community Engagement

Community Participation Goal

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

This public section of the Council report will be provided as part of the minutes available for public review.

Promise to the Community

Inform: We will keep you informed.

The details of the preferred Tenderer and award are Confidential; however, the Resolution of Council will be published in the Council Minutes on the Shire of Harvey's website.

Risk Management

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

Budget Implications

The following allocation is included in the Shire's 2025–2026 Budget:

Project	Budget Allocation
WO – 70549 Galway Green – Irrigation System Upgrade	\$500,000

The current budget allocation provides sufficient funding for this project to proceed.

Authority/Discretion

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

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. Awards the Contract for T062026 –Galway Green Irrigation Mainline Upgrade to the recommended Tenderer Sanpoint Pty Ltd ATFT Fiore Family Trust TA LD Total for the Tendered amount of \$402,173.31 (exc GST)
2. Authorises the Chief Executive Officer to finalise and execute the Contracts with successful Tenderer.

OFFICERS RECOMMENDATION ADOPTED BY EXEMPTION RESOLUTION – REFER TO RESOLUTION 26/80 APPEARING AT ITEM 12.

Item No.:	12.2.2.
Subject:	Closure of Unused Road Reserve (PIN 11600482)
Proponent:	Liscol Nurseries Pty Ltd (trading as Harvey Kiwifruit)
Location:	Unused Road Reserve (PIN11600482), Uduc
Reporting Officer:	Director Infrastructure Services
Authorising Officer:	Director Infrastructure Services
File No.:	F/40/13509
Attachments:	1. Road Closure - Kiwi Farm [12.2.2.1 - 1 page] 2. Road Closure - Kiwi Farm Aerial [12.2.2.2 - 1 page]

Summary

The Applicant, Liscol Nurseries Pty Ltd (trading as Harvey Kiwifruit), has requested the permanent closure of an unused road reserve identified as PIN11600482, located in Uduc.

The road reserve is unconstructed and does not currently provide access or form part of the Shire's operational road network. The Applicant has requested closure to enable consolidation with adjoining land to support ongoing agricultural operations.

The request has been the subject of correspondence with the Shire since at least 2021 and has involved multiple areas of the organisation over that time. While preliminary investigation and internal discussions have occurred, the matter has not previously been progressed through a formal Council process.

In accordance with section 58 of the *Land Administration Act 1997* and Regulation 9 of the Land Administration Regulations 1998, the closure of a public road requires public advertising, consideration of submissions and a resolution of Council prior to referral to the Minister for Lands.

This report seeks Council approval to initiate the statutory process, including public advertising of the proposed road closure. It does not seek approval of the road closure itself.

Background

The Shire has received a request from the Applicant to close an unused road reserve identified as PIN11600482, located in Uduc.

The road reserve forms part of a historical cadastral layout and is an unconstructed road reserve that has not been developed or used for vehicular or pedestrian access. It does not currently provide access to adjoining land and does not form part of the Shire's functional road network.

The subject land crosses property currently leased and operated by the Applicant for horticultural purposes. The Applicant has advised that closure of the road reserve is required to support the efficient operation and expansion of agricultural activities on the site.

A review of available mapping and internal information indicate that surrounding roads provide adequate access within the locality and that the subject reserve does not currently perform a transport or access function (refer **Attachment 1 and Attachment 2**).

The matter has a documented history within the organisation, with correspondence relating to the proposed closure dating back to at least 2021 and further engagement occurring through 2024 and 2025 involving multiple Shire Officers and Directorates.

This report establishes a formal and compliant pathway to progress the matter in accordance with legislative requirements, commencing with public advertising of the proposed road closure.

Comment

The subject land is an unconstructed road reserve that has not been developed or used for public access. It does not currently form part of the Shire's operational road network and does not provide connectivity or access to adjoining land.

Available mapping and internal information indicate that surrounding roads provide adequate access within the locality and that the subject reserve does not currently perform a transport or access function.

Notwithstanding this, the land remains a dedicated public road under the *Land Administration Act 1997* and cannot be removed or repurposed without following the prescribed statutory process.

The role of the Shire is to assess the request and undertake consultation in accordance with legislative requirements. Council is not the final decision-maker. Following completion of the statutory process, Council may determine whether to request the Minister for Lands to close the road. The Minister is responsible for the final determination.

The statutory process requires public advertising and consultation in accordance with Regulation 9 of the Land Administration Regulations 1998. This includes publication of a notice of the proposed closure, referral to relevant service authorities and notification of adjoining landowners.

Following the advertising period, a further report will be presented to Council outlining any submissions received and confirming servicing, access and planning considerations. Council will then determine whether to proceed with a formal request to the Minister.

