



AGENDA

ORDINARY MEETING OF COUNCIL

14 MARCH 2024

Our Community Vision

"We are a thriving region which is safe, liveable and welcoming.

We value our quality of life and embrace our natural environment which affords us both economic and recreational pursuits.

Our industries are recognised for their resilience, quality and innovation and for their contribution to the state of Western Australia.

Our economic diversity provides business and employment opportunities for all."

SHIRE OF MANJIMUP – ORDINARY MEETING OF COUNCIL AGENDA

14 MARCH 2024

NOTICE TO ALL COUNCILLORS

An Ordinary Meeting of Council has been called for Thursday 14 March 2024 commencing at 5:30pm in the Clem Collins Pavilion, Northcliffe Recreation Grounds.



**Benjamin Rose
CHIEF EXECUTIVE OFFICER**

8 March 2024

DISCLAIMER

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written enquiry should be made to the Council giving the entire reasons for seeking the advice or information and how it is proposed to be used.

**IMPORTANT MATTERS AFFECTING THOSE ATTENDING THE MEETING
AND THOSE AFFECTED BY A DECISION OF THE MEETING.**

- 1. Please note this meeting may be electronically recorded.**
- 2. Decisions made in this meeting are unable to be acted upon by the person who has been granted the authorisation unless and until the decision is able to be implemented by the Interim Chief Executive Officer and in any event not before the afternoon of the first business day following this meeting. If you are in any doubt about a decision please contact the Shire prior to making any commitments.**
- 3. Please be advised that if you provide notes on your presentation to Council, they will be included in the Minutes of this meeting as an Attachment.**

SHIRE OF MANJIMUP
ORDINARY MEETING OF COUNCIL
THURSDAY 14 MARCH 2024
TO BE HELD
IN THE CLEM COLLINS PAVILION,
NORTHCLIFFE RECREATION GROUNDS
COMMENCING AT 5:30PM
AGENDA

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire of Manjimup respectfully acknowledges the Noongar people as the Traditional Custodians of the lands in which we work throughout the region and we pay our respects to their Elders past and present.

2. ANNOUNCEMENTS BY THE PRESIDENT

3. ATTENDANCE

3.1 Apologies

Nil advised at time of publication.

3.2 Approved Leave of Absence

Councillor Cliff Winfield has been granted a leave of absence for this meeting.

4. DECLARATIONS OF INTEREST

[Part 5, Division 6 of the Local Government Act 1995 requires that a member must disclose the interest of the member and the nature of the interest in writing before the meeting or immediately before the matter is discussed.]

5. PUBLIC QUESTION TIME

5.1 Response to public questions taken on notice

Nil questions taken on notice.

5.2 Public Question Time

[Under meeting procedure determined by the Shire of Manjimup Standing Orders Local Law 2013, this is the only opportunity for members of the public to ask up to a maximum of two questions of Council. There is no further opportunity to question the Shire of Manjimup during the meeting. Questions can be asked on any Shire matter, not just on issues included in the meeting agenda and each person shall have up to 3 minutes to ask their questions which may be extended by an additional 3 minutes where considered appropriate by the Presiding Member. Persons asking questions are entitled to a response unless the question is declared "out of order" by the Presiding Member. If a matter requires further investigation, that response may be in writing. Any person asking questions of Council must state their correct name and address as this will form part of the public record of this meeting]

6. PRESENTATIONS

6.1 Petitions:

Nil.

6.2 Presentations:

Nil.

6.3 Deputations:

Northcliffe Recreation Association - Address to motion put forward for Drought Proofing Northcliffe Recreation Grounds

6.4 Delegate Reports:

Nil at time of publication.

6.5 Conference Reports:

Nil at time of publication.

7. CONFIRMATION OF PREVIOUS MINUTES

_____ / _____

That the Minutes of the Ordinary Meeting of Council held on 15 February 2024 be confirmed as a true and accurate record.

8. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

At the 15 February 2024 Ordinary Meeting of Council, Cr Eiby presented the following Notice of Motion for consideration at the 14 March 2024 Ordinary Meeting of Council:

That Council instructs the Chief Executive Officer to:

- 1. Investigate options and cost-benefits for improved drought (water) resilience at the Northcliffe Recreation Grounds.***
- 2. Present the investigated findings and recommendations to Council by no later than 30 June 2024, for consideration in the 2024/25 Shire budget process.***

8.1 Notice of Motion (Cr Eiby) - Drought Proofing Northcliffe Recreation Grounds

PROPONENT	Cr Wendy Eiby
OWNER	Shire of Manjimup
LOCATION / ADDRESS:	Lot 66 George Gardner Drive, Northcliffe
WARD:	Rural
ZONE:	Parks and Recreation
DIRECTORATE:	Works and Services
FILE REFERENCE:	F161125
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Michael Leers
DATE OF REPORT:	12 February 2024
DECLARATION OF INTEREST:	Nil

COUNCILLOR COMMENT

"The Northcliffe Recreation Ground is the heart of the Northcliffe community and provides social interaction and physical activity for many of our residents. The Bowls Club regularly has 50 or more members playing once or twice a week during bowls season, and the oval is used by the Cricket Club during the hot, dry summer months. This summer season has been excessively dry and the water supply for irrigation has run out. The availability of water for irrigation at the Northcliffe Recreation Ground has been an ongoing issue for decades which the community seeks to rectify and 'future-proof' the grounds against the predicted continually drying climate."

BACKGROUND

At the Ordinary Meeting of Council held 15 February 2024, Cr Eiby advised of the following Notice of Motion to be considered at the next meeting:

That Council instructs the Chief Executive Officer to:

- 1. Investigate options and cost-benefits for improved drought (water) resilience at the Northcliffe Recreation Grounds.***
- 2. Present the investigated findings and recommendations to Council by no later than 30 June 2024, for consideration in the 2024/25 Shire budget process.***

Over the previous decade, there has been conjecture regarding water availability and water security at the NRG. This report considers current issues at the site, rather than retrospective issues.

To assist Council in considering the motion, Shire staff consider there to be two effective opportunities for improving drought resilience at the Northcliffe Recreation Grounds (NRG). The first option is to consider an upgrade to the reticulated irrigation systems at the oval and the bowling green, ensuring a more efficient delivery of water to those assets. The second option is to carry out upgrades to the nearby dam to ensure greater supply of water.

A recent test of the bowling green irrigation system showed ineffective and non-uniform delivery of water to the turf. Also, the dam that supplies water for the Northcliffe football/cricket oval and the Northcliffe Bowling Green was all but dry by the end of February 2024, following an extended dry period. Further details regarding these two issues will be provided in the following sections of this report.

Council is requested to consider the Notice of Motion having regard to the comments and advice provided below.

PUBLIC CONSULTATION UNDERTAKEN

Nil.

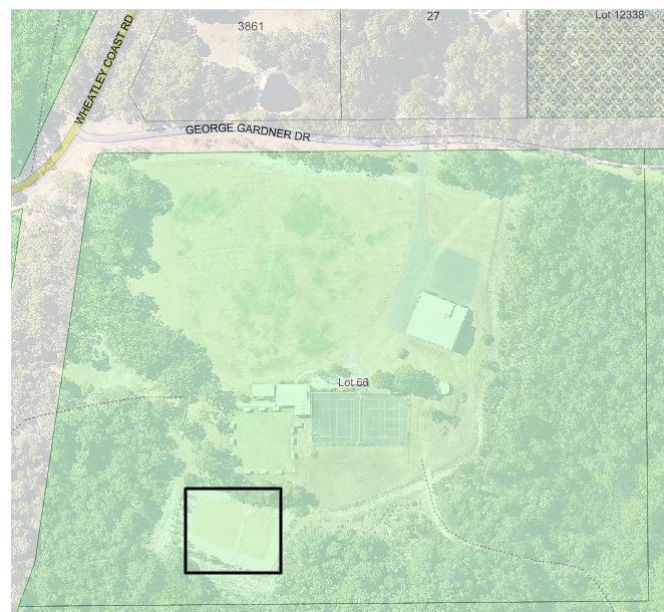
COMMENT

As already stated, the dam that supplies water for irrigating the oval and the bowling green was all but dry by the end of February 2024. This resulted in the oval and bowling green irrigation systems being turned off. In light of current and predicted future climate scenarios, this is likely to be a more regular occurrence. As such the recommendation to improve drought resilience at this site has merit.

The Shire considers there to be two opportunities to improve the drought resilience at the NRG. Both the irrigation systems for the oval and the bowling green are about 20 years old. A common issue with old reticulated irrigation systems is their poor delivery of water in a uniform manner. This is usually due to new more water efficient nozzles being used to replace the old nozzles and then the whole system loses uniformity of delivery. This is evident at the bowling green where some areas are receiving 4mm of water while other areas are receiving 15mm during a single watering run time. The irrigation system at the

bowling green was not installed nor is it maintained by the Shire. The same tests of the oval's irrigation system have not yet been carried out, but it is expected there will be similar results. Therefore, by first calibrating water delivery and then improving these irrigation systems, a more efficient irrigation system will operate, using less water but to better effect.

The small dam is a Shire asset and outside of the Northcliffe Recreation Association leased areas. The dam can be improved to ensure a greater amount of water is captured by removing left over earthworks remaining inside the dam from previous works. Logically an increased dam capacity will help improve drought resilience. The image below shows the location of the dam within the NRG. It is worth noting that these dam works can be carried out without further regard to Department of Water and Environmental Regulation (DWER) regulation overseeing dam construction compliance. Having said that, DWER permission may still be required if any native vegetation is to be cleared.



It should also be noted that the Shire is in the process of engaging a turf specialist consultant to prepare a water and turf management strategy for the bowling green and oval. This will also help ensure effective and efficient use of water, fertiliser and other components required to maintain healthy and performing turf.

