

**Notice
of
Annual General
Meeting
and
Procedural Information
for Submission of Motions**

**Perth Convention and Exhibition
Centre**

Wednesday, 7 August 2019

Deadline for Agenda Items

(Close of Business)

Tuesday, 4 June 2019

2019 Local Government Convention

General Information

The 2019 Local Government Convention will be held at the Perth Convention and Exhibition Centre (PCEC) from 7 August to 9 August 2019. The tentative schedule for the Convention is as follows:

<u>Tuesday, 6 August</u>	<u>START</u>	<u>FINISH</u>
Mayors and Presidents Forum (separate invitation)	3.30 pm	5.30 pm
Mayors and Presidents Reception (separate invitation)	5.30 pm	7.00 pm
<u>Wednesday, 7 August</u>		
State and Local Government Forum (separate registration)	9.00 am	11:00am
Registration for AGM and collection of voting keypads	10.00 am	1.30 pm
Honour Recipients Luncheon (by invitation only)	12.00 pm	1.15 pm
WALGA AGM (including Honours Awards Presentations)	1.30 pm	5.00 pm
Convention Opening Welcome Reception	5.00 pm	6.30 pm
<u>Thursday, 8 August</u>		
ALGWA AGM and Breakfast (separate invitation)	7.45 am	9:00 am
Opening and Convention Sessions	9.00 am	5.00 pm
Convention Gala Dinner	7.00 pm	11:00 pm
<u>Friday, 9 August</u>		
Convention Breakfast	7.30 am	8.45 am
Convention Sessions	9.15 am	4:00 pm

Further details are contained in the Registration Brochure which will be distributed to all Local Governments in May.

WALGA Annual General Meeting

The Annual General Meeting for the Western Australian Local Government Association will be held from 1.30 pm to 5.30 pm on Wednesday, 7 August 2019. This event should be attended by delegates from all Member Local Governments.

Cost for attending the Annual General Meeting

Attendance at the Annual General Meeting is **free of charge** to all Member Local Governments; lunch is not provided. All Convention delegates must register their attendance in advance. Registration for the Opening Welcome Reception that evening must also be notified in advance and will incur a cost for those not registered as a Full Delegate.

Submission of Motions

Member Local Governments are hereby invited to submit motions for inclusion on the Agenda for consideration at the 2019 Annual General Meeting. Motions should be submitted in writing to the Chief Executive Officer of WALGA.

The closing date for submission of motions is 5:00pm **Tuesday, 4 June 2019**. *Please note that any motions proposing alterations or amendments to the Constitution of the WALGA must be received by 5:00pm **Friday, 10 May 2019** in order to satisfy the 60 day constitutional notification requirements.*

The following guidelines should be followed by Members in the formulation of motions:

- Motions should focus on policy matters rather than issues which could be dealt with by the WALGA State Council with minimal delay.
- Due regard should be given to the relevance of the motion to the total membership and to Local Government in general. Some motions are of a localised or regional interest and might be better handled through other forums.
- Due regard should be given to the timeliness of the motion – will it still be relevant come the Local Government Convention or would it be better handled immediately by the Association?
- The likely political impact of the motion should be carefully considered.
- Due regard should be given to the educational value to Members – i.e. does awareness need to be raised on the particular matter?
- The potential media interest of the subject matter should be considered.
- Annual General Meeting motions submitted by Member Local Governments must be accompanied by fully researched and documented supporting comment.

Criteria for Motions

As per the Corporate Governance Charter, prior to the finalisation of the agenda, the WALGA Executive Committee will determine whether motions abide by the following criteria:

Motions will be included in the Business Paper agenda where they:

1. Are consistent with the objects of the Association (refer to clause 3 of the constitution);
2. Demonstrate that the issue/s raised will concern or are likely to concern a substantial number of Local Governments in WA.;
3. Seek to advance the Local Government policy agenda of the Association and/or improve governance of the Association;
4. Have a lawful purpose (a motion does not have a lawful purpose if its implementation would require or encourage non-compliance with prevailing laws);
5. Are clearly worded and unambiguous in nature;

Motions will not be included where they are:

6. Consistent with current Association advocacy/policy positions. (As the matter has previously considered and endorsed by the Association).

Motions of similar objective:

7. Will be consolidated as a single item.

Submitters of motions will be advised of the Executive Committee's determinations.

Enquiries relating to the preparation or submission of motions should be directed to Margaret Degebrodt, Executive Officer Governance on 9213 2036 or via email mdegebrodt@walga.asn.au.

Emergency Motions

No motion shall be accepted for debate at the Annual General Meeting after the closing date unless the Association President determines that it is of an urgent nature, sufficient to warrant immediate debate, and delegates resolve accordingly at the meeting. Please refer to the AGM Standing Orders for details.

A handwritten signature in black ink, appearing to read "Lynne Craigie".

President Cr Lynne Craigie OAM
President

A handwritten signature in black ink, appearing to read "Nick Sloan".

Nick Sloan
Chief Executive Officer

EMAIL BACK

Voting Delegate Information 2019 Annual General Meeting



TO: Chief Executive Officer

Registered:

All Member Councils are entitled to be represented by two (2) voting delegates at the Annual General Meeting of the WA Local Government Association to be held on Wednesday, 7 August 2019 at the Perth Convention Centre.

Please complete and return this form to the Association by Friday **5 July 2019** to register the attendance and voting entitlements of your Council's delegates to the Annual General Meeting.

In the event that a Voting Delegate is unable to attend, provision is made for proxy delegates to be registered.

Only registered delegates or proxy registered delegates will be permitted to exercise voting entitlements on behalf of Member Councils. Delegates may be Elected Members or serving officers.

Please Note: All Voting Delegates, whether registered for the Convention or not, will need to present at the WALGA Delegate Service Desk prior to the AGM to collect their electronic voting device (keypad) for voting and identification tag to gain entry into the Annual General Meeting.

VOTING DELEGATES	PROXY Voting Delegates
Name of Voting Delegates (2): 	Name of Proxy Voting Delegates (2):
<p>For (Local Government Name): Shire/Town/City of</p> <p>Signature Chief Executive Officer _____ (An electronic signature is <u>required</u> if submitting via email)</p> <p style="text-align: right;">Date _____</p>	

ON COMPLETION PLEASE EMAIL TO: mdegebrot@walga.asn.au

Margaret Degebrot, Executive Officer Governance

**LOCAL GOVERNMENT ACT 1995
CEMETERIES ACT 1986**

SHIRE OF COLLIE

CEMETERIES LOCAL LAW 2019

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LOCAL GOVERNMENT ACT 1995 CEMETERIES ACT 1986

SHIRE OF COLLIE

CEMETERIES LOCAL LAW 2019

Under the powers conferred by the *Cemeteries Act 1986*, the *Local Government Act 1995* and under all other powers, the Council of the Shire of Collie resolved on <insert date> to adopt the following local law.

PART 1—PRELIMINARY

1.1 Citation

This local law may be cited as the *Shire of Collie Cemeteries Local Law 2019*.

1.2 Application

This local law applies in each cemetery in the district of the Shire of Collie.

1.3 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.4 Repeal

The *Shire of Collie Cemeteries Local Law 2010* published in the *Government Gazette* on 8 September 2010 is repealed.

1.5 Interpretation

In this local law unless the context otherwise requires –

Act means the *Cemeteries Act 1986*;

ashes means so much of the remains of a dead body after the due processes of cremation as may be contained in a standard sized cremation urn;

authorised officer means an employee of the Board authorised by the Board for the purposes of performing any function or exercising any power conferred upon an authorised officer by this local law;

Board means the Council of the Shire of Collie;

CEO means the chief executive officer for the time being, of the Board;

cemetery means any cemetery managed by the Board under the Act;

funeral director means a person holding a current funeral director's licence;

mausoleum means a building or construction wholly above or partially above and below ground level, so constructed as to allow the deposition of dead bodies into a compartment in the wall or floor and being sealed from view;

memorial means headstone, plaque, tombstone, monumental work, inscription, kerbing, enclosure and any other fixture or thing commemorating a grave or the placement of ashes;

monument means a memorial, headstone, kerbing or plinth that marks a grave;

monumental mason means a person holding a current monumental mason's licence;

personal representative means the administrator or executor of an estate of a deceased person;

set fee refers to fees and charges set by a resolution of the Board and published in the *Government Gazette*, under section 53 of the Act;

single funeral permit means a permit issued by the Board under section 20 or 21 of the Act which entitles the holder to conduct at the cemetery a funeral of a person named in the permit; and

vault means a below-ground lined grave with one or more sealed compartments constructed to specifications approved from time to time by the Board.

PART 2—ADMINISTRATION

2.1 Powers and functions of CEO

Subject to any directions given by the Board, the CEO shall exercise all the powers and functions of the Board in respect of a cemetery.