Closure of the road does not result in automatic transfer of the land to the Applicant. If the road is closed, the land becomes Crown land, and any subsequent disposal is managed separately by the State.

Progression of the matter in this manner provides a compliant and transparent pathway to consider the request.

Statutory/Policy Environment

- *Land Administration Act 1997*
- Land Administration Regulations 1998
- *Local Government Act 1995*

Strategic Framework

The Shire's Council Plan 2025–2035, states:

<i>Pillar 4 – Prosperity:</i>	A diversified and thriving economy that offers a wide range of business and work opportunities as well as consumer choice.
<i>Objective 19:</i>	Facilitate sustainable urban, rural and industrial development, infrastructure and services to support population and economic growth.

Community Engagement

Community Participation Goal

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

The outcomes of the advertising process and Council's decision will be reported in a subsequent Council report, with minutes published on the Shire's website for public access.

Promise to the Community

Inform: We will keep you informed.

The outcomes of the advertising process and Council's decision will be reported in a subsequent Council report, with minutes published on the Shire's website for public access.

Risk Management

The Risk Theme Profile identified for this report is **Compliance**. There is a risk that the Shire does not meet its obligations under section 58 of the *Land Administration Act 1997* and Regulation 9 of the Land Administration Regulations 1998 when initiating and progressing the proposed road closure. The Consequence could be **Compliance and Reputational**. The risk is considered **Minor** and the likelihood **Unlikely**, resulting in a **Low** Risk being present.

This risk is mitigated by progressing the matter through the prescribed statutory process, including public advertising, consultation, consideration of submissions and a subsequent Council report prior to any request being made to the Minister for Lands.

A reputational risk may also arise due to the length of time the matter has remained unresolved. This risk is mitigated by progressing the matter through a formal, transparent and compliant Council process.

Budget Implications

There are no significant financial implications to the Shire associated with initiating the road closure process.

Minor costs may be incurred in relation to advertising and administration. Cost recovery arrangements, if applicable, will be confirmed prior to progressing to any subsequent stage.

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 initiation of the closure of the unused road reserve identified as PIN11600482, Uduc, in accordance with section 58 of the *Land Administration Act 1997*.
2. Authorises the Chief Executive Officer to undertake public advertising of the proposed road closure for a minimum period of 35 days in accordance with Regulation 9 of the Land Administration Regulations 1998.

3. Authorises the Chief Executive Officer to progress the statutory road closure process to the next stage, including referral to the Minister for Lands, subject to no objections being received during the advertising period.
4. Requests a further report be presented to Council should any objections be received during the advertising period.

Moved: Cr. Coleman

Seconded: Cr. McCarthy

That Council:

1. **Supports the initiation of the closure of the unused road reserve identified as PIN11600482, Uduc, in accordance with section 58 of the *Land Administration Act 1997*.**
2. **Authorises the Chief Executive Officer to undertake public advertising of the proposed road closure for a minimum period of 35 days in accordance with Regulation 9 of the Land Administration Regulations 1998.**
3. **Authorises the Chief Executive Officer to progress the statutory road closure process to the next stage, including referral to the Minister for Lands, subject to no objections being received during the advertising period.**
4. **Requests a further report be presented to Council should any objections be received during the advertising period.**

Carried 9-0

26/89

Votes:

For: President Campbell, Cr. McCarthy, Cr. Dickinson, Cr. Bromham, Cr. Coleman, Cr. Hitchcock, Cr. Morley, Cr. Carbone and Cr. Holly.

Against: Nil.

12.3. Sustainable Development

Item No.:	12.3.1.
Subject:	Draft Updated Local Planning Strategy – Endorsement for Advertising
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Manager Planning Services
Authorising Officer:	Director Sustainable Development
File No.:	LPST/01/002, C304/00002
Attachments:	1. Shire of Harvey Local Planning Strategy 2026 Draft [12.3.1.1 - 180 pages]

Summary

The Shire of Harvey's (the Shire) Local Planning Strategy 2020 (the Strategy) requires updating consistent with the current planning framework. The Strategy has been updated in accordance with the Western Australian Planning Commission's Local Planning Strategy Guidelines and giving consideration to the Bunbury Geopraphe Sub-regional Strategy and the Shire's Local Planning Scheme No. 2. The draft updated Local Planning Strategy (refer **Attachment 1**) is referred to Council for preliminary endorsement for certification for advertising by the Western Australian Planning Commission.

Background

The Local Planning Strategy (the Strategy) was endorsed by the Western Australian Planning Commission (WAPC) on 22 April 2020. The Strategy details the Shire's land use vision for a period of 15 years. The Strategy is in two parts with Part 1 containing the Strategy and implementation actions and Part 2 containing the background and technical details.