Given the above discussion and comments, Council is recommended to approve the Notice of Motion.

STATUTORY ENVIRONMENT

Local Government Act 1995.

POLICY AND STRATEGIC IMPLICATIONS

Under the Natural Environment theme, water sustainability and water security are a feature in the Shire's Strategic Community Plan 2021-2031:

- A6. Manage natural waterways and lakes to encourage water flow and catchments for self-sustaining purposes;
- A7. Implement controls to protect air and water quality; and
- A21. Advocate for sustainable water supply and security for our communities.

ORGANISATIONAL RISK MANAGEMENT

There is negligible risk to the Shire by proceeding with any works, as all works will be carried out in compliance with DWER conditions. The risk of not carrying out the recommended works is likely to be that the NRG run dry of water at the end of the future and following summers.

FINANCIAL IMPLICATIONS

The cost for any dam improvement works or other drought resilience measures will be considered as part of the 2024/25 Council Budget deliberations.

SUSTAINABILITY

Environmental: Compliance with DWER conditions will ensure no environmental impacts.

Economic: Nil.

Social: Ensuring sufficient water to supply the oval and the bowling green keeps those facilities operational and allows for social interaction during sporting events and practise.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council instructs the Chief Executive Officer to:

- 1. Investigate options and cost-benefits for improved drought (water) resilience at the Northcliffe Recreation Grounds.**
- 2. Present the investigated findings and recommendations to Council by no later than 30 June 2024, for consideration in the 2024/25 Shire budget process.**

9. OFFICER REPORTS

VOTING TYPE	ITEM	OFFICER REPORTS	Page No.
OFFICE OF CEO			
	9.1	OFFICE OF CEO	
Nomination	9.1.1	Nomination of Elected Member to Represent Shire on External Committee - Southern Forests Community Landcare	11
BUSINESS DIRECTORATE			
	9.2	CORPORATE AND GOVERNANCE	
	9.3	FINANCE AND ADMINISTRATION	
	9.3.1	Monthly Statement of Financial Activity - January 2024	14
Absolute	9.3.2	Proposed Budget Review - December 2023	17
	9.3.3	Unconfirmed Minutes of the Audit Committee Meeting Held 29 February 2024	21
	9.3.4	Local Government Compliance Audit Return 1 January 2023 to 31 December 2023	24
	9.4	INFORMATION COMMUNICATIONS TECHNOLOGY	
DEVELOPMENT AND REGULATION DIRECTORATE			
	9.5	STATUTORY PLANNING	
	9.5.1	Proposed Dam with Setback Reduction at Lot 102 (30406) South Western Highway, Quinninup	27
	9.5.2	Request to Adopt Scheme Amendment for Purposes of Advertising - Lot 112 and 113 Bath Street, Manjimup	33
	9.5.3	Quarterly Report October - December 2023 - Development and Regulation Directorate	38
	9.5.4	Delegated Planning Decisions for February 2024	40
	9.6	BUILDING SERVICES	
	9.7	RANGER AND EMERGENCY SERVICES	
	9.8	ENVIRONMENTAL HEALTH SERVICES	
COMMUNITY SERVICES DIRECTORATE			
	9.9	COMMUNITY AND RECREATION SERVICES	
	9.9.1	Proposed Review of Sporting Grounds Maintenance Agreements	43
	9.10	HACC SERVICES	
	9.11	LIBRARIES NAD CULTURAL SERVICES	
WORKS AND SERVICES DIRECTORATE			
	9.12	TECHNICAL SERVICES	

	9.13	WORKS	
Absolute	9.13.1	Proposed Budget Amendment, Windy Harbour Road	47
	9.14	PARKS AND GARDENS	
	9.15	OCCASIONAL AND MANAGEMENT COMMITTEES	
	9.16	ADVISORY COMMITTEES	
Absolute	9.16.1	Unconfirmed Meeting Notes of the Access and Inclusion Advisory Committee Meeting held on 8 February 2024	51
Absolute	9.16.2	Unconfirmed Minutes of the Reconciliation Action Plan Advisory Committee Meeting held 9 February 2024	55

_____ / _____

“That Council adopt the recommendations contained in the Council Officers and Committee Reports on pages 1 – 59 of the Agenda with the exception of those on the board:

9.1.1 Nomination of Elected Member to Represent Shire on External Committee - Southern Forests Community Landcare

PROPONENT	Shire of Manjimup
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
WARD:	Whole of Shire
ZONE:	N/A
DIRECTORATE:	Office of CEO
FILE REFERENCE:	F160736
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Jessica Raper
DATE OF REPORT:	13 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND

On Friday 9 February 2024, Councillor Eiby resigned from the Councillor delegate role on the Southern Forests Community Landcare committee, via written notice to the Chief Executive Officer.

Southern Forests Community Landcare have previously requested Councillor representation on their Board.

The purpose of this report is to appoint a new Council delegate to this committee.

PUBLIC CONSULTATION UNDERTAKEN

Nil.

COMMENT

Cr Wendy Eiby has resigned from this committee role, having recently been employed by Southern Forests Community Landcare.

Full details of the required nominations and representative officer to the committee are listed in the table under Officer's Recommendations. Presently, Cr Winfield is the nominated Proxy for this committee.

It is recommended for the Shire to have a representative on this committee to allow input and feedback to the Shire of information that is relevant to the district.

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY AND STRATEGIC IMPLICATIONS

That Councils' representation on this group is considered desirable.

ORGANISATIONAL RISK MANAGEMENT

Nil.

FINANCIAL IMPLICATIONS

Nil.

SUSTAINABILITY

Environmental: The committee support the Southern Forests Community Landcare group who work with the Warren community to sustain healthy forests, rivers, coastal environs, rural enterprises and aspirations.

Economic: Southern Forests Community Landcare's agriculture related research interests help improve and support innovation in local agricultural systems.

Social: The organisation is a community-based group.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

- 1. Acknowledge Cr Eiby's resignation as Council delegate on the Southern Forests Community Landcare committee.**
- 2. Appoint the following Council delegates to the Southern Forests Community Landcare committee for the period 14 March 2024 to 18 October 2025 (or such shorter term as determined by the Group):**

Southern Forests Community Landcare committee	
Cr	Councillor
Cr Cliff Winfield	Councillor (Proxy)
Contact: Ms G Ipsen Cutts	Director Community Services

ATTACHMENT**9.3.1 Monthly Statement of Financial Activity - January 2024**

PROPONENT	Shire of Manjimup
OWNER	Whole Shire
LOCATION / ADDRESS:	Whole Shire
WARD:	Whole Shire
ZONE:	N/A
DIRECTORATE:	Business
FILE REFERENCE:	F160188
LEGISLATION:	<i>Local Government Act 1995; Local Government (Financial Management Regulations) 1996</i>
AUTHOR:	Greg Lockwood
DATE OF REPORT:	23 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND

The *Local Government (Financial Management) Regulations 1996* require monthly Statement of Financial Activity reports to be prepared and presented to Council, containing the following information;

- Annual budget estimates;
- Estimates to end of month;
- Actual expenditure;
- Actual income;
- Material variances; and
- Net current assets.

The Statement of Financial Activity report for the period to 31 January 2024 is attached. The report is summarised by “Type” with operating comments identifying departments with a reportable variance.

ATTACHMENT: 9.3.1 (1)

PUBLIC CONSULTATION UNDERTAKEN

Nil.

COMMENT

The financial performance for the Shire of Manjimup to the 31 January 2024 is a projected deficit of \$4,251.

The projected deficit is based on a conservative approach highlighting possible issues as they occur, which in most cases can be rectified or offset with under expenditure in other areas as the Shire progresses through the financial year.

The December 2023 Monthly Financial Activity Statement discussed a projected surplus of \$365,285, this projection has been amended to reflect the proposed budget adjustment discussed as part of the December 2023 Budget Adjustment agenda which is also presented to the meeting of 14 March 2023.

Whilst there still is a projected deficit after the proposed December 2023 budget adjustments, it is anticipated due to its minor nature that this can be offset in savings in other areas.

The items negatively affecting the end of year position are:

- Electricity Costs – Manjimup Regional AquaCentre \$40,000 – In August 2023 an inverter within the solar array was hit with a power spike and failed. The new inverter supply and replacement took some time and was finally installed early January 2024;
- Insurance Premiums \$47,851 – Shire of Manjimup insurance premiums are higher than budgeted. The Shire received a workers compensation adjustment increase of \$13,391 based on last year's wages, with the remainder of the projected over spend being general premium increases; and
- Power Up Electricity Museum Income \$40,000 - Whilst we are now entering the period of higher use, a comparison of income to a pro rata of the year-to-date budget shows entry fees \$24,981 behind the year-to-date budget.

Items that are positively affecting the end of year position are:

- Interest revenue \$60,000 - To the 31 January 2024 actuals were \$429,901 with a whole year budget of \$324,969. It is expected that the rate of interest generated will slow as we progress through the year with money being expended, however a conservative projection should see \$60,000 of additional income received; and
- Development Application Fees \$15,000 – Planning applications fees to the 31 January 2024 are \$3,400 ahead of the whole year budget, so a \$15,000 projection is a conservative estimate should activity slow in the coming months.

Other than those items listed above, no major discrepancies have come to light in the first seven months after adopting the 2023/24 budget. Given the level of projected deficit, with sound financial management going forward by all departments, Council should be in a neutral or minor surplus position by the 30 June 2024.

STATUTORY ENVIRONMENT

Section 6.8 of the *Local Government Act 1995* and *Financial Management Regulation 34*.

POLICY AND STRATEGIC IMPLICATIONS

Nil.

ORGANISATIONAL RISK MANAGEMENT

Nil.

FINANCIAL IMPLICATIONS

As described in above summary.