PART 3—APPLICATION FOR FUNERALS

3.1 Application for burial

(1) A person may apply for approval to bury a dead body in the cemetery in the form determined by the Board from time to time.

(2) An application under subclause (1) is to be accompanied by the set fee.

3.2 Applications to be accompanied by certificates etc

All applications referred to in clause 3.1 shall be accompanied by either a medical certificate of death or a Coroner's order of burial, and a certificate issued under clause 3.3, in respect of the body.

3.3 Certificate of identification

(1) After a dead body is placed in a coffin and prior to a dead body being removed to the cemetery, a person who personally knew the deceased shall identify the dead body and shall complete a certificate of identification in the form determined by the Board from time to time, unless -

- (a) in the opinion of the funeral director, the dead body is not in a fit state to be viewed; or
- (b) after reasonable effort the funeral director is unable to arrange for a person to identify the dead body.

(2) Where -

- (a) in the opinion of the funeral director, the dead body is not in a fit state to be viewed; or
- (b) after reasonable effort the funeral director is unable to arrange for a person to identify the dead body,

then the funeral director shall complete a certificate in the form determined by the Board from time to time.

3.4 Minimum notice required

All bookings to hold a funeral shall be made with the Board at least 2 working days prior to the time proposed for burial on the application.

PART 4—FUNERAL DIRECTORS

4.1 Funeral director's licence expiry

A funeral director's licence shall expire on 30 June of each year.

4.2 Single funeral permits

Every application for a single funeral permit made under section 20 or 21 of the Act shall include coffin specifications and details of the vehicle transporting the dead body to the gravesite.

4.3 Application refusal

The Board may refuse an application for a single funeral permit if, in the opinion of the Board, either the coffin specifications or the details of the vehicle transporting the dead body to the gravesite, are not structurally sound or are otherwise inadequate or inappropriate, or on any other grounds.

PART 5—FUNERALS

Division 1—General

5.1 Requirements for funerals and coffins

A person shall not bring a dead body into the cemetery unless -

- (a) the Board has approved an application for the burial of that dead body in accordance with Part 3 of this local law;
- (b) it is enclosed in a coffin which in the opinion of the Board is structurally sound and bears the name of the deceased person indelibly inscribed in legible characters on a plate on the coffin's lid; and
- (c) under the plate referred to in paragraph (b) there is a substantive lead strip bearing the surname of the deceased person stamped in legible characters, each character being not less than 10 mm in height.

5.2 Funeral processions

The time fixed by the Board for any burial shall be the time at which the funeral procession is to arrive at the cemetery gates, and, if not punctually observed, then the applicant who applied to hold the funeral under clause 3.1 shall pay the set fee for being late.

5.3 Vehicle entry restricted

- (1) Subject to clause 5.3(2), every funeral procession shall enter by the principal entrance, and no vehicle except the hearse, and official mourning coaches, shall be permitted to enter the cemetery.
- (2) This clause shall not apply to persons using wheelchairs or motorised wheelchairs.

5.4 Vehicle access and speed limitations

- (1) A person shall drive, unless otherwise authorised by the CEO, on the constructed roadway or vehicular access way or other areas designated for the use of vehicles within the cemetery.
- (2) A person driving a vehicle within a cemetery shall not exceed the speed limit of 10 kilometres per hour, and comply with the directions of the signs.

5.5 Offenders may be ordered to leave

A person committing an offence under clause 5.4 may be ordered to leave the cemetery by the CEO or an authorised officer and if so ordered is required to leave immediately.

5.6 Conduct of funeral by Board

When conducting a funeral under section 22 of the Act the Board may -

- (a) require a written request for it to conduct a funeral to be lodged with it;

- (b) in its absolute discretion, charge any person requesting it to conduct a funeral the set fee for the conduct of that funeral by it;
- (c) where no fee or a reduced fee has been charged by it for the conduct of the funeral, determine the manner in which the funeral shall be conducted;
- (d) bury that dead body;
- (e) specify an area in the cemetery where the dead body is to be buried or the ashes placed;
- (f) conduct the funeral notwithstanding the failure of a person to make any application or to obtain any consent required under this local law;
- (g) do or require anything which it considers is necessary or convenient for the conduct of a funeral by it.

Division 2—Placement of Ashes

5.7 Disposal of ashes

(1) The personal representative of a deceased person whose body has been cremated may apply, in an application under clause 3.1 or otherwise, for permission to dispose of the ashes in the cemetery and upon payment of the set fee the Board may grant permission for the ashes to be disposed of by one of the following methods-

- Niche Wall
- Memorial Wall
- Garden of Remembrance
- Modular Niche
- Memorial Rose, Tree or Shrub
- Family Shrub
- Memorial Desk
- Granite Seat
- Family Grave
- Book of Remembrance
- Scattering to the Winds
- Memorial Gardens

Other memorials approved by the Board.

- (2) Subject to subclauses (3) and (4), a person shall not place the ashes of a deceased person in the cemetery.
- (3) An authorised officer may place the ashes of a deceased person in a cemetery in accordance with the Board's approval provided -
 - (a) the person requesting the placement of the ashes has the permission of the Board; and
 - (b) the ashes are placed within an area set aside for that purpose by the Board.
- (4) An authorised officer may place the ashes of a deceased person within a grave in accordance with the Board's approval, provided the person requesting the placement of the ashes has the written permission of the Board and the approval of the holder of the grant of right of burial of the grave under the Act.

PART 6—BURIALS

6.1 Depth of graves

- (1) A person shall bury a coffin within the cemetery so that the distance from the top of the coffin to the original surface of the ground is not less than 750 mm.
- (2) A person, with the permission of the CEO or authorised officer, may bury a coffin so that the distance from the top of the coffin to the original surface of the ground is not less than 600 mm.
- (3) The permission of the authorised officer in subclause (2) will only be granted where in the opinion of the authorised officer exceptional circumstances require granting of that permission.

6.2 Mausoleum, etc

- (1) A person other than the Board shall not construct a brick grave, crypt, vault or mausoleum within the cemetery.
- (2) A person may request the Board to construct a vault or mausoleum within the cemetery which vault or mausoleum shall at all times remain the property of the Board.
- (3) An application under subclause (2) shall be in writing and shall be accompanied by payment of the set fee.
- (4) A person shall not place a dead body in a mausoleum except —
 - (a) in a closed coffin; and
 - (b) in a soundly constructed chamber; and
 - (c) in accordance with subclause (5).
- (5) The number of burials in a chamber must not exceed the number for which the chamber was designed.

PART 7—MEMORIALS AND OTHER WORK

Division 1—General

7.1 Application for memorial work

- (1) A person who wishes to place or erect a memorial in the cemetery shall apply to the Board specifying the proposed location, design and materials of which the memorial is to be composed in accordance and the Board may approve or, if the Board considers the location to be incorrect or the proposed memorial to be inappropriate or indecorous, refuse the application.
- (2) A person shall not place or assist in placing or erecting a memorial in the cemetery without the permission of the Board.
- (3) A person shall not alter or add to, or assist in the alteration of or addition to or removal of, a memorial in the cemetery without the permission of the Board.
- (4) The Board may require the written consent of the holder of the right of burial of a grave to accompany an application under section 30 of the Act.
- (5) The application shall include the details of the licensed monumental mason engaged to carry out the memorial work.

7.2 Placement of memorial work

Every memorial shall be placed on proper and substantial foundations.

7.3 Removal of rubbish

All refuse, rubbish or surplus material remaining immediately after memorial works are completed under a permit issued under section 30 of the Act shall be immediately removed from the cemetery by the person carrying out the same.

7.4 Operation of work

All material required in the erection and completion of any work shall, as far as possible, be prepared before being taken to the cemetery, and all materials required by tradesmen shall be admitted at such entrance as the CEO or an authorised officer shall direct.

7.5 Removal of materials

No sand, earth or other material shall be taken from any part of the cemetery for use in the erection of any memorial or work except with the written approval of the Board.

7.6 Hours of work

Persons shall not be permitted to carry out memorial or other work on graves within the cemetery other than during the hours of 8.00 a.m. and 6.00 p.m. on weekdays, and 8.00 a.m. and noon on Saturdays, without the written permission of the Board.

7.7 Unfinished work

Should any work by masons or others be not completed before 6.00 p.m. on weekdays and noon on Saturdays, they shall be required to leave the work in a neat and safe condition to the satisfaction of the CEO or an authorised officer.

7.8 Use of wood

No wooden fence, railing, cross or other wooden erection shall be allowed on or around any grave, other than as a temporary marker and with the prior approval of the Board.

7.9 Plants and trees

No trees or shrubs shall be planted on any grave or within the cemetery except such as shall be approved by the CEO.