The WAPC released the Bunbury Geopraphe Sub-regional Strategy (BGSrS) in January 2022, requiring the Strategy to be updated. The Shire's Local Planning Scheme No. 2 (LPS 2), which was gazetted in April 2024, implemented a significant proportion of the Strategy so the required update provides an opportunity for these implementation actions to be removed from the Strategy.

In March 2023, the WAPC published the Local Planning Strategy Guidelines (the Guidelines) which provide "*clear and consistent guidance for the preparation of a local planning strategy*". The Guidelines provide a template for the content of a Local Planning Strategy, and the process for the preparation/endorsement, implementation and review of a Local Planning Strategy.

The Shire engaged a consultant, JE Planning, to assist with the review. The consultant and Shire Officers provided a briefing to Council on Tuesday, 27 May 2025 detailing the purpose, implications and progress of the review of the Strategy. During the briefing, it was explained that the purpose of the update is in relation to the current planning framework and Shire documents and is not for the purpose of detailed review to identify additional future development areas.

Comment

The Strategy was reviewed against the Guidelines, BGSrS and LPS 2, with the following required amendments/updates identified:

- Local Planning Strategy Guidelines
 - Update to the format and layout of the document.

- Expanded details in Part 2 to include:
 - Details and implications of all State and local policies.
 - Updated land supply assessments for residential and industrial land.
 - Rearrangement into Themes and identifying issues and opportunities for each Theme.
- Expanded details in Part 1 to include:
 - Planning Directions and Action tables for each Theme based on the issues and opportunities identified in Part 2.
 - Planning Areas (instead of Planning Precincts).
- Bunbury Geographe Sub-regional Strategy
 - Inclusion of relevant implementation actions such as growth areas of Treendale East, and the rural living areas of Clifton Road and Treendale Road.
- Local Planning Scheme No. 2
 - Removal of all Strategy implementation actions that were included in LPS 2.

Shire Officers originally intended to provide Council and the WAPC with a schedule of proposed amendments, however the extent of amendments required to ensure consistency with the Guidelines has rendered this impractical. Instead, the nature of amendments has been identified in the draft updated Strategy via colour-coded text.

The most significant proposed changes to the Strategy are:

- Reduction of 31 Planning Precincts to 12 Planning Areas.
- Inclusion of new Planning Areas to include:
 - 'East Treendale Urban Growth Area' (Treendale East) from the BGSrS.
 - 'Clifton Road Rural Living Precinct' from the BGSrS.
 - 'Treendale Road Rural Living Precinct' from the BGSrS.
 - Former hospital site in Yarloop from the Shire's Yarloop Town Development Plan.
- Incorporating recommendations from the Shire of Harvey Tourism Road Map 2031 (Tourism Road Map) including:
 - Future provision for a road parallel to the coast ('Coastal Road') between Myalup, Binningup and Buffalo Road, which will also serve as a secondary access.
 - Agritourism.
- Recognition of renewable energy development and the offshore wind farm area.

The draft updated Strategy was referred to the Department of Planning, Lands and Heritage (DPLH) for preliminary Officer comment, particularly in relation to the inclusion of the proposed Coastal Road. Despite the Coastal Road having a tourism function and therefore being identified in the Tourism Road Map, it will serve a more important function of alternative access for the towns of Myalup and Binningup in the situation of bushfires and will also reduce the need for Forrest Highway to be used by Myalup and Binningup residents as their 'local road' to Australind and further south.

Initial advice received from DPLH Officers is for references to the Coastal Road to be removed from the draft updated Strategy as it raises a range of complex environmental, planning, land and tenure considerations and is inconsistent with the State planning framework. Shire Officers have further queried this initial advice on the basis that:

- The name of 'Coastal Road' refers to a strategic transport corridor that is likely to generally run parallel to the coastline.
- The draft updated Strategy identifies a broad investigation area (proposed as a Planning Action) extending from Myalup in the north to Buffalo Road in the south (including Binningup) and located west of the Forrest Highway. The purpose of this action is to enable investigations into the most appropriate alignment for a road/transport corridor parallel to the coast.
- Inclusion in the Strategy will provide the strategic framework to support the Shire's:
 - Ability to advocate for, secure, or leverage external funding to undertake essential studies.
 - Progression of any meaningful analysis or engagement with landowners and State Government agencies.

At the time of this report, Shire Officers are awaiting a response from DPLH Officers to these further queries. Notwithstanding, the draft updated Strategy is referred for Council's preliminary endorsement for the purpose of advertising.