SUSTAINABILITY

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: **SIMPLE MAJORITY**

OFFICER RECOMMENDATION:

That Council receive the Monthly Statement of Financial Activity Report for January 2024, as per Attachment: 9.3.1(1).

ATTACHMENTS

1 ➡ January 2024 - Monthly Financial Activity Statement 17 Pages

ATTACHMENT**9.3.2 Proposed Budget Review - December 2023**

PROPONENT	Shire of Manjimup
OWNER	Whole Shire
LOCATION / ADDRESS:	Whole Shire
WARD:	Whole Shire
ZONE:	N/A
DIRECTORATE:	Business
FILE REFERENCE:	F160191
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Greg Lockwood
DATE OF REPORT:	6 March 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND

Shire staff have undertaken a review of the monthly accounts to 31 December 2023. Councillors received a presentation from staff and were involved in a workshop to consider the allocation of additional income and savings identified, including the unbudgeted 2022/23 Carry Forward Surplus.

From that workshop a budget adjustment sheet has been prepared to reflect the informal decisions made and to amend the 2023/24 Annual Budget.

ATTACHMENT: 9.3.2 (1)

PUBLIC CONSULTATION UNDERTAKEN

Nil.

COMMENT

The December 2023 Monthly Financial Statement Report has been completed and was presented to Council on the 15 February 2024 providing an explanation of “actual” compared to “budget” for the six months of operation to 31 December 2023.

Adjustments for 2023/24 adopted budget, already approved by Council by way of specific agenda items, are:

- Pemberton Sports Club \$49,000 - Fee for Service \$43,000 and installation of utility sub meters \$6,000 per agenda item 16 November 2023;

- Manjimup Airfield \$20,000 – Update line marking at Manjimup Airfield per agenda item 16 November 2023;
- Pemberton Sports Centre \$5,177 – Reseal courts per agenda item 7 December 2023;
- Rea Park/Collier St Redevelopment \$3,188,731 – Set aside funding to support Grant application Stage 2 per agenda item 21 December 2023; and
- Local Roads and Community Infrastructure \$526,631 – Reseal items from Phase 4 funding not contained in 2023/24 budget in error per agenda item 6 July 2023.

On Thursday 15 February 2024 during an informal budget session, Councillors were advised of a series of moderate unbudgeted or high performing income lines that collectively amounted to \$938,679 in additional funding.

During discussions Shire staff advised that it would be prudent to set aside \$145,143 of the surplus, due to the overpayment received from the Local Government Grants Commission for the 2023/24 grant allocation. Advice has been received from the Grants Commission that the 2024/25 General Purpose Grant Allocation will be reduced by the overpayment, so it is appropriate that the \$145,143 be isolated for next year's budget.

The 2023/24 adopted budget has two asset renewal projects funded from the Local Roads and Community Infrastructure Program. Both the Manjimup Indoor Sports Pavilion and the Pemberton Sports Club Pavilion's external Colorbond were proposed to be painted only (due to budget), this is expected to extend the assets life by 10 years. After discussions with Councillors an additional \$115,000 municipal funding was proposed to be allocated to the projects to replace the Colorbond rather than paint, extending the life for 36 years (being the warranty period), giving a much better asset renewal result.

There were some current and future projects that due to timing may require an unknown level of funding at some stage, Councillors were conscious of committing funds now without solutions to these projects. It was proposed to set aside the remaining \$678,136 into the Strategic Asset Reserve to be utilised as required. Any expenditure from the Strategic Asset Reserve will require a decision of an absolute majority of Council.

There were two other requests that required some consideration and were supported due to their risk mitigation and connection to emergency management being:

- Shire staff proposed electrical wiring of connections be fitted to the 4 evacuation centres so generators could be directly plugged in in the event of a blackout in an emergency situation; and

- Replacement of Diamond Bush Fire Brigade Truck. The current Diamond truck is 26 years old and does not meet current standards and needs to be replaced. The fire unit is also used by Shire staff to carry out fire mitigation works each year.

Two other general maintenance budget adjustment items are proposed, being an increase to Home Care Package income by \$400,000 to reflect the current level of income with adjustments to expenditure to meet additional services, and an increase to Financial Assistance Grants Roads to match the final advice received, with Road Maintenance receiving the offset given the funding is for road asset preservation.

STATUTORY ENVIRONMENT

Section 6.8 (1) of the *Local Government Act 1995* requires that expenditure not be incurred for an additional purpose unless authorised by Council.

POLICY AND STRATEGIC IMPLICATIONS

Nil.

ORGANISATIONAL RISK MANAGEMENT

Nil.

FINANCIAL IMPLICATIONS

Details of the recommended budget adjustments are attached.

SUSTAINABILITY

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council adopts the December 2023 budget adjustments as part of the 2023/2024 Budget Review as contained in Attachment: 9.3.2(1).

ATTACHMENTS

1 [!\[\]\(2bdfe261b986065ee0ac76460d6528c9_img.jpg\)](#) Proposed Budget Adjustments - December 2023 2 Pages

ATTACHMENT**9.3.3 Unconfirmed Minutes of the Audit Committee Meeting Held 29 February 2024**

PROPONENT	Shire of Manjimup
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
WARD:	All
ZONE:	N/A
DIRECTORATE:	Business
FILE REFERENCE:	F170379
LEGISLATION:	<i>Local Government Act 1995, Local Government (Financial Management) Regulations 1996</i>
AUTHOR:	Greg Lockwood
DATE OF REPORT:	23 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND

On 29 February 2024 Council's Audit Committee met for the purposes of:

1. Receiving the unconfirmed minutes of the Audit Committee held 7 December 2023.
2. Reviewing the Shire of Manjimup 2023 Compliance Audit Return.
3. Receiving a presentation from AMD Chartered Accounts (Mr Tim Partridge) on Internal Audit Programs.

The purpose of this agenda item is to receive the unconfirmed minutes of the Audit Committee meeting held on 29 February 2024.

ATTACHMENT: 9.3.3(1)

PUBLIC CONSULTATION UNDERTAKEN

Nil.

COMMENT

The main purpose of the Audit Committee meeting held 29 February 2024 was to review and endorse the findings from the 2023 Compliance Audit Return (CAR).

Each local government is required to carry out a compliance audit against the requirements of the compliance audit return. The CAR audit process identified one (1) item of non-compliance.

Disclosure of Interest – s5.76 Admin Reg 23, Form 3 – *Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2023?*

Unfortunately, due to an administration error one employee was missed as part of the initial mail out request to all staff to complete an Annual Return. The employee in question completed the return on request on the 5 September 2023.

The Audit Committee received a presentation from AMD Chartered Accountants on Internal Audit Programs. From that presentation the Audit Committee moved a motion for the Chief Executive Officer to investigate a suitable program and associated costs to be presented to Council as part of 2024/25 budget deliberations.

STATUTORY ENVIRONMENT

Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

POLICY AND STRATEGIC IMPLICATIONS

The Audit Committee is established under the *Local Government Act 1995* to provide guidance and assistance to the Local Government in achieving the audit requirements of the Act thus ensuring that the financial management of the Shire of Manjimup remains open, transparent and accountable.

ORGANISATIONAL RISK MANAGEMENT

Nil.

FINANCIAL IMPLICATIONS

Nil.

SUSTAINABILITY

Environmental: Nil.

Economic: It is essential that Local Government maintains open, transparent and accountable processes in the expenditure of public monies. Regular financial audits by auditors and the functions of the Audit Committee are some of the methods established to assist Local Government in meeting legislative and community expectations.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

- 1. Receive the unconfirmed minutes of the Audit Committee meeting held 29 February 2024 as per Attachment: 9.3.3(1).**
- 2. Endorse the 2023 Compliance Audit Return.**
- 3. Instruct the Chief Executive Officer to investigate and prepare an appropriate Internal Audit Program and associated costs to be considered as part of the 2024/25 budget deliberations.**

ATTACHMENTS

- 1  Unconfirmed Audit Committee Minutes - 29 February 2024 13 Pages**

ATTACHMENT**9.3.4 Local Government Compliance Audit Return 1 January 2023 to 31 December 2023**

PROPONENT	Shire of Manjimup
OWNER	N/A
LOCATION / ADDRESS:	Whole of Shire
WARD:	Whole of Shire
ZONE:	Whole of Shire
DIRECTORATE:	Business
FILE REFERENCE:	F170049
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Craig Martyn
DATE OF REPORT:	27 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND

Each Local Government is required to carry out a Compliance Audit Return (CAR) for the period 1 January 2023 to 31 December 2023.

The CAR is a tool for Local Governments to self-assess their compliance with the *Local Government Act 1995* and its subsequent regulations, with the results reported to the Department of Local Government, Sport and Cultural Industries (DLGSCI).

Regulation 14 of the *Local Government (Audit) Regulations 1996* requires the local government's Audit Committee review the CAR and report the results to the Council, prior to adoption by Council and submission to DLGSC by 31 March 2024. On the 29 February 2024 the Shire of Manjimup Audit and Risk Committee were presented with and endorsed the findings contained within the CAR. The minutes of that meeting will be presented as a separate item.

A copy of the CAR for the Shire of Manjimup for the period 1 January 2023 to 31 December 2023 is attached.

ATTACHMENT: 9.3.4 (1)

The purpose of this agenda item is for Council to consider adopting the proposed 2023 Compliance Audit Return.

PUBLIC CONSULTATION UNDERTAKEN

Nil.

COMMENT

The 2023 CAR was available to local governments in January 2023 via email from the DLGSCI. The DLGSCI communication portal previously used is undergoing maintenance and as a result the document format has varied from previous years.

The various questions are distributed amongst relevant staff with their responses collated to form the 2023 CAR.

The 2023 CAR contained 94 items, including 9 optional questions, with 1 items of non-compliance, or 99% compliance.