7.10 Supervision

All workers, whether employed by the Board or by any other person, shall at all times whilst within the boundaries of the cemetery be subject to the supervision of the CEO or an authorised officer and shall obey such directions as the CEO or an authorised officer may give.

7.11 Australian War Graves

Notwithstanding anything in this local law to the contrary, the Office of Australian War Graves -

- (a) may place a memorial on a military grave; and
- (b) is not required to pay the set fee for any memorial that is placed upon a military grave.

7.12 Placing of glass domes, vases, grave ornaments and memorials

- (1) A person shall not place glass domes, vases or other grave ornaments or memorials -
 - (a) outside the perimeter of a grave in the cemetery as defined in the plans kept and maintained under section 40(2) of the Act; or
 - (b) in an area set aside by the Board as a general or a memorial plaque section.
- (2) Broken or dilapidated ornaments or materials that are unsafe or memorials that do not comply with the provisions of this local law may be removed from the cemetery by the Board.
- (3) Any removal of a monument under subclause (2) is subject to sections 31 and 32 of the Act.

Division 2—General Section

7.13 Specification of monuments

- (1) All monuments and memorials in the general section of a cemetery shall -
 - (a) be made of natural stone or of material that meets the current Australian Standard for monuments; and
 - (b) be placed upon a base of natural stone or of material that meets the current Australian Standard for monuments; and
 - (c) comply with the following specifications -
 - (i) the overall height of the monument above the original surface of the grave inclusive of the headstone shall not exceed 1100 mm;
 - (ii) the height of the base of the monument above the original surface of the grave shall not be less than 150 mm nor more than 450 mm;
 - (iii) the width of the base of the monument shall not exceed 1200 mm for a single plot nor exceed 2400 mm for a combined monument on adjacent plots;
 - (iv) the length of the base of the monument shall not exceed 2400 mm;
 - (iv) the depth of the base of the monument shall not exceed 300 mm; and
 - (d) have foundations extending to the bottom of the grave unless concrete beam foundations are provided by the Board.

- (2) An admiralty bronze memorial plaque may be attached to a monument erected or being erected in the general section of the cemetery.
- (3) A person shall not display any trade names or marks upon any monument erected within the general section of the cemetery.

7.14 Headstones

In the general section of the cemetery, that part of a headstone above its base shall not extend horizontally beyond that base.

Division 3—Memorial Plaque Section

7.15 Requirements of a memorial plaque

- (1) All memorial plaques placed in a memorial plaque section of the cemetery shall -
 - (a) be made of admiralty bronze or any other material approved by the Board; and
 - (b) not be less than the dimensions 380 mm x 280 mm, nor more than 560 mm x 305 mm.
- (2) All memorial plaques made of admiralty bronze shall -
 - (a) not exceed 20 mm in thickness; and
 - (b) be placed upon a base mounting approved by the Board.
- (3) All memorial plaques made of stone shall -
 - (a) not exceed 50 mm in thickness placed upon a base mounting approved by the Board; or
 - (b) not be less than 100 mm in thickness if it is not to be placed upon a base mounting.

Division 4—Licensing of Monumental Masons

7.16 Monumental mason's licence

- (1) The Board may upon receipt of an application in writing by any person and upon payment of the set fee issue to the applicant a monumental mason's licence.
- (2) A licence issued under subclause (1) authorises the holder to carry out monumental works within the cemetery subject to the provisions of this local law and such conditions as the Board shall specify upon the issue of that licence.

7.17 Expiry date, non-transferability

A monumental mason's licence -

- (a) shall, subject to clause 7.20, be valid from the date specified therein until 30 June next following; and
- (b) is not transferable.

7.18 Carrying out monumental work

A person shall not carry out monumental work within the cemetery unless that person-

- (a) is the holder of a current monumental mason's licence issued pursuant to clause 7.16 or does so as the employee of a person who holds such a licence; or
- (b) is authorised by the Board to do so.

7.19 Responsibilities of the holder of a monumental mason's licence

The holder of a monumental mason's licence shall be responsible for the compliance by every person purporting to be authorised to carry out monumental works within the cemetery pursuant to that licence with all the requirements and conditions of the licence, this local law, the Act and any other written law which may affect the carrying out of monumental works.

7.20 Cancellation of a monumental mason's licence

- (1) The Board may by notice in writing to the holder of a monumental mason's licence terminate the licence on any of the following grounds -

- (a) that the holder of the licence has committed a breach of the requirements and conditions of the licence, this local law, the Act or any other written law which may affect the carrying out of monumental works;
 - (b) that, in the opinion of the Board, the conduct of the holder of the licence or any person in the employ of that holder in carrying out or attempting to carry out any works within the cemetery, is inappropriate or unbecoming; or
 - (c) that the holder of the licence has purported to transfer the licence issued to that holder.
- (2) Upon the termination of a monumental mason's licence under this clause no part of any fee paid for the issue of that licence is refundable by the Board.

PART 8—GENERAL

8.1 Animals

Subject to clause 8.2, a person shall not bring an animal into or permit an animal to enter or remain in the cemetery, other than with the approval of the CEO or an authorised officer.

8.2 Guide dogs

Clause 8.1 does not apply to a person accompanied by an 'assistance animal' as defined in section 9(2) of the *Disability Discrimination Act 1992 (Cth)*.

8.3 Damaging and removing of objects

Subject to clause 8.4, a person shall not damage, remove or pick any tree, plant, shrub or flower in the cemetery or any other object or thing on any grave or memorial or which is the property of the Board without the permission of the Board.

8.4 Withered flowers

A person may remove withered flowers from a grave or memorial and these are to be placed in a receptacle provided by the Board for that purpose.

8.5 Littering and vandalism

A person shall not -

- (a) break or cause to be broken any glass, ceramic or other material in or upon the cemetery;
- (b) discard, deposit, leave or cause to be discarded, deposited or left any refuse or litter in or upon the cemetery other than in a receptacle provided for that purpose.

8.6 Advertising

A person shall not carry on or advertise any trade, business or profession within the cemetery without the prior written approval of the Board which consent may be granted subject to such conditions as the Board thinks fit.

8.7 Obeying signs and directions

- (1) The Board may erect, set up, display or place signs with markings or symbols specified by Standards Australia for the purpose of this local law.
- (2) A person shall obey all signs erected, set up, displayed, placed or marked by the Board within the cemetery.
- (3) A person shall obey any lawful direction by the CEO or an authorised officer.

8.8 Removal from the cemetery

Any person failing to comply with any provisions of this local law or behaving in a manner that in the opinion of the Board, the CEO or an authorised officer is inappropriate in the cemetery may in addition to any penalty provided by this local law be ordered to leave the cemetery by the Board, the CEO or an authorised officer.

PART 9—OFFENCES AND MODIFIED PENALTIES

9.1 General

A person who commits a breach of any provisions of this local law commits an offence and shall on conviction be liable to a penalty not exceeding \$500.00 and if the offence is a continuing one to a further penalty not exceeding \$20.00 for every day or part of a day during which the offence has continued.

9.2 Modified penalties

(1) The offences specified in Schedule 1 are offences which may be dealt with under section 63 of the Act.

(2) The modified penalty payable in respect of an offence specified in Schedule 1 is set out in the fourth column of Schedule 1.

(3) The prescribed form of the infringement notice referred to in section 63(1) of the Act is set out in Schedule 2.

(4) The prescribed form of the notice withdrawing an infringement notice referred to in section 63(3) of the Act is set out in Schedule 3.

Schedule 1 - Offences and Modified Penalties

[clause 9.2(1)]

Item No	Clause	Nature of Offence	Modified Penalty
1	5.4(1)	Not driving on constructed vehicle areas	\$50.00
2	5.4(2)	Exceeding speed limit	\$50.00
3	7.3	Not removing rubbish and surplus materials	\$50.00
4	7.5	Unauthorised use of materials taken from another part of the cemetery	\$50.00
5	7.7	Leaving uncompleted works in an untidy or unsafe condition	\$50.00
6	8.1	Unauthorised animal within cemetery	\$50.00
7	8.3	Damaging or removing of objects	\$50.00
8	8.5	Littering and vandalism	\$50.00
9	8.6	Unauthorised advertising or trading	\$50.00
10	8.7	Disobeying sign or lawful direction	\$50.00

Schedule 2 – Form 1

INFRINGEMENT NOTICE

[clause 9.2(3)]

To _____
(Name and address)

It is alleged that at ____ : ____ hours on the _____ day of _____ 20 ____ at _____, you committed the offence indicated below by an (x) in breach of clause _____ of the *Shire of Collie Cemeteries Local Law 2018*.