Statutory/Policy Environment

Planning and Development (Local Planning Schemes) Regulations 2015

Part 3 – Local planning strategies

- Clause 11 – Requirement for local planning strategy for local planning scheme.
- Clause 12 – Certification of draft local planning strategy.
- Clause 13 – Advertising and notifying local planning strategy.
- Clause 14 – Consideration of submissions.
- Clause 15 – Endorsement by Commission.
- Clause 16 – Publication of endorsed local planning strategy.
- Clause 17 – Amendment to local planning strategy.

Strategic Framework

The Shire's Council Plan 2025–2035, states:

- Pillar 1 – People:* A safe, accessible and connected community where everyone has the opportunity to contribute and belong.
- Objective 2:* Facilitate healthy and active communities.
- Pillar 2 – Planet:* A natural environment that is highly valued, protected and enjoyed.
- Objective 7:* Manage and protect natural habitats and ecosystems.
- Pillar 3 – Place:* A liveable, sustainable and well-designed built environment that is accessible to all.
- Objective 13:* Protect and preserve places with heritage or cultural significance.
- Objective 16:* Facilitate safer, connected, well-maintained roads, paths and cycleways.
- Pillar 4 – Prosperity:* A diversified and thriving economy that offers a wide range of business and work opportunities as well as consumer choice.
- Objective 17:* Position the Shire as a premium tourist destination of choice.
- Objective 19:* Facilitate sustainable urban, rural and industrial development, infrastructure and services to support population and economic growth.

Community Engagement

Community Participation Goal

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

The Planning and Development (Local Planning Schemes) Regulations 2015 requires the draft updated Strategy to be advertised, Council to consider submissions, and publication when endorsed.

Promise to the Community

Consult: We will keep you informed, listen to and acknowledge concerns and aspirations, and provide feedback on how public input influenced the decision. We will seek your feedback on drafts and proposals.

The Planning and Development (Local Planning Schemes) Regulations 2015 requires the draft updated Strategy to be advertised, Council to consider submissions, and publication when endorsed.

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. The risk is considered **Minor** and the likelihood **Unlikely**, given that the report has been thoroughly researched, peer reviewed, provided by a qualified Shire Officer and the statutory process has been followed. This results in a **Low** risk being present.

Budget Implications

Costs associated with reviewing and updating the Local Planning Strategy are included in the current Budget.

Authority/Discretion

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

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. Endorses the Draft Updated Local Planning Strategy 2026, as contained in **Attachment 1**, for the purpose of advertising.
2. Pursuant to clause 12 of the Planning and Development (Local Planning Schemes) Regulations 2015, refers the Draft Updated Local Planning Strategy 2026 to the Western Australian Planning Commission for 'certification' for advertising.
3. Following receipt of the Western Australian Planning Commission's 'certification', advertises Draft Updated Local Planning Strategy 2026 in accordance with Clause 13 of the Planning and Development (Local Planning Schemes) Regulations 2015.

OFFICERS RECOMMENDATION ADOPTED BY EXEMPTION RESOLUTION – REFER TO RESOLUTION 26/80 APPEARING AT ITEM 12.

12.4. Corporate Services

Item No.	12.4.1.
Subject:	Financial Statements as at 30 April 2026
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Accountant
Authorising Officer:	Director Corporate Services
File No.:	FM/S/006
Attachments:	1. Financial Statement as at 30 April 2026 [12.4.1.1 - 9 pages]

Summary

The Financial Statements as at Thursday, 30 April 2026 are provided at **Attachment 1**.

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

	ACTUAL 30 April 2026	BUDGET 2025–2026	VARIANCE
Statement of Financial Performance			
Ordinary Revenue	\$48,322,199	\$50,431,067	\$ 2,108,868
Ordinary Expenditure	\$50,084,334	\$60,793,339	\$10,709,005
Capital Revenue	\$ 8,493,303	\$49,809,701	\$41,316,398
Capital Expenditure	\$ 8,874,003	\$58,153,079	\$49,279,076
End of Period Surplus/(Deficit)			\$14,478,925
			ACTUAL
Statement of Financial Position			
Current Assets			\$ 42,747,338
Net Assets			\$824,112,999

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 \$31.7 million and waste service charges of \$6.5 million including the waste facilities maintenance rate were raised in September 2025. The due date for rates payment was Sunday, 30 November 2025. Approximately 95% of the rates were collected by Thursday, 30 April 2026 compared to 94% for the previous year. The Shire continues to pursue unpaid rates as part of its formulated rates debt collection process.