The item of non-compliance reported, was an administrative error resulting in an annual return not being completed before the due date. The return was completed by the staff member immediately once the omission was identified, five calendar days after the 31 August cut-off. Correspondence notifying DLGSCI was sent on 6 September 2023. DLGSCI acknowledged the breach and advised they would not be pursuing the matter further.

Below is a table showing what parts of the *Local Government Act 1995* are tested and the results thereon:

Section	2022 Compliance Return		2023 Compliance Return	
	Number of Items	Number of Non-Compliant Items	Number of Items	Number of Non-Compliant Items
Commercial Enterprises by Local Government	5	0	5	0
Delegation of Power/Duty	13	0	13	0
Disclosure of Interest	21	0	21	1
Disposal of Property	2	0	2	0
Elections	3	0	3	0
Finance	7	0	7	0
Integrated Planning and Reporting	3	0	3	0
Local Government Employees	5	0	5	0
Official Conduct	4	0	4	0
Optional Questions	9	0	9	0
Tenders for Providing Goods and Services	22	0	22	0
Totals	94	0	94	1
% non-compliance		0%		1%

The 2023 CAR is required to be certified by the Shire President and the CEO then lodged with the DLGSCI by the 31 March 2024.

STATUTORY ENVIRONMENT

Local Government Act 1995.

POLICY AND STRATEGIC IMPLICATIONS

The CAR is a mechanism designed to provide the DLGSCI with confidence that local governments are operating in accordance with the provisions of the *Local Government Act 1995*. As a result the Shire of Manjimup should look at the outcome of the audit as a critical indicative assessment of statutory performance across the defined period.

ORGANISATIONAL RISK MANAGEMENT

The function of the CAR is to identify areas of non-compliance with high risk areas of the *Local Government Act 1995* being tested.

FINANCIAL IMPLICATIONS

Nil.

SUSTAINABILITY

Environmental: Nil.

Economic: Nil.

Social: The CAR demonstrates a high level of compliance for the Shire of Manjimup. Good governance is expected by the community and is being delivered by Council.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council adopt the 2023 Local Government Compliance Audit Return as the official return of Shire of Manjimup for the period 1 January 2023 to 31 December 2023 as provided in attachment: 9.3.4 (1).

ATTACHMENTS

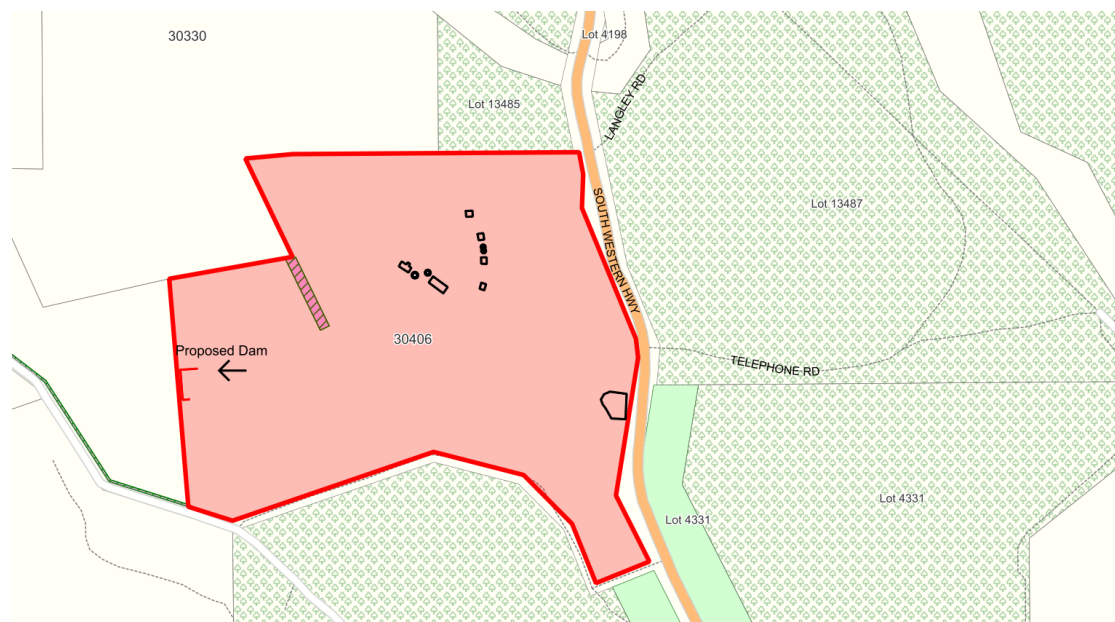
1 ➡ Shire of Manjimup 2023 Compliance Audit Return 10 Pages

ATTACHMENT**9.5.1 Proposed Dam with Setback Reduction at Lot 102 (30406) South Western Highway, Quinninup**

PROPONENT	Mr J J Mair
OWNER	Ms M S Newman and Mr J J Mair
LOCATION / ADDRESS:	Lot 102, 30406 South Western Highway, Quinninup
WARD:	Rural
ZONE:	Priority Agriculture
DIRECTORATE:	Development and Regulation
FILE REFERENCE:	TP 9/2024 DA24/9 P56985
LEGISLATION:	<i>Planning and Development Act 2005</i>
AUTHOR:	Karleha Brown
DATE OF REPORT:	26 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND

The Shire is in receipt of a planning application for a dam at Lot 102, 30406 South Western Highway, Quinninup, with a setback of 5 metres from the eastern side boundary. The property is 57.437 hectares and comprises of Scarlet Woods Chalets, a manager's residence, owners' residence and one dam located west of the property near South Western Highway. A location plan is shown below.



Plans and details submitted with the application indicate that the dam wall, adjacent to the neighbouring property boundary is 50 metres in length and projects back into the property for 80 metres. The internal depth of the dam is 5 metres and a wall height of 2 metres. The dam will have a total capacity of 80

mega litres. The proposed dam is intended to be used for stock water. A copy of the submitted application and supporting information is shown attached.

ATTACHMENT: 9.5.1 (1)

PUBLIC CONSULTATION UNDERTAKEN

In accordance with the requirements of Local Planning Scheme No. 4 (the Scheme), the proposal was referred to the adjoining landowners, one being the Department of Biodiversity and Conservation and Attractions (DBCA) for comment. The proposal was also referred to the Department of Water and Environmental Regulation (DWER).

Two submissions were received one from DBCA stating that they had no concerns to the proposed dam and the other from DWER which provided advice that the proposed dam is located in the Warren River and Tributaries Surface Water Area, and that the proponent should contact DWER to make application to determine if a permit/licence is required to be obtained under the *Rights in Water and Irrigation Act 1914*. The content of the DWER correspondence is detailed in the Comment section below, whilst a copy is shown attached.

ATTACHMENT: 9.5.1 (2)

COMMENT

The following comments are offered to assist Council in determining the application:

Zoning

The provisions of the Scheme include the subject land within the Priority Agriculture Zone. The purpose of the zone is to provide for the sustainable use of rural land which primarily accommodates a range of rural pursuits compatible with the capability of the land and which retains the rural character and amenity of the locality.

The objectives of the Scheme relating to this zone encourage the use of rural land for commercial agricultural production. With consideration to the potential impact to the amenity and agricultural production of the area, low impact tourism such as a Chalet development can occur within the zone.

Matters to be considered

As prescribed in clause 10.2 of the Scheme, the local government is required to have regard to various matters when determining an application for planning approval. These matters include, but not limited to:

- (i) *the aims and provisions of the Scheme and any other relevant Local Planning Scheme operating within the Scheme Area;*
- (vi) *the local government's adopted Local Planning Strategy and any Local Planning Policy adopted by the local government under Clause 2.4.....;*

- (x) *the compatibility of a use or development with its setting including the potential impact on the use and enjoyment of adjacent and nearby land and taking into consideration any Special Control Area;*
- (xiv) *whether the land to which the application relates is unsuitable for the proposal by reason of it being, or being likely to be, subject to flooding, tidal inundation, subsidence, landslip, bush fire or any other risk.*

The proposed dam is to be used for domestic and stock purposes. The objective of the dam is in keeping with the objective of the zone.

Exempted Development

In accordance with Clause 8.4 of the Scheme, dams located within the Priority Agriculture and General Agriculture zones are exempt from requiring planning approval where the lower edge of the dam wall, and any other part of the dam including the stored water is setback more than 20m from boundaries. Given the proposed setbacks, approval to the proposed development may only be granted through a relaxation of the setback requirements.

Relaxation of Standards

In accordance with clause 5.5 of the Scheme, the local government may approve an application for planning approval, despite the application not complying with a standard or requirement prescribed under the Scheme. However, prior to relaxing a standard, the local government must be satisfied that:

- “(i) approval of the proposed development would be appropriate having regard to the criteria set out in clause 10.2; and*
- (ii) the non-compliance will not have an adverse effect upon the occupiers or users of the development, the inhabitants of the locality or the likely future development of the locality.”*

In this case, the relaxation of the setback is consistent with the requirements of clause 10.2, and the impact of an approval on either the subject land or adjacent property has been assessed against the Policy position.

Policy Assessment

The application has been assessed against the requirements of Local Planning Policy 6.1.22 – Dams. The assessment indicates that the dam would be considered low risk given the combination of design and down gradient infrastructure.

Risk Category	Score
Construction Type (Off Stream/ Catchment)	1
Volume (0-10ML)	1
Wall Height (0-5m)	1
Dam Wall Design (Earthmoving Contractor)	1
Downstream Infrastructure	1
Overflow infrastructure proposed (By Others)	1
TOTAL	6

In accordance with provision 6.0 of the Policy, dams that score less than 10 when assessed against the risk matrix are considered a low risk. As outlined in the Policy, it is recommended that advice notes be included on any approval relating to a low risk dam, advising landowners that:

- The landowner is responsible for the structural integrity of the dam construction; and
- It is recommended that the proposed structure be certified by an appropriately qualified contractor or engineer.