 (Authorised Person)
Offence

- ☐ Not driving on constructed vehicle areas
- ☐ Exceeding speed limit
- ☐ Not removing rubbish and surplus materials
- ☐ Unauthorised use of materials taken from another part of the cemetery
- ☐ Leaving uncompleted works in an untidy or unsafe condition
- ☐ Unauthorised animal within cemetery
- ☐ Damaging or removing of objects
- ☐ Littering and vandalism
- ☐ Unauthorised advertising or trading
- ☐ Disobeying sign or lawful direction

\$ _____

You may dispose of this matter by payment of the penalty as shown within 21 days of the date of this notice (or the date of the giving of this notice if that is a different date) to the Chief Executive Officer of the Shire of Collie at 87 Throssell Street, Collie between the hours of 8.00 a.m. to 4.30 p.m. Monday to Friday.

Payments by mail should be addressed to -

The Chief Executive Officer
 Shire of Collie
 87 Throssell Street
 Collie WA 6225

If the penalty is not paid within the time specified, then a complaint of the alleged offence may be made and heard and determined by a court.

Schedule 3 – Form 2**WITHDRAWAL OF INFRINGEMENT NOTICE**

[clause 9.2(4)]

No. _____

Date ____ / ____ / ____

To (1) _____

Infringement Notice No _____ dated ____ / ____ / _20____ for the alleged offence of
 (2)

 Penalty (3) \$ _____ is withdrawn.

* No further action will be taken.

* It is proposed to institute court proceedings for the alleged offence.

- (1) Insert name and address of alleged offender.
- (2) Insert short particulars of offence alleged.
- (3) Insert amount of penalty prescribed.
- * (Delete whichever does not apply)

(Authorised Person)

Dated: <insert date>

The Common Seal of the Shire of Collie was affixed by authority of a resolution of the Council in the presence of –

Cr SARAH STANLEY, Shire President.

DAVID BLURTON, Chief Executive Officer.

Allison Fergie

From: Steve Spallarossa <steve.spallarossa@dlgsc.wa.gov.au>
Sent: Friday, March 29, 2019 2:16 PM
To: Allison Fergie
Cc: Collie Shire
Subject: I-19-1082 - LAW/001 - Proposed Shire of Collie Cemeteries Local Law 2019 - Advisory Comments

Dear Ms Fergie,

This email is regarding the Shire's proposed cemeteries local law. The Department's comments are provided below:

Shire of Collie Cemeteries Local Law 2019

1. **Clause 1.2 Application**

Clause 1.2 states that the local law applies to the district.

However, the local law is only intended to apply to the specific cemeteries that the Shire regulates, rather than the whole district. It is suggested that the word "throughout" be replaced with "in each cemetery in"

It is also suggested that the following definition be included in clause 1.5:

cemetery means any cemetery managed by the Board under the Act;

2. **Clause 5.4 Vehicle access and seed limitations**

It is suggested that in subclause (1) after "use of vehicles" add "within the cemetery".

3. **Clause 7.12 Placing of glass domes, vases, grave ornaments and memorials**

Clause 7.12(2) provides that memorials which do not comply with the local law may be removed. It is suggested that this subclause is unnecessary since the sections 31 and 32 of the *Cemeteries Act 1986* (the Act) already provides removal powers subject to the issuing of sufficient notice.

It is suggested that the reference to monuments be deleted from subclause (2). Alternatively, if the subclause is retained, it is suggested that a new subclause be added as follows:

(3) Any removal of a monument under subclause (2) is subject to sections 31 and 32 of the Act.

4. **Clause 7.20 Cancellation of a monumental mason's licence**

It is suggested that subclause (3) be deleted. The Delegated Legislation Committee has determined that section 19(2) of the *Cemeteries Act 1986* provides a right of appeal, but only to funeral directors. The section does not provide any express right of appeal for a mason to appeal a licence cancellation.

5. **Clause 8.2 Guide dogs**

Clause 8.2 allows a person to bring a dog into the cemetery if they are a guide or hearing dog. However, it does not account for other kinds of assistance animals recognised by federal legislation.

As a result, the local law would potentially prohibit assistance animals from being on the cemetery, including dogs that are trained to assist with other forms of disability.

It is suggested that the Shire redraft the text of clause 8.2 so it uses the standard wording in the WALGA template:

"Clause 8.1 does not apply to a person accompanied by an 'assistance animal' as defined in section 9(2) of the *Disability Discrimination Act 1992 (Cth)*."

If this correction is not made, it is likely that the Delegated Legislation Committee will recommend that the local law be disallowed or request amendments from the Shire.

6. Minor edits

The following minor edits are suggested:

- Arrangement:
 - In item 7.12 change “and vases” to “, vases, grave ornaments and memorials”.
 - In the item for Schedule 1 insert “Offences and” after the dash.
- Clause 1.5 - Insert spacing between the definitions to split them up and make it easier to read.
- Clause 5.2 - delete the words “or clause 3.2”, as this cross-reference refers to a WALGA clause about cremations that isn’t present in the Shire’s local law.
- Clause 5.5 – Change “forthwith” to “immediately”.
- Clause 7.1 – replace “licensed” with “licensed”.
- Clause 7.15 – At the end of subclause (1)(b) delete “; and” and replace it with a full stop.

Minister’s Directions – pursuant to s 3.12(7) of the Local Government Act 1995

Please note: once the Shire has published a local law in the *Government Gazette*, the Shire must comply with the requirements of the Minister’s *Local Laws Explanatory Memoranda Directions 2010*. The Shire must, within 10 working days of the Gazette publication date, forward the signed Explanatory Memoranda material to the Committee at the current address:

Committee Clerk
 Joint Standing Committee on Delegated Legislation
 Legislative Council Committee Office
 GPO Box A11
 PERTH WA 6837
 Email: delleg@parliament.wa.gov.au
 Tel: 9222 7404
 Fax: 9222 7805

A copy of the Minister’s Directions and Explanatory Memoranda forms can be downloaded from the Committee’s parliamentary website. Failure to comply with the Directions may render the local law inoperable.

Please note that my comments:

- have been provided to assist the Shire with drafting matters in relation to the local law;
- do not constitute legal advice;
- have been provided in good faith for the Shire’s consideration; and
- should not be taken as an approval of content.

The Shire should ensure that a detailed editorial analysis of the proposed local law has been undertaken and that the content of the local law is in accordance with the Shire’s policies and objectives.

Kind regards

Steve Spallarossa
 A/Legislation Officer
 Department of Local Government, Sport and Cultural Industries
 Gordon Stephenson House

Sporting Bodies Fees-Fees and Cost Analysis

	2015/16			2016/17			2017/18			2018/19		
Association	Shire Cost		Fees	Shire Cost		Fees	Shire Cost		Fees	3 year Average	Fees	
Collie Junior Football			\$ 305			\$ 310			\$ 320			\$ 378
Collie River Little Athletics			\$ 305			\$ 310			\$ 320			\$ 378
Collie Eagles Football Club	\$ 49,882	6%	\$ 2,140	\$ 62,156	5%	\$ 2,170	\$ 52,759	6%	\$ 2,240	\$ 54,932.10	7%	\$ 2,500
Collie Fossils			\$ 360			\$ 365			\$ 377			\$ 445
Collie Lawn Tennis	\$ 23,695	6%	\$ 1,400	\$ 19,480	7%	\$ 1,420	\$ 27,074	5%	\$ 1,462	\$ 23,416.47	7%	\$ 1,639
Collie Harness Racing Club	\$ 13,423	16%	\$ 2,140	\$ 11,447	19%	\$ 2,170	\$ 13,409	17%	\$ 2,240	\$ 12,759.68	7%	\$ 893
Collie Soccer Club	\$ 31,769	7%	\$ 2,140	\$ 28,168	8%	\$ 2,170	\$ 51,948	4%	\$ 2,240	\$ 37,295.04	7%	\$ 2,500
Collie Cricket Association	\$ 87,142	2%	\$ 2,140	\$ 84,561	3%	\$ 2,170	\$ 62,711	4%	\$ 2,240	\$ 78,137.95	7%	\$ 2,500
Motor Cycle Scramble Course	\$ 740	110%	\$ 815	\$ 748	110%	\$ 825	\$ 757	112%	\$ 850	\$ 767.00	112%	\$ 860
Collie Swimming Club (including lighting)			\$ 750			\$ 1,010			\$ 1,040		7%	\$ 1,113
Collie Underwater Hockey Association (including lighting)			\$ 750			\$ 1,010			\$ 1,040		7%	\$ 1,113
Collie Rugby Club			\$ 305			\$ 310			\$ 320			\$
Total from Sporting Bodies			\$ 13,550			\$ 14,240			\$ 14,689			\$ 14,319

The Shire President asked that Item 16.1 be brought forward

Cr Piavanini has previously declared an interest in this item

Reporting Department:	Development Services
Reporting Officer:	Kelly Beauglehole – Shire Planner
Signature:	
Accountable Manager:	Keith Williams – Executive Manager Development Services
Signature:	
Legislation	Planning and Development Act 2005 WA Local Government Act 1995
File Number:	A5646
Appendices:	Yes - Coloured Appendix 1 and Appendix 7
Voting Requirement	Simple Majority

To seek resolutions of Council for two Planning Applications being for a *Transport Depot and Laydown Area* at Lot 51 Patstone Road, Collie.