Cash Flow and Interest Earnings

The Shire holds by way of cash and term deposits \$10.9 million in Municipal funds and \$26.5 million in restricted Trust and Reserve funds. The average interest rate on these funds is 4.55%. New term deposits are attracting an interest rate of approximately 4.75% for a term of 90 days.

Operating Grants and Subsidies

The Shire received \$2.4 million as advance payment for Financial Assistance Grants 2025–2026 in the last quarter of the 2024–2025 financial year. Three instalments of Financial Assistance Grant 2025–2026 were also received to date in 2025–2026.

Employee Costs

The employee costs reflect the employee costing for the first ten months of the financial year 2025–2026. The Shire is anticipated to remain in line with the Budget 2025–2026 and the Shire's Workforce and Diversity Plan.

Material, Contracts, Utilities and Other Expenses

These accounts reflect the first ten months of the financial year and although the Shire is mindful of fuel price cost implications, it is anticipated the Shire will operate within its means and in line with the adopted Budget for the 2025–2026 financial year.

Capital Expenditure

The Shire has budgeted to spend \$54 million on capital projects throughout the Shire in 2025–2026. Some of these projects include carry over projects from the financial year 2024–2025. Expenditure totalling \$8.9 million on capital works has been reported at the end of April 2026. Some of the capital projects with unspent budget allocations include:

Harvey Community Precinct (Library)	\$7,050,000
Australind Office Expansion	\$2,000,000
Binningup Skate Park Redevelopment	\$650,000
LLC – Court Expansion Construction	\$14,950,000
Leschenault Bush Fire Brigade Shed	\$1,423,000
Sanitation (Stanley and Richardson Rd)	\$1,368,000
Playground Equipment (Virgo brace, Yarloop One Tree, Binningup Oval)	\$887,000
Harvey Oval Grounds – Improvements	\$2,000,000
Harvey Playground and Associated Infrastructure	\$1,385,000
Galway Green – Irrigation System Upgrade	\$500,000
LRP Oval 1 – Lighting Southwest Corner	\$880,000
Pending Roadwork Construction works of value approximately	\$4,000,000

Attachment 1 provides the Financial Report for the reporting period which includes the following:

- 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 Council Plan 2025–2035, states:

- Pillar 5 – Performance:* A representative leadership that is future thinking, transparent and accountable.
- Objective 21:* Continue to deliver proactive and responsible leadership and governance.

Community Engagement

Community Participation Goal

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

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

Promise to the Community

Inform: We will keep you informed.

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

Risk Management

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

Budget Implications

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

Authority/Discretion

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

Voting Requirements

Simple Majority

Officer's Recommendation

That Council receives the Financial Statements as at 30 April 2026 provided at **Attachment 1**.

OFFICERS RECOMMENDATION ADOPTED BY EXEMPTION RESOLUTION – REFER TO RESOLUTION 26/80 APPEARING AT ITEM 12.

Item No.	12.4.2.
Subject:	Payments April 2026
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Manager Finance
Authorising Officer:	Director Corporate Services
File No.:	FM/S/006
Attachments:	1. Payments April 2026 [12.4.2.1 - 24 pages]

Summary

A listing of payments for goods and services for April 2026 is provided as **Attachment 1**. It is recommended that Council notes the attached payments.

Background

Pursuant to Section 5.42 of the *Local Government Act 1995* (Delegation of some powers and duties to the Chief Executive Officer), Council has resolved to delegate to the Chief Executive Officer (Delegation No 2.2.1) the exercise of its powers to make payments from municipal and trust funds.

As a result of this delegation, there is a requirement under the Local Government (Financial Management) Regulations 1996, Regulation 13(3) for a list of payments to be prepared and presented to Council. With the inclusion of Clause 13A in the Local Government (Financial Management) Regulations 1996, a list of payments using the Shire's purchasing cards (fuel and store) has also been included.

Comment

The list of accounts paid for April 2026 is presented as **Attachment 1**, as summarised below.

<u>Voucher</u>	<u>Amount</u>
Schedule of Accounts	
Municipal CP.45.01 – CP.50.130	\$ 3,594,741.59
117749 –117751	\$ 28,425.03
CBA Credit Cards	\$ 14,697.67
Electronic Funds Submitted/Direct Debits	<u>\$ 1,450,688.56</u>
Total	<u>\$ 5,088,552.85</u>

Purchasing Card Payments included in the Municipal payments above

AMPOL Fuel Card	\$ 4,278.81
BP Fuel Card	\$ 8,685.10
Puma Fuel Card	\$ 1,073.15
Total	<u>\$ 14,037.06</u>

Statutory/Policy Environment

Local Government Act 1995

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

Local Government (Financial Management) Regulation 1996

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

- Regulation 13A – Payments by employees via purchasing cards

Strategic Framework

The Shire's Council Plan 2025–2035, states:

Pillar 5 – Performance: A representative leadership that is future thinking, transparent and accountable.