Submission

As indicated above DWER advised that they require the landowners to contact its office to determine whether a permit/licence is required for the proposed dam which is within the Warren River and Tributaries Surface Water Area as proclaimed under the *Rights in Water and Irrigation Act 1914*.

Conclusion

The proposed dam has been assessed as low risk in accordance with the relevant policy. Given this and having regard to the size of the property and intended purpose of the water storage, construction of the dam with a reduced side setback is supported and conditional approval is recommended.

STATUTORY ENVIRONMENT

Planning and Development Act 2005 and Shire of Manjimup Local Planning Scheme No. 4.

POLICY AND STRATEGIC IMPLICATIONS

As detailed within the Comment Section of this Agenda Item, the application has been assessed against Local Planning Policy 6.1.22 – Dams.

Approval to the application would be consistent with the following Strategy as contained within the Shire of Manjimup's Strategic Community Plan 2021-2031: *B4. Support sustainable agricultural expansion, value-adding and downstream processing, research and development, culinary and agri-tourism, land protections, and continued support for the Southern Forests Food Council.*

ORGANISATIONAL RISK MANAGEMENT

Nil.

FINANCIAL IMPLICATIONS

The applicant has paid the fee required as per the Shire's 2023-2024 adopted fees and charges.

SUSTAINABILITY

Environmental: No vegetation is proposed to be removed to facilitate the construction of the dam.

Economic: An expanded dam as proposed will result in the landowner having access to an increased water supply to support future agriculture and activities on the property.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council, in accordance with Part 10 and Clause 5.5 of the Shire of Manjimup Local Planning Scheme No.4 grant planning approval to the proposed Dam at Lot 102 (30406) South Western Highway, Quinninup (Application TP 9/2024) in accordance with the plans and specifications shown at Attachment: 9.5.1(1) subject to the following conditions and advice:

1. The development permitted shall be carried out generally in accordance with the plans and specifications submitted as listed below:

Reference	Document Title	Date Received
1.	Site Plan	15 January 2024
2.	Dam	15 January 2024
3.	Additional Information for dam Construction	15 January 2024

2. All pumps and ancillary equipment and structures not part of this approval being setback from property boundaries in accordance with the requirements of Shire of Manjimup Local Planning Scheme No.4.

Advice to Applicant:

- A. The applicant/landowner is responsible for the structural integrity of the dam construction, and it is recommended that the

proposed structure be certified by an appropriately qualified contractor or engineer; and

- B. It is advised that the applicant contact Department of Water and Environmental Regulation in respect of the rights to store water prior to the construction of the proposed dam.**

ATTACHMENTS

- | | | |
|------------|--|------------|
| 1 ➡ | Site, Development Plan and Dam Details for Lot 102 South Western Highway Quinninup | 4
Pages |
| 2 ➡ | Submission from DWER and DBCA at Lot 102 South Western Highway Manjimup | 3
Pages |

ATTACHMENT APPENDIX

9.5.2 Request to Adopt Scheme Amendment for Purposes of Advertising - Lot 112 and 113 Bath Street, Manjimup

PROPONENT	Lateral Planning
OWNER	Uniting Church of WA
LOCATION / ADDRESS:	Lot 112 (27) and Lot 113 (29) Bath Street, Manjimup
WARD:	Urban
ZONE:	Clubs and Institutions
DIRECTORATE:	Development and Regulation
FILE REFERENCE:	DA24/34, P51699, P51698
LEGISLATION:	<i>Planning and Development Act 2005</i>
AUTHOR:	Jocelyn Baister
DATE OF REPORT:	29 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND

Council is requested to consider adopting, for the purposes of advertising, Local Planning Scheme Amendment No 30, relating to Lot 112 and Lot 113 Bath Street, Manjimup. The amendment proposes to rezone the land from Clubs and Institutions Zone to Town Centre Zone.

The subject properties have an area of 1,011m² each and are located on the northwestern side of Bath Street, Manjimup with Lot 112 having the church and hall, while Lot 113 is vacant.



At its February 2024 Ordinary Council Meeting Council resolved (29437) to support the amendment, but defer the adoption for advertising subject to:

- Receipt of the required Scheme Amendment documentation, prepared by a suitably qualified consultant; and

- b) Payment of the Shire's administration fee for the initiation of the Amendment.

An excerpt of the relevant Council minutes is appended.

APPENDIX: 9.5.2 (A)

With the draft Scheme Amendment documentation finalised and payment of the fee being requested, Council is now requested to adopt the amendment for the purposes of advertising. A copy of the draft Scheme Amendment documentation is shown attached.

ATTACHMENT: 9.5.2(1)

PUBLIC CONSULTATION UNDERTAKEN

Nil.

COMMENT

To assist Council in determining the application request, the following comments and advice are offered.

South West Infrastructure Plan

Finalised in 2015, the South West Regional Planning and Infrastructure Framework provides an overall strategic context for land-use. Within that document, the Western Australian Planning Commission (WAPC) sets out a number of positions aimed at ensuring sustainable communities including the aim of constraining low-density urban sprawl, through:

- *preventing the creation of new rural residential lots beyond those identified in existing local planning strategies or local town planning schemes, while making provisions for the creation of conservation lots or other forms of lots that provide a mechanism for the protection of existing native vegetation or opportunities for revegetation of previously cleared land with endemic species;*
- *support increasing the density of existing rural residential areas where this is seen as beneficial to the community as a whole and does not adversely impact on the landscape and environmental values of the locality; and*
- *encourage infill consolidation in existing centres through the preparation of local planning strategies, schemes and structure plans. Such infill should be in line with the objectives and policies outlined in Liveable Neighbourhoods.*

Rezoning of the land will allow for the potential subdivision and development of infill residential and as proposed is consistent with the above objectives.

Submitted Amendment Documentation

The draft Scheme Amendment documentation, shown at Attachment: 9.5.2(1), has been prepared by a suitably qualified consultant having regard to feedback from Shire Staff on a previous draft.

Amendment Process

Council is now being requested to adopt the Amendment. Until such time that adoption occurs the proposal remains outside of the legislative process that is dictated by the *Planning and Development Act 2005* and the *Planning and Development (Local Planning Schemes) Regulations 2015*. There is also no avenue of appeal in the event that Council does not adopt an amendment.

Should Council resolve to adopt the Amendment, it needs to be mindful that once this act occurs, the Amendment is required to be processed and determined.

Conclusion

With a suitable Scheme Amendment documentation provided, it is recommended that Council resolve to adopt the amendment and proceed to refer the proposal to the Environmental Protection Authority prior to advertising in accordance with the requirements of the *Planning and Development Act 2005*.

A further report will be prepared for consideration of Council following formal advertising of the proposal.

STATUTORY ENVIRONMENT

Planning and Development Act 2005.

POLICY AND STRATEGIC IMPLICATIONS

The Shire of Manjimup's Strategic Community Plan 2021-2031 identifies the following Community Goals and Strategies that are relevant to the applicant's request:

Strategies

D7. Review or amend the Local Planning Scheme to meet the changing needs of community and industry.

ORGANISATIONAL RISK MANAGEMENT

Nil.

FINANCIAL IMPLICATIONS

The required application fee for a Standard Scheme Amendment will be required to be paid in accordance with the Schedule of Fees and Charges, adopted by Council as part of the 2023/24 annual budget. The applicant will also be responsible for re-imbursement of all costs associated with advertising of the proposal once known.

SUSTAINABILITY

Environmental: To be assessed as part of the Scheme Amendment process.

Economic: Supporting the landowners' proposal will provide an opportunity to develop and/or use the land to align with the demands of the current economy and community expectations.

Social: The existing building on the land has been recognised for its cultural significance through its heritage listing under the provisions of the Scheme.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

1. Pursuant to Section 75 of the *Planning and Development Act 2005*, amend Local Planning Scheme No 4 to:
 - 1.1 Rezone Lot 112 (27) and Lot 113 (29) Bath Street, Manjimup from "Clubs and Institutions" to "Town Centre"; and
 - 1.2 Amend the Scheme Maps accordingly,

in accordance with the draft Scheme provisions shown at Attachment: 9.5.2(1).
2. Classify the scheme amendment as a Standard Scheme Amendment in accordance with Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations (2015).
3. Subject to the payment of application fees totalling \$2,530 and the Environmental Protection Authority determining that the scheme amendment will not be the subject of a formal Environmental Impact Assessment, advertise the amendment for a period of not less than 42 days in accordance with

Regulation 38 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

4. **Await a further report on the amendment following the close of advertising referred to in point 3 above.**

ATTACHMENTS

1 ➡	Attachment 1 - Proposed Scheme Amendment 30 Documentation	16 Pages
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APPENDICES

A ➡	Appendix A - Excerpt from February Ordinary Council Meeting	22 Pages
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ATTACHMENT**9.5.3 Quarterly Report October - December 2023 - Development and Regulation Directorate**

PROPONENT	Shire of Manjimup
OWNER	Shire of Manjimup
LOCATION / ADDRESS:	Shire of Manjimup
WARD:	N/A
ZONE:	N/A
DIRECTORATE:	Development and Regulation
FILE REFERENCE:	F160966
LEGISLATION:	Various
AUTHOR:	Jason Giadresco
DATE OF REPORT:	29 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND

A report outlining activities for the October – December 2023 quarter for the Development and Regulation Directorate is attached.

ATTACHMENT: 9.5.3 (1)

PUBLIC CONSULTATION UNDERTAKEN

Nil.

COMMENT

This report outlines progress on key activities and operations undertaken in the Development and Regulation Directorate. The purpose of the report is to inform Councillors and provide an opportunity to respond to any queries arising on those activities.

STATUTORY ENVIRONMENT

Nil.

POLICY AND STRATEGIC IMPLICATIONS

Nil.