CARRIED 11/0

CARRIED 11/0

That Council:
Pursuant to the provisions of the Planning and Development Act 2005, hereby
resolves to:

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1. Refuse to grant planning approval to David Churches for the development of a Transport Depot at Lot 51 Patstone Road, Collie for the following reasons:

(a) The proposal is inconsistent with the intent of the Local Planning Strategy 5.11 Development Investigation Area 3 - Patstone Road (West)

(b) The proposed development is not a compatible use that promotes retention of the existing rural character and amenity of the locality.

2. Refuse to grant planning approval to David Churches for the development of a Laydown Area at Lot 51 Patstone Road, Collie for the following reasons:

(a) The proposal is inconsistent with the intent of the Local Planning Strategy 5.11 Development Investigation Area 3 - Patstone Road (West)

(b) The proposed development is not a compatible use that promotes retention of the existing rural character and amenity of the locality.

CARRIED 11/0

6250

Moved: Cr Borlini

Seconded: Cr Dent

In regards to the availability of larger industrial lots in Collie, Council directs staff to investigate the potential to amalgamate some of the smaller industrial lots within the current LIA as it would appear as though there is a current oversupply of these types of lots. In particular Lot 9000 Collins Street and Lots 2, 3 and 2054 Morrison Way should be investigated.

CARRIED 11/0

Background:

The Shire of Collie has received planning applications for a 'transport depot' and 'laydown area' respectively, from David Churches on 08/08/2013.

The subject site is currently being monitored as a matter of compliance for unauthorised works under the Local Planning Scheme (LPS5) in relation to the activities currently being assessed.

Statutory and Policy Implications:

Collie Basin Structure Plan

The subject site is located partially within the Coal Basin boundary as identified in the Collie Basin Structure Plan (1992).

The Structure Plan indicates the area of the Collie and Allanson townsites regarded as substantially developed urban residential areas justifying protection. The extent of the substantially developed area is represented on the Structure Plan by a "Limit Line of Substantial Urban Development" ('Limit Line') around these two townsites.

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The Limit Line identifies those areas within the Collie Coal Basin outside of which increases in urban density is to be restricted to prevent land development which may prejudice access to coal resources.

The Structure Plan therefore indicates a 'notional approach limit' for open cut mining activities setback one kilometre from the Limit Line. This notional approach limit is referred to as the 'Notional One Kilometre Approach Line'.

Under the LPS5 privately owned land between the 'Limit Line' and 'Notional One Kilometre Approach Line' is zoned 'Rural Residential', 'Rural '1' or 'Rural 2', with these areas having restriction to prevent further subdivision imposed under the Scheme.

Local Planning Strategy

The Shire of Collie Local Planning Strategy (2009) indicates that the subject site is within a development Investigation Area under Part 5.11 Development Investigation Areas.

- *Development Investigation Policy Area 3: Patstone Road (West)*

The Collie to Allanson corridor is recognised in the Collie Basin Structure Plan as an area for possible future residential development. The development of this area should not occur until the review of land that could be affected by underground subsidence is completed by the Department of Mines and Petroleum.

As the land is partially located within the 'Limit Line' it is anticipated that it will be available for development and inclusion within the 'Rural Residential' zone with a minimum size of 1Ha, subject to the outcome of the Collie Basin Management and Planning Group's environmental assessment.

Local Planning Scheme No. 5

The proposed Transport Depot and Laydown Area (see Coloured Appendix 1) have been lodged as separate planning applications for the purpose of consideration as the Scheme classifies a 'Transport Depot' as a Discretionary Use ('D' Use) and a 'Laydown Area' as a use class not listed.

Under clause 9.4.1(b) of the Scheme, a use not listed in the Zoning Table is required to be advertised in accordance with clause 9.4.3 before an approval is granted.

However, in considering a 'D' Use planning application the Shire may utilise clause 9.4.2 of the Scheme, and conduct a public advertising process before issuing a decision, which has been the case in this instance, in order for the adjoining land owners to get a complete understanding of the full extent of the proposal.

The subject lot is zoned 'Rural 1' under the current Scheme. Under *Part 4 – Zones and the Use of Land* the following Zone Objectives are listed for the 'Rural 1' zone:

- *To provide for the sustainable use of land for a range of rural pursuits which are compatible with the capability of the land and retain the rural character and amenity of the locality.*
- *To provide that subdivision and development activities that generate/ propose alternative and incompatible land uses should not be permitted.*
- *To provide the retention and protection of portions of land within that Zone that are not cleared and that are valuable to the rural and natural landscape values and ecological systems of the District.*

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The proposals have also been assessed against *Part 5.9.1 - Rural 1 Zone* of the Scheme and is deemed to comply with all of the relevant development requirements for that zone.

Schedule 11 - Site, Development and Car Parking Requirements - Table for Development Standards specifies the setback, site coverage, lot size and landscaping requirements.

Should the development be approved, these development standards will be implemented via Conditions of Approval.

Collie SuperTown Townsite Growth Plan:

The subject site is identified in the Collie SuperTown Townsite Growth Plan (2012) as one of four key strategic areas outside of the CBD for future residential growth. In particular, for Rural Residential development but not ruled out as possible future urban residential growth.

The site is identified in a "Preferred Growth Scenario" in part 6.2.4 of the Plan that demonstrates a Spatial Growth Plan for Collie that is a combination of in-fill development surrounding the CBD, revitalisation of existing urban areas, and urban expansion to the north of Collie for the purpose of rural residential and residential development.

Budget Implications:

Nil

Communications Requirements: (Policy No. CS 1.7)

The proposal has undergone public advertising in accordance with the following policy objectives:

1. *Providing regular and consistent communication on Council's projects and activities to all stakeholders*
2. *Creating a positive and professional image for the Shire of Collie through open, transparent communication and increased awareness of Council's projects and activities*
3. *Fostering meaningful community consultation processes in Council's activities.*

The public advertising period ran from 5/09/2013-27/09/2013 and communications were made in the following ways:

- An advertisement in the Collie Mail on 5 September and again on 12 September, 2013.
- Letters mailed to adjoining land owners in the locality;
- Letters mailed to relevant government agencies.

A total of seven (7) submissions (Appendix 7) were received as a result of the public advertising period,

External Referral Agencies:

Two external referral agencies were consulted with during the advertising period:

- Department of Parks and Wildlife; and
- Department of Regional Development and Lands.

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Summary of Issues

In summarising the issues raised the following factors are of concern to adjoining land owners and the public:

- Impact on rural lifestyle for adjoining properties;
- Heavy vehicle traffic entering and exiting off of Patstone Road;
- Visual Amenity;
- Incompatible with rural pursuits; and
- Inconsistency with the Growth Plan and Local Planning Strategy.

Strategic Community Plan/Corporate Business Plan Implications:

Goal 3: Our Built Environment

Outcome 3.1 Appropriate Land Use, Development and Conservation of Heritage;

Strategy 3.1.1: Ensure appropriate Planning Controls for land use and development through the administration of the local planning scheme and strategies.

Relevant Precedents:

Nil

Comments:

The Proposal:

The proponent has requested the proposed 'transport depot' and 'laydown area' to use as space required for trucks and industrial materials.

Time Line of Key Events:

The proponents met with the former CEO on 27/05/2013 to discuss possible industrial land uses for the subject site.

On 5/06/2013 the Shire received a complaint regarding industrial development already occurring on the site, including storage of machinery, concrete and steel cuttings.

The Executive Manager Development Services and the former Shire Planner met with the proponents on 27/06/2013 to advise them to cease work on site and submit a Planning Application for the unauthorised works occurring to date.

The proponent lodged two Planning Applications on 8/08/2013 for a 'transport depot' and 'laydown area' respectively.

Strategic Implications:

The Collie SuperTown Growth Plan estimates that the Development Investigation Areas (DIA's) identified in the LPS have an indicative yield of 2023 lots in total, including the subject site. With land size in excess of 27 hectares, the site could potentially yield 27 Rural Residential lots towards the approximate 3000 additional dwellings that the Spatial Growth Plan identifies as a goal.

The LPS specifies that development in DIA 3 should not occur until such time as environmental assessments have been completed, to ascertain the suitability of the land for rural residential development.