Objective 21: Continue to deliver proactive and responsible leadership and governance.

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. 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 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 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 2025–2026 Annual Budget.

Authority/Discretion

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

Voting Requirements

Simple Majority

Officer's Recommendation

That Council notes the list of accounts paid at **Attachment 1** for the period of April 2026 totalling \$5,088,552.85.

OFFICERS RECOMMENDATION ADOPTED BY EXEMPTION RESOLUTION – REFER TO RESOLUTION 26/80 APPEARING AT ITEM 12.

Item No.:	12.4.3.
Subject:	Proposed Fees and Charges 2026 –2027
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Accountant
Authorising Officer:	Director Corporate Services
File No.:	FMH001
Attachments:	1. Budget 26-27 Proposed Fees and Charges [12.4.3.1 - 11 pages]

Summary

The Schedule of Fees and Charges, as workshopped by Council on Tuesday, 28 April 2026 is attached for Council's consideration for the 2026–2027 financial year.

The proposed schedule does not include waste collection and landfill related fees and charges at this stage. These will be presented to Council as part of the draft 2026 –2027 Budget adoption. Delaying the adoption of these waste related fees and charges will allow additional time for further clarity around the operating logistics of residential and commercial waste collection and any operating subsidy requirements of the Bunbury Harvey Regional Council, both of which may affect the quantum of fees and charges.

It is recommended Council adopts the Schedule of Fees and Charges (refer **Attachment 1**) and requests the Chief Executive Officer to advertise the Fees and Charges to the public for implementation from 1 July 2026.

Background

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

The Shire has approximately 650 different fees and charges. Section 6.16(3) of the *Local Government Act 1995* states that these fees and charges are to be imposed when adopting the annual budget. Additional, or variations to existing fees and charges may be imposed during a financial year by Absolute Majority and with a requirement to advertise them. This item is presented to Council to allow the early introduction of the fees and charges prior to the adoption of the 2026–2027 Budget. This allows for the new fees and charges to apply from 1 July, following the statutory advertising period.

The Schedule of Fees and Charges will also be included as part of the draft 2026–2027 Budget.

Comment

The Schedule of Fees and Charges include fees set under legislative authority that allows the Shire to determine the applicable amounts, and fees over which the Shire has no discretion. The fees and charges that the Shire is authorised to set have, on average, increased by approximately 4%–5%.

The most significant reviews have been undertaken in the areas of Cemetery Fees, Halls and Recreation Centres, and the Leschenault Leisure Centre, with fee adjustments determined in accordance with the principles set out in section 6.17 of the *Local Government Act 1995*, including consideration of the cost of providing the service, equity and consistency, and market comparability.

Some new fees and charges are also proposed in some areas, including Cemetery Fees, Halls and Recreation Centres, Other Shire facilities, the Leschenault Leisure Centre and Ranger Services (refer **Attachment 1**). These were workshopped with the Council on Tuesday, 28 April 2026.

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

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

Statutory/Policy Environment

Local Government Act 1995

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

Waste Avoidance and Resources Recovery Act 2007

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

Strategic Framework

The Shire's Council Plan 2025–2035, states:

<i>Pillar 5 – Performance:</i>	A representative leadership that is future thinking, transparent and accountable.
<i>Objective 21:</i>	Continue to deliver proactive and responsible leadership and governance.
<i>Objective 22:</i>	Continue to deliver customer-centred service, communication and engagement.

Community Engagement

Community Participation Goal

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

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

Promise to the Community

Inform: We will keep you informed.

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

Risk Management

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

Budget Implications

The proposed Schedule of Fees and Charges have allotted income streams included as part of the draft 2026–2027 Budget.

Authority/Discretion

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

Voting Requirements

Absolute Majority

Officer's Recommendation

That Council:

1. Adopts the attached Schedule of Fees and Charges for the 2026–2027 financial year (refer **Attachment 1**), excluding waste collection and landfill changes:
2. Requests the Chief Executive Officer to provide local public notice of Council's intention to impose the fees and charges along with the date they will be applied being 1 July 2026.

BY ABSOLUTE MAJORITY

Moved: Cr. Carbone

Seconded: Cr. Holly

That Council:

1. Adopts the attached Schedule of Fees and Charges for the 2026–2027 financial year (refer **Attachment 1**), excluding waste collection and landfill changes:
2. Requests the Chief Executive Officer to provide local public notice of Council's intention to impose the fees and charges along with the date they will be applied being 1 July 2026.