ORGANISATIONAL RISK MANAGEMENT

There is a medium risk with insignificant consequence to the organisation when not regularly reporting the directorate's progress to Council.

FINANCIAL IMPLICATIONS

Nil.

SUSTAINABILITY

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council receive the October to December 2023 Quarterly Report – Development and Regulation, as contained in Attachment 9.5.3 (1).

ATTACHMENTS

1 ➡ Quarterly Report October - December 2023 Development and Regulation Directorate	37 Pages
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ATTACHMENT**9.5.4 Delegated Planning Decisions for February 2024**

PROPONENT	Shire of Manjimup
OWNER	Various
LOCATION / ADDRESS:	Various
WARD:	Various
ZONE:	Various
DIRECTORATE:	Development and Regulation
FILE REFERENCE:	F170085
LEGISLATION:	<i>Planning and Development Act 2005</i> <i>Local Government Act 1995</i>
AUTHOR:	Jocelyn Baister
DATE OF REPORT:	29 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND

In order to ensure the efficient and timely processing of planning related applications, Council delegates authority to the Chief Executive Officer to determine applications for Development Approval that meet the requirements of both Local Planning Scheme No 4 (the Scheme) and adopted Planning Policy.

Delegated planning decisions are reported to Council monthly to ensure that Council has an appropriate level of oversight on the use of this delegation. A register of Delegated Development Approvals, detailing those decisions made under delegated authority in February 2024 is attached.

ATTACHMENT: 9.5.4 (1)**PUBLIC CONSULTATION UNDERTAKEN**

Where required, applications were advertised in accordance with the Scheme and Council's adopted Local Planning Policy, as detailed in the Policy/Strategic Implications section below.

COMMENT

During February 2024, twelve (12) development applications were determined under delegated authority. Table 1 shows the number and value of development applications determined under both delegated authority and by Council for February 2024 compared to February 2022.

Table 1: Planning Decisions Made February 2023 and 2024

	February 2023	February 2024
Delegated Decisions	10 (\$979,485)	12 (\$298,370)
Council Decisions	4 (\$292,601)	4 (\$296,000)
Total	14 (\$1,272,086)	16 (\$594,370)

Table 2 compares the Year-To-Date statistics for delegated authority and Council decisions for 2023-24 compared to the previous Financial Year:

Table 2: Planning Decisions Made Year-To-Date 2022-23 and 2023-24

	YTD 2022-23	YTD 2023-24
Delegated Decisions	87 (\$6,419,671)	68 (\$10,589,853)
Council Decisions	44 (\$5,455,375)	23 (\$5,839,370)
Total	131 (\$11,875,046)	91 (\$16,429,223)

Whilst the number of applications determined has decreased in comparison to those of last Financial Year, it should be noted that the value and the level of complexity of applications have increased, as has the number required to be publicly advertised.

During February 2024, no comments were provided to the Western Australian Planning Commission on proposed subdivisions.

STATUTORY ENVIRONMENT

The Scheme is a Local Planning Scheme, made in accordance with the *Planning and Development Act 2005* and associated regulations. Part 8 of the Scheme states that prior planning approval is required for all developments (including proposed land use), except those developments identified within Part 8.4 as being Permitted Development.

In accordance with Part 11.3 of the Scheme, Council has delegated a number of planning powers to the Chief Executive Officer. These powers have been on-delegated by the Chief Executive Officer to other Shire Officers in accordance with clause 11.3.3 of Local Planning Scheme No 4.

Clause 11.3.5 of the Scheme requires that a delegation under the Scheme is consistent with sections 5.45 and 5.46 of the *Local Government Act 1995* and the regulations referred to in clause 5.46 of that Act. Regulation 19 of the *Local Government (Administration) Regulations 1996* requires that a written record of each delegated decision be kept.

POLICY AND STRATEGIC IMPLICATIONS

Applications for Development Approval must be assessed against requirements of the Scheme and Local Planning Policies that have been adopted in accordance with Part 2 of the Scheme. These Policies include Local Planning

Policy LPS4 6.1.2 *Advertising of Planning Proposals*, which details the level and scope of advertising required for Applications for Development Approval.

Each application processed under delegated authority has been processed and advertised, where required, and has been determined to be consistent with the requirements of all adopted Local Planning Policies.

ORGANISATIONAL RISK MANAGEMENT

Nil.

FINANCIAL IMPLICATIONS

The required planning fees have been paid for all applications for Development Approval processed under delegated authority.

SUSTAINABILITY

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council receives the report on Delegated Development Approvals for February 2024 as per Attachment: 9.5.4 (1).

ATTACHMENTS

1 ➡ Attachment 1 - February 2024 Planning Decisions Report 1 Page

ATTACHMENT**9.9.1 Proposed Review of Sporting Grounds Maintenance Agreements**

PROPONENT	Shire of Manjimup
OWNER	Shire of Manjimup
LOCATION / ADDRESS:	Whole of Shire
WARD:	Whole of Shire
ZONE:	All
DIRECTORATE:	Community Services
FILE REFERENCE:	F210073
LEGISLATION:	<i>Local Government Act 1995</i>
AUTHOR:	Shammara Markotis
DATE OF REPORT:	21 February 2024
DECLARATION OF INTEREST:	The author of this report is the Secretary of the Deanmill Junior Football Club. The Deanmill (Senior) Football Club hold a Sporting Ground Maintenance Agreement with the Shire.

BACKGROUND

There are numerous sporting fields throughout towns and settlements within the Shire. Each of the sporting fields has differing hire/lease agreements in place for use by sporting clubs and the community.

Historically, several sporting and community clubs have received an annual payment from the Shire in return for the club undertaking maintenance tasks at these grounds. In 2021, the Shire formalised these arrangements (with relevant sporting and community clubs) and payments through the development of Sporting Ground Maintenance Agreements. An initial overview of the responsibilities outlined in these agreements is attached.

ATTACHMENT: 9.9.1 (1)

The tasks undertaken by clubs include litter collection, mowing and assistance with reticulation repairs, however each ground is unique with varying maintenance requirements meaning that each club has differing responsibilities.

In recent times, several sporting clubs have requested an increase to their annual payments due to an increase in costs associated with undertaking their agreed duties. To assess these requests for increased payments, it is necessary to review the current payments made to sporting and community clubs for grounds maintenance against the tasks that are being undertaken.

The purpose of this report is to seek Council's direction to undertake this review.

PUBLIC CONSULTATION UNDERTAKEN

Nil.

COMMENT

The existing Sporting Ground Maintenance Agreements, coupled with their corresponding annual payments, provide a mutually beneficial outcome for both the Shire and the associated sporting and community clubs. The maintenance activities carried out by these clubs not only fulfill necessary upkeep requirements, but also potentially alleviate financial burdens for the Shire. These activities would otherwise incur expenses in hiring external contractors or allocating staff resources for the same tasks. In return, clubs can leverage on their diverse skills and resources to take advantage of a valuable fundraising opportunity.

At the Council Briefing held 15 February 2024, Council were presented with an initial overview of the current agreements. Inconsistencies between the assigned responsibilities for individual clubs and the annual payments they receive, prompted a request by Elected Members for a review to address this inconsistency, and to explore further opportunities for clubs. It should also be noted that the inconsistencies have evolved over time due to variable changes in both club and Shire practices.

Staff support the need to undertake a review of Sporting Ground Maintenance Agreements. It is important to note that due to the unique nature and specific intricacies of each club and ground maintenance practices, there is a strong likelihood that the review will uncover an array of legacy issues and inconsistencies across the board that will need further examination. The review will need to be carefully scoped to ensure that a desired outcome is achieved.

Further to the above staff recommend that a project plan for the review be developed, considering outcomes, resourcing required and timeframes, and submitted to Council for consideration as part of 2024/2025 budget deliberations.

In the interim, and in lieu of the fact that the Grounds Maintenance Agreements and sum paid to clubs has not increased in over a decade Council may choose to consider an increase to the annual payment in the 2024/2025 budget.

STATUTORY ENVIRONMENT

Local Government Act 1995.

POLICY AND STRATEGIC IMPLICATIONS

The proposed review is consistent with the following strategies from the Shire of Manjimup Community Strategic Plan:

- C2. Support volunteer community groups, encourage participation (particularly in the areas of emergency management) and acknowledge contributions to the community.
- C18. Create, support and promote a broad range sporting, recreational and social opportunities that are accessible and inclusive for all ages and abilities.

ORGANISATIONAL RISK MANAGEMENT

Ensuring equity in agreements with community clubs for maintenance works is crucial for fostering fairness, transparency, and sustainability within the community.

FINANCIAL IMPLICATIONS

There are no financial implications for undertaking this proposed review. Any additional budget implications identified will be presented to Council for further consideration.

SUSTAINABILITY

Environmental: Nil.

Economic: The tasks undertaken by clubs have the potential to reduce costs for the Shire compared to hiring contractors or assigning staff to carry out the work.

Social: Sporting Grounds Maintenance Agreements offer local sporting and community clubs an opportunity to engage in fundraising activities while instilling pride in the facilities they maintain.

VOTING REQUIREMENTS: SIMPLE MAJORITY

OFFICER RECOMMENDATION:

That Council:

- 1. Instruct the Chief Executive Officer to prepare a project plan, inclusive of scope and resourcing, to undertake a review of the current Sporting Grounds Maintenance Agreements.**

2. **Be presented with the project plan for the review of the Sporting Grounds Maintenance Agreements prior to the end of the financial year for consideration in the 2024/2025 budget.**
3. **Consider increasing the Sporting Grounds Maintenance Agreements annual payments by \$1,000 each for the 2024/2025 financial year.**

ATTACHMENTS

- 1 [!\[\]\(756219e9389f679d57027482aa5cf5fc_img.jpg\)](#) Grounds Maintenance Agreements Overview 1 Page

APPENDIX**9.13.1 Proposed Budget Amendment, Windy Harbour Road**

PROPONENT	Shire of Manjimup
OWNER	Shire of Manjimup
LOCATION / ADDRESS:	Windy Harbour Road
WARD:	Rural
ZONE:	N/A
DIRECTORATE:	Works and Services
FILE REFERENCE:	F170523
LEGISLATION:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
AUTHOR:	Andrew Johns; Michael Leers
DATE OF REPORT:	22 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND

At its Ordinary Meeting of 27 July 2023, Council adopted the 2023/24 annual budget; included in the budget is \$74,487 for bitumen resealing work on Windy Harbour Road.