It is acknowledged by staff that an analysis of the future need for General Industry land is required, prior to the review of the Local Planning Scheme/ Local Planning Strategy.

Site Issues

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Patstone Road is a 'Local Distributor' road between Collie and Allanson Townsites. Traffic counts conducted by the Shire of Collie in August 2013 show that the number of vehicles per day (VPD) is 142 on Patstone Road, which includes 52 heavy vehicle movements (figures are per day as averaged over a week). This current level of vehicle traffic is higher than, but within reasonable proximity to the level set by Main Roads WA's *Road Hierarchy for Western Australia Road Types and Criteria Table* under Indicative Traffic Volume for a 'Local Distributor' road in a non built up area (100 VPD). Without a Traffic Impact Statement from the proponent, it cannot be ascertained as to whether or not the proposal will significantly increase traffic volumes along Patstone Road.

The subject site has an easement benefitting Western Power for an Underground Saline Pipeline which runs along the Patstone Road boundary. Prior to any works commencing across the easement, the proponent shall have to seek permissions from Western Power in accordance with Covenants on the Title. This will include any works required to improve the access arrangements and construction of vehicle access and crossovers prior to any construction on site.

Should the proposal be approved, extensive landscaping will be required to ensure that the development does not negatively impact on the established rural character and amenity of the area. This may include bunding if the proposed Transport Depot requires petroleum tanks, or storage of chemicals.

Adjoining Properties:

The surrounding properties are zoned under Local Planning Scheme no. 5 as follows:

- The adjacent site to the south-east is zoned 'Rural 2' (Lot 2 #342 Patstone Road)
- Sites to the north-west and rear of the property are zoned 'State Forest'.
- Adjacent lots on Patstone Road are zoned 'Rural 1' (Lot 50 #289 Patstone Road & Lot 52 #303 Patstone Road).

Definition of Terms:

Local Planning Scheme No. 5:

"transport depot" means any land or buildings used for the garaging of motor vehicles used or intended to be used for carrying goods or persons, or for the transfer of goods or persons from one motor vehicle to another of such motor vehicle and includes ambulance depot, fire brigades depot and milk depot) and includes maintenance, management and repair of the vehicles used, but not of other vehicles, and may include overnight accommodation on-site for the transport workers.

The proposed 'Laydown Area' is an undefined term in the Local Planning Scheme, for the purpose of this application, the Australian National Macquarie Dictionary has been used:

"laydown" (a). to put (something) down on the ground; to relinquish.

Conditions of Approval:

Should the development of the Transport Depot and/ or Laydown Area go ahead, the following Conditions of Approval should form part of the decision notice(s), in addition to standard planning conditions placed on all approvals, to the satisfaction of the Executive Manager Development Services:

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- At all times, the development the subject of this planning approval must comply with the definition of 'Transport Depot' as contained in Schedule 1 of the Shires' Local Planning Scheme; and 'Laydown Area' defined for this purpose as a designated sealed and drained area used for the storage and transfer of goods including salvaged items, and scrap metal.
- This is a temporary planning approval and the development the subject of this temporary approval shall expire three calendar years from the date of this approval, pursuant to clause 10.6 of the Shire of Collie Local Planning Scheme No.5.
- Prior to commencement of the use of the land in accordance with this Planning Approval, a Landscaping Plan must be submitted for the approval to the Shire of Collie. The landscape plan must address the following:
 - A site plan of existing and proposed development with natural and finished ground levels.
 - The location, species and size of existing vegetation and vegetation.
 - Exact species, location and number of proposed species to be plants.
 - A key or legend detailing proposed species type grouped under the subheadings of tree, shrub and ground cover.
 - Mulching or similar treatments of garden beds including edges.
 - Details of reticulation of landscaped areas including the source of the water supply and proposed responsibility for maintenance.
 - Treatment of paved areas (parking and pedestrian areas).
 - Screening.
 - Fence material, height and treatment.
- Prior to commencement of the use of the land in accordance with this Planning Approval, the landscaped area(s) must be planted, established and reticulated in accordance with the endorsed landscape plan(s). These areas must be maintained as landscaped areas at all times and to the satisfaction of the Shire of Collie.
- Before the development is occupied, car parking bays must be provided on the land the subject of this planning approval at a rate of 1 space per 100m² of gross floor area and to the satisfaction of the Shire of Collie.
- Goods or materials must not be permanently stored within the parking or landscaping area, or within access driveways.
- Before development commences, the Department of Environmental Regulation must be formally notified of the intention to commence development and work onsite must be to the specification of the Department of Environmental Regulation and to the satisfaction of the Shire of Collie.

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- At all times, provision must be made onsite for the storage and collection of garbage and other solid waste. A waste storage and collection area must be graded, drained and screened from public view, and the garbage collected regularly, to the satisfaction of the Shire of Collie. Details to be submitted with the building permit application.
- Before the development is occupied, the access way(s), car parking and turning area(s) shall be constructed in accordance with the development approval to the satisfaction of the Shire of Collie.
- A crossover shall be constructed for access to and from Patstone Road to Main Roads WA standards for semi-trailers in a rural area, to the satisfaction of the Executive Manager Technical Services.
- Before the development commences, a crossover permit must be obtained from the Shire of Collie. Construction and maintenance of the crossover shall be in accordance with the crossover permit.
- Before the development is occupied, lighting must be provided on site for the access way(s), parking area(s) and turning area(s) to the satisfaction of the Shire of Collie. Plans are to be submitted to the Shire of Collie for approval prior to construction commencing.
- Before the development commences, a Traffic Management Plan prepared in accordance with Main Roads Western Australia's Code of Practice must be submitted for approval by the Shire of Collie.
- Before the development commences, a Stormwater and Drainage Management Plan, prepared in accordance with the Department for Water's Stormwater Management Manual and the Shire's Local Planning Policy: Stormwater Discharge from Building Sites, must be submitted for the approval of the Shire of Collie.
- Development shall be setback from adjoining boundaries in accordance with Local Planning Scheme No. 5's requirements for the Rural 1 Zone in 'Table for Development Standards' under Schedule 11 – Site, Development and Car Parking Requirements. Details of all proposed buildings and constructed areas are to be submitted with the Building Permit.
- No development shall occur within the Collie Basin Boundary as indicated on the Collie Basin Structure Plan, without the prior approval of the Shire of Collie and the Department of Mines and Petroleum.

In regards to the availability of larger industrial lots in Collie, Council may wish to direct staff to investigate the potential to amalgamate some of the smaller industrial lots within the current LIA as it would appear as though there is a current oversupply of these types of lots.

[2015] WASAT 23

3. Liberty to apply is reserved for a period of 21 days from the date of publication of these reasons.

SCHEDULE OF CONDITIONS

1. At all times, the development the subject of this planning approval must comply with the definition of 'Transport Depot' as contained in Schedule 1 of the *Shire of Collie Local Planning Scheme No 5*.
2. All development shall be in accordance with the approved development plans which form part of this planning approval.
3. This is a temporary planning approval and the land use and development the subject of this temporary approval must cease five (5) years from the date of this approval, at which time this approval will expire pursuant to cl 10.6 of the *Shire of Collie Local Planning Scheme No 5*.
4. The building identified as Workshop 1 in Appendix 1 of the Consolidated Application is excluded from this approval.
5. Unless subject to the approval of any subsequent application made before the expiry of this approval as outlined in condition 3 above or, alternatively, subject to approval for an alternative use, upon the cessation of operations under this approval, all buildings and improvements inconsistent with rural use shall be removed from the property and the site restored to its previous rural use within six (6) months from the date of expiry of this approval.
6. With the building permit application, a landscaping plan must be submitted for the approval of the Shire of Collie. The landscape plan must address the following:
 - 6.1 A site plan of all existing and all proposed development with natural and finished ground levels;
 - 6.2 The location, species and size of existing vegetation and vegetation to be removed;
 - 6.3 Arrangements for the replacement of any existing vegetation, if any, identified as being removed for the construction of a crossover and intersection treatment;
 - 6.4 Exact species, location and number of proposed plants;
 - 6.5 A key or legend detailing proposed species type grouped under the subheadings of tree, shrub and ground cover;
 - 6.6 Mulching or similar treatments of garden beds including edges (if any);