BY ABSOLUTE MAJORITY

Carried 9-0

26/90

Votes:

For: President Campbell, Cr. McCarthy, Cr. Dickinson, Cr. Bromham, Cr. Coleman, Cr. Hitchcock, Cr. Morley, Cr. Carbone and Cr. Holly.

Against: Nil.

12.5. Community and Lifestyle

Nil.

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

That Council:

1. Discontinues support for the current road renaming proposal adopted at the Ordinary Council Meeting held on 24 March 2026 under Item 12.3.1.
2. Retains the existing name of “Wickham Road” in recognition of the historical association of the Wickham family with the district and the longstanding use of the road name.
3. Requests the Chief Executive Officer to undertake the process to rename the existing “Wickham Street” to an alternative name, with “Vivienne Street” to be considered as the preferred option subject to the required consultation and Landgate approval.
4. Directs the Chief Executive Officer to:
 - a. Advise Landgate that Council no longer supports the current proposal affecting Wickham Road
 - b. Withdraw the existing road renaming request from Landgate
 - c. Undertake all necessary consultation with affected landowners and stakeholders.
5. Notes:
 - a. Concerns raised by affected residents and landowners regarding the historical significance of Wickham Road.
 - b. That Wickham Road services multiple residences and farming properties associated with the Wickham and surrounding families.
 - c. That the Wickham Road name predates Wickham Street and has significant historical connection to pioneering agricultural settlement within the district.
 - d. That retaining the Wickham Road name is considered by Council to be in the broader community and historical interest.

Moved: Cr. Carbone

Seconded: Cr. Morley

That Council:

- 1. Discontinues support for the current road renaming proposal adopted at the Ordinary Council Meeting held on 24 March 2026 under Item 12.3.1.**
- 2. Retains the existing name of “Wickham Road” in recognition of the historical association of the Wickham family with the district and the longstanding use of the road name.**
- 3. Requests the Chief Executive Officer to undertake the process to rename the existing “Wickham Street” to an alternative name, with “Vivienne Street” to be considered as the preferred option subject to the required consultation and Landgate approval.**
- 4. Directs the Chief Executive Officer to:**

- a. Advise Landgate that Council no longer supports the current proposal affecting Wickham Road
- b. Withdraw the existing road renaming request from Landgate
- c. Undertake all necessary consultation with affected landowners and stakeholders.

5. Notes:

- a. Concerns raised by affected residents and landowners regarding the historical significance of Wickham Road.
- b. That Wickham Road services multiple residences and farming properties associated with the Wickham and surrounding families.
- c. That the Wickham Road name predates Wickham Street and has significant historical connection to pioneering agricultural settlement within the district.
- d. That retaining the Wickham Road name is considered by Council to be in the broader community and historical interest.

Carried 9-0

26/91

Votes:

For: President Campbell, Cr. McCarthy, Cr. Dickinson, Cr. Bromham, Cr. Coleman, Cr. Hitchcock, Cr. Morley, Cr. Carbone and Cr. Holly.

Against: Nil.

14. Notice of Motion for Following Meeting

Nil.

15. Reports of Members

The Shire President reported on her attendance for the month of May at the following:

- Interviews for the ARIC Chair and Deputy
- Shire Chat
- SEN Radio
- South West State Budget Lunch
- Meeting with Minister Punch
- Biggest Morning Tea at the Harvey Library
- Talkin' Tourism Event
- Western Australian Police meeting regarding ANPR Cameras

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. Holly****That Council moves behind closed doors.****Carried 9-0****26/92****Votes:****For:** President Campbell, Cr. McCarthy, Cr. Dickinson, Cr. Bromham, Cr. Coleman, Cr. Hitchcock, Cr. Morley, Cr. Carbone and Cr. Holly.**Against:** Nil.***Council moved behind closed doors at 7.48pm.****Members of the public and the following staff left the Chambers at 7.48pm:*

- *Chief Executive Officer*
- *Director Infrastructure Services*
- *Director Sustainable Development*
- *Director Corporate Services*
- *Director Community and Lifestyle*
- *Executive Advisor to the CEO*
- *Procurement Officer*
- *Contract Administration Officer*
- *Marketing and Communications Officer*
- *Manager Finance*
- *Manager Public Relations and Communications*
- *Manager Information Services*

17.1. Executive Services

Item No.:	17.1.1.
Subject:	Acceptance of CEO Resignation and Subsequent Policy Approval
Proponent:	Shire of Harvey
Location:	Shire of Harvey
Reporting Officer:	Manager Governance and Strategy
Authorising Officer:	Chief Executive Officer
File No.:	F/08/00053
Attachments:	1. Confidential Attachment 1 2. Confidential Attachment 2 3. Confidential Attachment 3

Reason for Confidentiality

Pursuant to Section 5.23(2)(b) of the Local Government Act 1995, this report contains information about a matter relating to the recruitment or employment of the CEO, including the termination of employment.