Concerns regarding the safety of a section of Windy Harbour Road between Summertime Track and Doggerup Road were raised at the 8 September 2022 meeting of Council's Road and Infrastructure Advisory Committee (RIAC). The concerns related to significant surface irregularities or undulations that were causing very rough rides for users of the road.

At the meeting it was agreed that the proposed budget for resealing on Windy Harbour Road would be used to fund the placement of corrector asphalt. Use of corrector asphalt is common place where a road surface may have a number of depressions and level irregularities, but doesn't warrant full reconstruction. This corrector was used on Windy Harbour Road to make the running surface more level by filling low points, thereby reducing the severity of irregularities along the road.

The work was included in a Request for Quote for various sealing work to be carried out during the 2023/24 financial year and the work awarded to a contractor. Completion of these works has resulted in a \$39,363 overspend on the adopted budget. As such, Council is requested to note the material variance and also consider a budget amendment.

PUBLIC CONSULTATION UNDERTAKEN

Nil.

COMMENT

In response to the safety concerns raised at the RIAC meeting an inspection was undertaken along Windy Harbour Road. Between straight line kilometre (SLK) 12.9 and SLK 17.5, a total of five sections were identified and marked as the highest priority sections in need of rectification work.

A Purchase Order was issued for a quantity of road reseal work at the quoted rate, the value of which was below the budget figure of \$74,487. Following issue of the Purchase Order, which provide an estimated tonnage but no dollar value, the responsible contractor completed the works as itemised in the Request for Quote. The timing of contractor availability did not line up with the available Shire resources and insufficient project management control resulted in the contractor completing all five sections of work marked resulting in a overspend of the budget. The overspend was a direct result of extra corrector material used on the road. Notwithstanding the overspend, the works carried out above the allocated budget were needed and the end result is a safer road and the asset life has been extended.

It is unfortunate that during this time, the Works and Services directorate was under resource strain, with several staff vacancies, therefore having staff carry out multiple concurrent roles. Staff resourcing, as well as difficulty in engaging contractors in times that best suit the Shire, resulted in less than favourable contractor supervision. Given the recruitment process for some of these vacancies is well underway, these project management stressors will soon be addressed.

The Windy Harbour Road reseal budget over expenditure can be accommodated, pending Council's approval, through a budget amendment within the Reseal section of the 2023/24 Infrastructure Works Budget. Following completion of reseal works on Widdeson Street, Rutherford Street and Ward Street there was a surplus of \$25,949 due to staff shortages not carrying out some of the on ground works at the 'end points' and 'tie ins'. These works will be carried out to Shire specification at a later date. The remaining \$13,414 can be sourced from the Muirilup Road reseal budget by reducing the allocated \$80,000 to \$66,586. The Shire is currently working with the contractor on using more suitable materials for the Poly Modified Binders that are anticipated to either reduce cost or increase linear metres of reseal.

Council is requested to approve the proposed budget amendment for the road reseal works on Windy Harbor Road.

STATUTORY ENVIRONMENT

Local Government Act 1995, section 6.8; Local Government (Financial Management) Regulations 1996, r.34(5).

POLICY AND STRATEGIC IMPLICATIONS

The Shire's Corporate Business Plan 2023-2027 supports the proposal as noted in:

- D5.2 Implement the *15-year Forward Capital Works Program 2021-2036* in relation to road and bridge upgrades and renewals.

ORGANISATIONAL RISK MANAGEMENT

Minor risk to the Shire as the over expenditure can be contained within the 2023/24 Works Infrastructure budget.

At its Ordinary Meeting of 7 September 2023, Council adopted a value range and reportable variance amount for the 2023/24 financial year. A copy of this report is appended.

APPENDIX: 9.13.1 (A)

In compliance with the Council adopted variance amounts, the budget overspend of \$39,363 for sealing works on Windy Harbour Road is being reported to Council.

FINANCIAL IMPLICATIONS

Nil effect on the overall Infrastructure Works Budget 2023/24. Projects detailed in the recommendation are funded via either or both Shire municipal funding and/or Roads to Recovery.

SUSTAINABILITY

Environmental: Nil.

Economic: Nil.

Social: Nil.

VOTING REQUIREMENTS:

ABSOLUTE MAJORITY


OFFICER RECOMMENDATION:

That Council:

1. Note the material variance.
2. Approve the 2023/24 Infrastructure Works Budget amendment in accordance with the table below:

Description	Current Budget	Proposed Budget	Variation
Reseal Windy Harbour Road – Completed	\$74,487	\$113,850	\$39,363
Reseal Widdeson Street – Completed	\$77,000	\$60,231	(\$16,769)
Reseal Rutherford Street – Completed	\$60,000	\$55,460	(\$4,540)
Reseal Ward Street - Completed	\$90,000	\$85,360	(\$4,640)
Reseal Muirillup Road	\$80,000	\$66,586	(\$13,414)
Net Rate Funds			\$0

APPENDICES

A  Adoption of Material Variance Percentage 2023.2024 Financial Year

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Pages

ATTACHMENT APPENDIX

9.16.1 Unconfirmed Meeting Notes of the Access and Inclusion Advisory Committee Meeting held on 8 February 2024

PROPONENT	Shire of Manjimup
OWNER	Shire of Manjimup
LOCATION / ADDRESS:	Whole of Shire
WARD:	Whole of Shire
ZONE:	All
DIRECTORATE:	Community Services
FILE REFERENCE:	F170381
LEGISLATION:	<i>Disability Services Act 1993</i> <i>Commonwealth Disability Discrimination Act 1992</i> <i>Equal Opportunity Act WA 1998</i> <i>Local Government Act 1995</i>
AUTHOR:	Georgia Schipp
DATE OF REPORT:	13 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND

The Access and Inclusion Advisory Committee (AIAC) is an Advisory Committee of Council, formed in accordance with Part 5 of the *Local Government Act 1995*. The functions of the Committee are to:

- Promote the benefits of access and inclusion to the residents and businesses of the Shire of Manjimup;
- Be available to provide relevant advice on the development of proposals or plans for any activity, building or infrastructure within the Shire;
- Support and encourage partnership networks of local organisations that are best placed to collectively plan and coordinate strategies to address the needs of our local disability communities;
- Make recommendations to Council on matters arising not clearly dealt with by the Shire of Manjimup's Access and Inclusion Plan; and
- Monitor and review the Access and Inclusion Plan.

The current Terms of Reference are appended.

APPENDIX: 9.16.1(A)

The purpose of this report is to present the unconfirmed meeting notes, including action items, and proposed amendments to the Terms of Reference of the AIAC meeting held 8 February 2024. A copy of the meeting notes; and amended Terms of Reference are attached.

ATTACHMENT: 9.16.1(1)

ATTACHMENT: 9.16.1(2)**PUBLIC CONSULTATION UNDERTAKEN**

Nil.

COMMENT

Although the meeting did not meet quorum there are four committee representative amendments that require consideration to facilitate a quorum at future meetings. Two of these matters were raised during the informal meeting and an additional two relate to Shire staff changes.

Committee Recommendation	Officer Recommendation
That Council accept the resignation of Christopher Smith from the committee.	As per committee recommendation. Noting that Christopher Smith was acting in Ross Davidson Manjimup Education Support Centre Principal role during his extended leave.
That Council endorse the nomination of Ross Davidson (Principal Manjimup Education Support Centre) as the Disability Support Services representative position.	As per committee recommendation. Ross Davidson has now returned to his substantive role as Principal of Manjimup Education Support Centre.

In addition to the above, there have been some internal staff changes which impact on the representation on the Committee. As such, the committee support the nomination of Erin Henderson as the Home and Community Care representative.

The Manager of Technical Services is currently vacant due to the recent resignation of Catherine Mills. The position on the committee will remain vacant until the recruitment process has been completed.

The proposed Terms of Reference for the committee, with the above reflected changes is attached.

ATTACHMENT: 9.16.1(2)**STATUTORY ENVIRONMENT**

- *Disability Services Act 1993;*
- *Commonwealth Disability Discrimination Act 1992;*
- *Equal Opportunity Act Western Australia 1998; and*
- *Local Government Act 1995.*

POLICY AND STRATEGIC IMPLICATIONS

The purpose of the Committee supports the following Shire plan and policy:

- Shire of Manjimup Access and Inclusion Plan 2024-2029; and
- Shire of Manjimup Access and Inclusion Policy 3.8.1.

ORGANISATIONAL RISK MANAGEMENT

Nil.

FINANCIAL IMPLICATIONS

Nil.

SUSTAINABILITY

Environmental: Nil.

Economic: Accessible and inclusive communities and visitor experiences have the potential to add to the visitor economy.