[2015] WASAT 23

- 6.7 Details of proposed maintenance of landscaped areas including the source of water supply and proposed responsibility for maintenance;
 - 6.8 Treatment of paved areas (parking and pedestrian areas); and
 - 6.9 Fence material, height and treatment.
7. Within six (6) months of the date of this approval, or such longer period as agreed with the Shire of Collie, the landscaped area(s) must be planted, established and watered in accordance with the endorsed landscape plan(s). These areas must be maintained as landscaped areas at all times and to the satisfaction of the Shire of Collie.
 8. There shall not be greater than thirty (30) sea containers onsite at any given time. Any sea containers permanently on site shall not store materials other than those which are incidental to the operation of the transport depot.
 9. Materials being transferred, not incidental to the operation of the transport site, shall not be present onsite for a period longer than three (3) consecutive months.
 10. No processing of materials shall occur onsite, including the dismantling of parts for distribution.
 11. Upon entering the site, no machinery or parts stored onsite shall have traces of contaminants present.
 12. Before the development is operational, a minimum of ten (10) car parking bays must be provided on the land the subject of this planning approval and to the satisfaction of the Shire of Collie.
 13. Goods or materials must not be stored within the parking or landscaping area, or within access driveways at any time.
 14. Prior to development of the site, a Transport Statement, to the extent necessary, shall be submitted for approval to the Shire of Collie in accordance with the Western Australian Planning Commission's *Transport Assessment Guidelines for Development*.
 15. Before the development is operational, an intersection treatment design shall be submitted for approval to the Shire that is designed to Main Roads WA standards for the following:
 - Turning movements of the largest vehicle;
 - Pavement upgrade based on projected usage;

[2015] WASAT 23

- Intersection is to be kerbed and asphalted, for the section of Patstone Road that is affected;
- Tree clearing to allow for Safe Intersection Sight Distance (SISD); and
- Drainage to allow for an ARI 1:5 year event.

This plan shall be submitted along with any recommendations of the approved Transport Statement and the approved design shall be constructed and implemented to the satisfaction of the Shire of Collie.

16. Before the development is operational, a stormwater system must be designed and constructed in accordance with the Shire of Collie's Local Planning Policy: *Stormwater Discharge from Building Sites*. All stormwater generated by the proposed development must be retained and disposed of onsite. Detailed design plans of the proposed stormwater management must be submitted for approval prior to the development commencing.
17. Reticulated sewerage is not available to the subject site. Prior to commencing development, an application to construct or install an apparatus for the treatment of sewage and the disposal of effluent and liquid wastes must be submitted for the approval of the Shire of Collie's Environmental Health Services in accordance with the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 (WA)*.
18. No development shall occur within the Collie Basin Boundary as indicated on the *Collie Basin Structure Plan 1992*, without the prior approval of the Department of Mines and Petroleum.

I certify that this and the preceding [54] paragraphs comprise the reasons for decision of the State Administrative Tribunal.

MR P McNAB, SENIOR MEMBER

PS ref: 3514

2 April 2019

Andrew Dover, Director Development Services
Shire of Collie
87 Throssell Street
COLLIE WA 6225

Dear Sir,

**LOT 51 PATSTONE ROAD, COLLIE
REVISED APPLICATION FOR DEVELOPMENT APPROVAL - DEPOT**

Planning Solutions acts on behalf of David Churches, Smargiassi Nominees Pty Ltd and Jenny Lee (**proponents**), the registered proprietors of Lot 51 Patstone Road, Collie (**subject site**).

This consolidated planning submission incorporates information from the applicant's development application letter dated 26 October 2018, and the applicant's letter of further information dated 11 December 2018. In addition, there have been amendments made to the development plans making the following changes:

- Workshop 1 has been reduced in length from 55m to 50m (the width of 40m remains the same). An office and lunch room annexure with feature brick face and steel roof has been added to the northeast side of the workshop building. Refer to the amended site plan, floor plan and elevations.
- Workshop 2 is now proposed with side walls constructed from shipping containers stacked two high. The ends will remain open. Refer to the amended elevations. All proposed dimensions remain the same.
- The site plan has been amended to include the following details:
 - The changes to the Workshop 1 dimensions and addition of an office / lunch room annex are reflected in the site plan.
 - The orientation and layout of the dome shelters is now shown.
 - Indicative planting detail for the landscape strip is included.
 - A note has been included to confirm stormwater from roofs will be either collected in rainwater tanks or directed to the ground.

The consolidated set of development plans (including amended plans) is enclosed with this letter.

The following submission discusses various matters pertaining to the proposal, including:

- Site details.
- Background.
- Proposal.
- Town planning considerations.

1 SITE DETAILS

1.1 Legal description

The subject site is legally described as “*Lot 51 on Deposited Plan 63416*”, being the whole of the land contained within Certificate of Title Volume 2716 and Folio 499. Refer **Appendix 1** for a copy of the certificate of title.

The subject site has a total area of 27.467ha.

1.2 Regional context

The subject site is located approximately 45km kilometres east of Bunbury and approximately 4km kilometres northwest of the Collie town centre.

The subject site adjoins Patstone Road, which connect the subject site to the Collie and Allanson townsites, and to Coalfields Highway which connects the subject site to the wider region.

The subject site is within the municipality of the Shire of Collie.

1.3 Local context

The subject is located on the western edge of Collie. The existing light industrial area is 800m southeast of the subject site, and the residential area is approximately 1.65km southeast of the subject site.

The subject site adjoins state forest on its northern and western lot boundaries. To the east and south of the subject site land is used for rural (predominantly agricultural) uses.

On 24 April 2018, the Southern Joint Development Assessment Panel approved a photovoltaic solar facility on Lot 2977 (323) Patstone Road, to the east of the subject site.

Refer **Appendix 2** – location plan.

1.4 Land use and topography

The subject site is predominantly cleared of vegetation with the exception of some remnant trees scattered across the site. The subject site is used for agricultural purposes (cropping of hay and grazing).

The subject site is not developed with any buildings. There are a number of shipping containers, vehicles, machinery, pipes, and other materials placed on the western portion of Lot 51.

The subject site is generally flat, with a gentle slope from north to southeast. Site levels are approximately 220m AHD in the northern portion of the subject site, and 208m AHD in the southeastern portion of the subject site. A gully runs through the eastern portion of the subject site, flowing in a southwards direction.

2 BACKGROUND

On 27 February 2015, the State Administrative Tribunal (**Tribunal**) handed down its decision in the matter of *Churches and Shire of Collie [2015] WASAT 23* (**2015 SAT decision**), conditionally approving a transport depot on the subject site (**SAT approval**). The SAT approval was granted for a five-year temporary term.

On 6 March 2018 the Shire wrote to the applicant advising:

... materials/structures have been placed on site within the last number of months. The storage of these materials constitutes the commencement of the operation of the Transport Depot approved 27 February 2015.

On 15 March 2018 Planning Solutions lodged a Transport Impact Statement (**TIS**) with the Shire as required by Condition 14 of the SAT approval. On 18 March 2018 an application for a crossover permit was also submitted with the Shire. On 23 April 2018 the crossover permit was granted. On 30 April 2018 the Shire advised the TIS has been approved subject to references to hours of operation being removed and on-site parking being provided consistent with the SAT approval. In June 2018 vegetation in the Patstone Road verge was cleared to provide for sightlines as required by the TIS and crossover permit.

On 13 July 2018 the Shire's solicitors wrote to the proponents advising that the SAT approval has lapsed and it will be necessary to apply to the Shire for further approval should the proponents wish to carry out development of the property. After further discussions between the applicant and Shire, while the applicant does not concede the 2015 approval has lapsed, it was agreed that the issue of substantial commencement need not be agitated if a fresh application for a 'depot' was lodged with and approved by the Shire.

This application was submitted to the Shire on 26 October 2018.

3 PROPOSAL

It is proposed to develop the subject site with a depot for the parking and maintenance of commercial vehicles and the storage of articles.

The depot use will be located on the western 12.2ha portion of the subject site. It comprises:

- Various hardstand roadways and gravel bands for the passage of vehicles and goods within the depot. There will be spaces between gravel bands suitable for ongoing pasture and livestock grazing when not being used for storage of shipping containers and other items. Refer **Appendix 3** – site plan.
- Workshop 1 – steel shed with floor dimensions of 40m x 50m, wall height of 12m and ridge height of 13.9m. An annex constructed from brick feature wall and steel roof with dimensions of 4.59m x 10.68m comprising an office, bathroom and lunch room is attached to the northeast side of the workshop. Refer **Appendix 4** – Workshop 1 plans.
- Workshop 2 – dome shelter with floor dimensions of 30m x 30m, wall height of 3m and a 10m dome height. Workshop 2 comprises an open-ended canvas and steel dome shelter mounted on shipping containers stacked two high. Refer **Appendix 5** – Workshop 2 plans.
- Dome shelter mounted on shipping containers stacked single height with dimension of 16.9m x 24.0m and a height of approximately 6.1m. Refer **Appendix 6** – dome shelter plans.
- Single-level accommodation block comprising two bedrooms, living area and amenities, with a dimension of 8.13m x 6.0m and with a 2.4m wide verandah to all sides. Refer **Appendix 7** – accommodation block plans.
- A 8.9m x 3.0m toilet block. Refer **Appendix 8** – toilet block plans.
- Office building with a dimension of 12.055m x 3.0m and with a 2.4m wide verandah to one side. Refer **Appendix 9** – office building plans.