Accordingly, this report is provided to Council on a confidential basis.

Should Council wish to discuss matters contained within this report or attachments, Council will be required to resolve to close the meeting to members of the public in accordance with Section 5.23 of the *Local Government Act 1995*.

Discussion during any closed session is to be limited to matters directly relating to the resignation and interim leadership arrangements.

Summary

Council has received the resignation of the Chief Executive Officer (CEO), Annie Riordan, effective 14 August 2026.

This report seeks Council consideration regarding acceptance of the CEO resignation including finalising the employee's final payment and interim executive leadership arrangements pending recruitment of a substantive Chief Executive Officer.

To ensure continuity of governance, leadership and statutory functions, it is recommended Council authorise the Shire President to undertake preliminary enquiries regarding interim or Temporary CEO arrangements pending Council consideration and appointment.

Voting Requirements

Absolute Majority

Moved: President Campbell

Seconded: Cr. Carbone

That Council:

- 1. Accept the resignation of Ms Annie Riordan from the position of Chief Executive Officer effective 14 August 2026 and authorise the Shire President to execute all necessary correspondence and documentation associated with the cessation of employment and transition arrangements.**

2. Authorise the payment of all accrued contractual and leave entitlements owing to the Chief Executive Officer in accordance with the Contract of Employment, applicable legislation and the Shire's financial management practices as outlined in this report.
3. Adopt revised Policy 1.3.4 – Temporary Employment or Appointment of Acting Chief Executive Officer *Attachment 2*, as attached to the report.
4. Authorise the Shire President to undertake preliminary enquiries and discussions with WALGA, executive recruitment consultants and suitably qualified persons regarding potential Temporary Chief Executive Officer arrangements pending recruitment of a substantive Chief Executive Officer.
5. Note that any formal appointment of an Acting or Temporary Chief Executive Officer will be subject to a separate Council resolution and compliance with the *Local Government Act 1995*, relevant Shire policies and Salaries and Allowances Tribunal requirements.
6. Nominate the Manager Governance and Strategy as the administrative representative to coordinate the governance and administrative aspects of the Chief Executive Officer recruitment process, including initially consulting with the Shire President regarding interim Chief Executive Officer arrangements and facilitating the preparation of a future report to Council for consideration of any proposed Acting or Temporary Chief Executive Officer appointment.
7. Request the Chief Executive Officer or delegated administrative representative to coordinate CEO recruitment training with WALGA for Elected Members prior to commencement of the substantive CEO recruitment process.
8. Note that further reports will be presented to Council regarding:
 - a. Establishment of a CEO Recruitment Committee
 - b. Adoption of Terms of Reference for the Committee
 - c. Engagement of a recruitment consultant and independent person
 - d. Approval of the CEO Position Description and selection criteria
 - e. Commencement of the substantive CEO recruitment process in accordance with legislative requirements and CEO Recruitment Standards.

Carried 9-0

26/93

Votes:

For: President Campbell, Cr. McCarthy, Cr. Dickinson, Cr. Bromham, Cr. Coleman, Cr. Hitchcock, Cr. Morley, Cr. Carbone and Cr. Holly.

Against: Nil.

Returning from Behind Closed Doors**Moved: Cr. Holly****Seconded: Cr. McCarthy****That Council return from behind closed doors.****Carried 9-0****26/94****Votes:**

For: President Campbell, Cr. McCarthy, Cr. Dickinson, Cr. Bromham, Cr. Coleman, Cr. Hitchcock, Cr. Morley, Cr. Carbone and Cr. Holly.

Against: Nil.

Council returned from behind closed doors at 8.08pm

The following staff entered the Chambers at 8.08pm:

- *Chief Executive Officer*
- *Director Infrastructure Services*
- *Director Sustainable Development*
- *Director Corporate Services*
- *Director Community and Lifestyle*
- *Executive Advisor to the CEO*
- *Procurement Officer*
- *Contract Administration Officer*
- *Marketing and Communications Officer*
- *Manager Public Relations and Communications*
- *Manager Information Services*

18. Closure of Meeting

There being no further business to discuss, the meeting was declared closed at 8.10pm.

I, Ms. Michelle Campbell, certify that the aforesaid Minutes of the meeting held on Tuesday, 26 May 2026, are a true and correct record of that meeting.

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

Ms. Michelle Campbell
Shire President