Social: The Shire of Manjimup is committed to ensuring that the community is an accessible and inclusive community for people with disability, their families and carers.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council:

- 1. Receive the unconfirmed meeting notes of the Access and Inclusion Advisory Committee meeting held 8 February 2024 as per Attachment: 9.16.1; (1).**
- 2. Acknowledge the resignation of Christopher Smith as the Disability Support Services representative (Principal Manjimup Education Support Centre).**
- 3. Accept the nomination of Ross Davidson as the Disability Support Services representative (Principal Manjimup Education Support Centre).**

4. **Accept the nomination of Erin Henderson, Shire of Manjimup Home and Community Care representative.**
5. **Acknowledge the resignation of Catherine Mills as the Manager Technical Services representative and note this position as vacant.**
6. **Adopt the amended Terms of Reference of the Access and Inclusion Advisory Committee as per Attachment: 9.16.1(2).**

ATTACHMENTS

- | | | |
|------------|--|------------|
| 1 ➡ | Unconfirmed Meeting Notes and Action Items of the Access and Inclusion Advisory Committee Meeting held February 8 2024 | 5
Pages |
| 2 ➡ | Amended Terms of Reference of the Access and Inclusion Advisory Committee | 2
Pages |

APPENDICES

- | | | |
|------------|---|------------|
| A ➡ | Current Terms of Reference of the Access and Inclusion Advisory Committee | 2
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|------------|---|------------|

ATTACHMENT APPENDIX

9.16.2 Unconfirmed Minutes of the Reconciliation Action Plan Advisory Committee Meeting held 9 February 2024

PROPONENT	Shire of Manjimup
OWNER	Shire of Manjimup
LOCATION / ADDRESS:	Whole of Shire
WARD:	Whole of Shire
ZONE:	Whole of Shire
DIRECTORATE:	Community Services
FILE REFERENCE:	F210319
LEGISLATION:	<i>Local Government Act 1995; Aboriginal Heritage Act 1972</i>
AUTHOR:	Georgia Schipp; Gail Ipsen Cutts
DATE OF REPORT:	21 February 2024
DECLARATION OF INTEREST:	Nil

BACKGROUND

The Reconciliation Action Plan Advisory Committee (RAPAC) is an Advisory Committee of Council formed under the provisions of the *Local Government Act 1995*. The functions of the Committee outlined in the current Terms of Reference for the Advisory Committee are:

- To provide guidance and support to the Shire of Manjimup for the implementation of the Reconciliation Action Plan (RAP);
- To provide advice and make recommendation to Council regarding matters concerning the Reconciliation Action Plan and its implementation.
- To be available and to provide a focal point for connection with the Aboriginal and Torres Strait Islander community;
- Representative Members acknowledge and accept their role as a representative of the Aboriginal and Torres Strait Islander community and to act as a key liaison for the broader community;
- Communicate and inform represented groups and the local community regarding activities of the Committee; and
- Play an active role in the promotion and development of Aboriginal and Torres Strait Islander cultural awareness across the Shire of Manjimup.

The current Terms of Reference for the RAPAC are appended.

APPENDIX: 9.16.2(A)

The purpose of this agenda item is for Council to receive the unconfirmed minutes of the meeting held on 9 February 2024 and to endorse the proposed amendments to the Terms of Reference. The unconfirmed RAPAC minutes and proposed Terms of Reference are attached.

ATTACHMENT: 9.16.2 (1)
ATTACHMENT: 9.16.2 (2)

PUBLIC CONSULTATION UNDERTAKEN

Nil.

COMMENT

There are five recommendations arising from this meeting, three that require a decision of Council and two which will be dealt with administratively.

Committee Recommendation	Officer Recommendation
That Council remove the youth representation positions within the Terms of Reference but amend the Functions of the committee to include consultation and collaboration with youth on relevant matters.	As per Committee Recommendation.
That Council consider the allocation of funds in the 2024-25 budget to cover any funding shortfall for the presentation of the <i>Walking Through a Songline</i> touring exhibition.	As per Committee Recommendation.
That the committee support the progression of the Manjin Park sign concepts as presented with the addition of the language map and Yangett (Manjin) reed.	Supported and dealt with administratively.
That Council agree for the Shire of Manjimup to proceed to an 'Innovate RAP' registration.	As per Committee Recommendation.
Request that if we need to have the RAP meeting during lunch to accommodate working representatives then perhaps sandwiches could be provided.	Supported and dealt with administratively

Reconciliation Australia's RAP Framework provides organisations with a structured approach to advancing reconciliation. The framework of relationships, respect and opportunities enables organisations to turn their good intentions into action and to support the national reconciliation movement. Each RAP is designed to suit an organisation at different stages of their reconciliation journey. Additional information can be found at <https://www.reconciliation.org.au/the-rap-framework/>.

The Reflect RAP adopted by Council in May 2021 is a registered Plan with Reconciliation Australia. The RAP journey is effectively one of 4 stages being **Reflect, Innovate, Stretch and Elevate**. Whilst an organisation is not required to transition through all stages there is an expiry for each registered Plan of

which the Shire of Manjimup's Reflect RAP has expired. The Shire of Manjimup is therefore no longer formally recognised as having a registered RAP.

An Innovate RAP focuses on implementing reconciliation initiatives, as well as developing and strengthening relationships with Aboriginal and Torres Strait Islander peoples, engaging staff and stakeholders in reconciliation, and developing and piloting innovative strategies to empower Aboriginal and Torres Strait Islander peoples.

In terms of the Shire of Manjimup RAP, Council essentially has three options:

1. Opt out of committing to a future RAP;
2. Refresh and register another Reflect RAP; or
3. Progress to an Innovate RAP.

Staff support the recommendation from the RAP Committee to progress towards establishing an Innovate RAP as this will deliver a clear message to the community that the Manjimup Shire Council is committed to and accepts its role in Reconciliation.

STATUTORY ENVIRONMENT

Aboriginal Heritage Act 1972 and Local Government Act 1995.

POLICY AND STRATEGIC IMPLICATIONS

The RAP relates to goals and strategies in the Shire of Manjimup Strategic Community Plan 2021-2031 including, but not limited to:

- *Community Goal 3.8: Diversity, inclusivity and harmony are the foundations of strong community spirit, and we celebrate and honour our diverse cultures, heritage, and lifestyles;*
- *Strategy C20: Facilitate, develop, and promote a broad range of cultural and art capabilities, facilities, events, and achievements;*
- *Strategy C23: Work with stakeholders to preserve and share local Indigenous tradition and culture, including identified sites of significance; and*
- *Community Infrastructure Goal 4.8: Places of heritage value are recognised and retained.*

The Shire of Manjimup Corporate Business Plan 2023-2027 includes an action being to "Implement the outcomes as identified in the Reconciliation Action Plan."

ORGANISATIONAL RISK MANAGEMENT

The Shire Reflect RAP has fostered engagement with local Aboriginal and Torres Strait Islander people, and encourage participation in community consultations, cultural inclusion, and a better understanding of related issues.

A decision by Council not to continue with a RAP could be perceived politically, and by the broader community as an indication that Council and the Shire of Manjimup do not support Reconciliation. It is the opinion of staff that this has the potential to seriously impact Council's and the Shires reputation.

FINANCIAL IMPLICATIONS

There are no implications for the current financial year. Any additional funds required to assist in the preparation of an Innovate RAP would be presented to Council for consideration during the 2024/25 budget deliberations.

SUSTAINABILITY

Environmental: The Reflect RAP seeks to consider opportunities and appropriate processes to involve Aboriginal people in sustainable natural resource management and in the protection and restoration of significant cultural locations, including totemic trees.

Economic: The Reflect RAP outlines several actions which seek to consider opportunities for Aboriginal and Torres Strait Islander employment and supplier diversity.

Social: The Reflect RAP outlines the Shire of Manjimup's vision of reconciliation, which is to foster meaningful relationships communication and respect between all Australian peoples, thereby strengthening the foundation of our local communities.

VOTING REQUIREMENTS: ABSOLUTE MAJORITY

OFFICER RECOMMENDATION:

That Council

- 1. Receive the unconfirmed minutes of the Reconciliation Action Plan Advisory Committee meeting held 9 February 2024 as per attachment: 9.16.2 (1).**
- 2. Remove the youth representation positions within the Terms of Reference but amend the Functions of the committee to include consultation and collaboration with youth on relevant matters.**

3. **Note the resignation of Emily O'Neil, Community Development Officer (non-voting) from the Committee.**
4. **Adopt the amended Reconciliation Action Plan Advisory Committee Terms of Reference as per attachment: 9.16.2 (2).**
5. **Consider the allocation of funds in the 2024-25 budget to cover any funding shortfall for the presentation of the *Walking Through a Songline* touring exhibition.**
6. **Note the completion of the Shire of Manjimup Reflect Reconciliation Action Plan.**
7. **Instruct the Chief Executive Officer to proceed towards the development of an 'Innovate Reconciliation Action Plan' for the Shire of Manjimup.**

ATTACHMENTS

- 1 ➡ RAPAC Unconfirmed Minutes 9-02-24 3 Pages
- 2 ➡ Proposed RAPAC Terms of Reference March 2024 2 Pages

APPENDICES

- A ➡ RAPAC Terms of Reference October 2023 2 Pages

10. LATE REPORTS

11. QUESTIONS FROM MEMBERS

11.1 Response to questions from members taken on notice.

Nil members' questions on notice.

11.2 Questions from members.

12. MOTIONS FOR CONSIDERATION AT THE FOLLOWING MEETING

Notice of Motion: Councillor Eiby

That Council instruct the Chief Executive Officer to:

- 1. Temporarily pause actions associated with implementing the Old Vasse Road Construction Project.**
- 2. Undertake community consultation, which is representative of the diversity of the community of the district, in relation to the proposed Old Vasse Road Construction Project.**
- 3. Present the results of the representative community consultation to Council, for Council to resolve further action/s on the project, by no later than July 2024.**

13. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

14. APPLICATIONS FOR LEAVE OF ABSENCE

15. CLOSURE

In closing I acknowledge the contributions of pioneers and group settlers who opened up this land and through their efforts allow us to enjoy the lifestyle we live today.

There being no further business to discuss the Shire President to thank those in attendance and close the meeting at.....pm.