It is intended the depot will be used by two existing businesses – Collie Steel and R32 Construction. The depot will be used for the parking of various vehicles and storage of articles used by the businesses including shipping containers, steel beams, pipes, flanges and machinery parts collected from major industrial sites and farms, timber, and other articles. Vehicles to be parked and maintained at the depot include transport vehicles (prime movers, flat-bed semi-trailers, low loaders, side tippers, road trains, etc), construction vehicles (including cranes, bulldozers, wheel loaders, track loaders, forklifts), agricultural vehicles (tractors, mowers, cultivators, bailers, rakes, etc), and vehicles used for firefighting purposes. It is expected there will be a maximum peak of 20 light vehicle movements and 50 heavy vehicle movements accessing and egressing the subject site per day, although normal daily operations will see far less vehicle movements than the peak.

There will be up to five people employed at the subject site (excluding drivers and heavy vehicle plant operators). The depot will largely operate during daylight hours although occasionally there will be work undertaken during night-time hours, conditions permitting.

An access road through the subject site will be provided, linking the depot to Patstone Road consistent with the TIS and crossover permit. A sealed apron will be constructed at the crossover, to a minimum distance of 20m of the frontage. All other roadways will be constructed with gravel hardstand to a minimum width of 8.0m.

A 30m-wide vegetation strip will be provided along the Patstone Road frontage (setback to provide sufficient intersection sightlines), along the gully in the eastern portion of the subject site, and along a 230m length of the southern lot boundary. In all, approximately 2.2ha of land will be vegetated. Orchard vegetation will be planted – for example, avocado and walnut trees – that provide a source of income for the landowners while screening the depot from the view of Patstone Road and adjoining properties. The orchard trees will be planted in rows approximately 7m apart to allow for space for harvesting – this allows for five rows of trees to be planted along the 30m-wide vegetation strip. Refer **Appendix 3** – site plan.

Existing trees on the subject site will be retained.

The subject site (including the depot area) will continue to be used for pasture, grazing and hay production purposes.

This application is made on the basis the development has already been substantially commenced, and is without prejudice to any rights which exist for the continuation of an existing lawful development under the terms of the SAT approval.

4 TOWN PLANNING CONSIDERATIONS

The Shire of Collie Local Planning Scheme No.5 (**Scheme**) applies to the subject site. The Scheme is supplemented by the **Deemed Provisions** in Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Clause 67 of the Deemed Provisions sets out the matters which the Shire is to have due regard to in considering this application for development approval. Those matters are set out below.

(a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;

Zone and zone objectives

The subject site is zoned Rural 1 under the Scheme. The objective of the Rural 1 zone under clause 4.2 of the Scheme is:

To provide for the sustainable use of land for a range of rural pursuits which are compatible with the capability of the land and retain the rural character and amenity of the locality.

To provide that subdivision and development activities that generate/propose alternative and incompatible landuse should not be permitted.

To provide for the retention and protection of portions of land within that Zone that are not cleared and that are valuable to the rural and natural landscape values and ecological systems of the District.

In accordance with the Scheme objectives of the Rural 1 zone, the proposed development is wholly compatible with the capability of the land. The proposed development will place no unusual or excessive burden on the land. The proposed development includes the provision of harvestable orchard vegetation that will serve to screen the proposed use. As a result of the screening vegetation, the proposed development will be enclosed and views of the developments from Patstone Road in particular will be prevented. Accordingly, the proposed development will retain and improve the rural character and amenity of the locality. As detailed above, the majority of the subject site will continue to be utilised for rural purposes including pasture, grazing and hay production. Accordingly, the proposed development will retain the rural character and amenity of the locality.

Land use permissibility

Schedule 1 of LPS5 defines Transport Depot as:

“transport depot” means any land or buildings used for the garaging of motor vehicles used or intended to be used for carrying goods or persons, or for the transfer of goods or persons from one motor vehicle to another of such motor vehicle and includes ambulance depot, fire brigades depot and milk depot) and includes maintenance, management and repair of the vehicles used, but not of other vehicles, and may include overnight accommodation on-site for the transport workers;

In the 2015 SAT decision, the Tribunal found at [24] that:

... the [transport depot] definition must be read in a practical and purposive way, having regard to the scale of what is being proposed and the practical impact on the surrounding amenity caused by the proposed development in the immediate locality.

A transport depot is a ‘D’ use in the Rural 1 zone under LPS5, meaning the use is not permitted unless the Shire has exercised its discretion by granting development approval. As demonstrated in this submission, the proposed development satisfactorily addresses the relevant planning considerations and it therefore warrants the Shire exercising its discretion and approving the application.

Setbacks

The Development Standards table in Schedule 11 of the Scheme sets out the minimum setbacks required for the Rural 1 zone. Setbacks to the proposed buildings and structures are considered in **Table 1**.

Table 1 – Scheme setbacks for the Rural 1 zone

	Setback required	Setback provided	Complies?
Front	30m	Approx. 265m	✓
Side	15m	22m	✓
Rear	30m	30m	✓

Building height

The proposed development includes the erection of two structures with heights exceeding 8m (Workshop 1 with a height of 13.9m, and Workshop 2 with a height of 10m). Clause 5.11.10(a) of the Scheme provides that any building with a height above 8m natural ground level requires development approval. Clause 5.11.10(b) of the Scheme states:

In considering applications for buildings that exceed the number of storeys or height specified under clause 5.11.10 (a), the local government will have regard to:

- i. the reason for the intended height of the building and whether this is in keeping with the objectives for the locality and zone;*
- ii. whether the building will be in harmony with the general character of buildings in the locality;*
- iii. the impact of the building on the character of the locality, environment, townscape, streetscape or public amenity;*
- iv. the proposed setbacks from the boundaries of the lot on which it is to be constructed and whether it may prejudice the siting, design, aspect of existing or future development on other nearby lots or impact on the privacy of those occupying those developments; and*
- v. whether it will impair the potential for development of other vacant blocks in the vicinity with particular regard to amenity, aspect and views.*

In our view the proposed building height warrants approval as:

- The proposed buildings are a considerable distance from Patstone Road, being setback, at the absolute closest, 265m from Patstone Road. From the easternmost frontage to Patstone Road, the nearest building or structure is 650m from Patstone Road. These setbacks are, by themselves, generally more than sufficient to mitigate the visual impact of buildings and structures from the road.
- There are a number of remnant trees which will remain on the subject site, many of which are positioned between Patstone Road and the proposed buildings and structures. These trees will have the effect of lessening any visual impact by ensuring views of the building and structures are not unimpeded.
- The planting of orchard vegetation along the Patstone Road frontage and along the southern lot boundary will further reduce visibility of the buildings and structures from Patstone Road and the adjoining property.
- Workshop 1 is located on land with an approximate AHD of 216m. Patstone Road, when approaching from the east, is at a similar level. There is a shallow valley (approx. 209m AHD, or 7m lower than Patstone Road) between the eastern approach on Patstone Road and Workshop 1, and it is necessary to consider the viewline across this topography. Nonetheless, given the shallowness of the valley, the considerable viewing distance to Workshop 1 (in excess of 650m), and the existence of tall remnant trees within the viewline, the viewline from the eastern approach is not considered to be detrimental to the visual amenity.

- There is nothing in the Scheme which requires that all buildings and structures are to be completely screened from the view of public spaces. Nor would it be physically possible to completely screen every single building in the Rural 1 zone from public view. In the context of what is being proposed, the fact there is a building proposed which is partially visible to view should not be a reason warranting refusal. Consideration needs to be given to the extent of the visual impact, and in this case the impact is marginal at best.
- The proposed development is consistent with the Scheme objectives of the Rural 1 zone and will facilitate the continued provisions of emergency fire and rescue services in the rural locality of the Shire. Buildings higher than 8m are required to accommodate varied vehicle types and enable maintenance, management and repair of those vehicles.
- The buildings and structures do not impair the potential for development of any vacant blocks in the vicinity, particularly in the context of the future industrial zoning of the land (more on this below).

Bushfire

Part 10A of the Deemed Provisions applies where portion of the subject site is identified as a bushfire prone area in Department of Fire and Emergency Services mapping. Clause 78D of the Deemed Provisions requires a bushfire attack level (**BAL**) assessment to be prepared before commencing any development of a 'habitable building'.

Workshop 1, the accommodation block, office, and toilet buildings are all located in excess of 100m from bushfire prone vegetation. These habitable buildings are therefore not located in a bushfire prone area and a BAL assessment is not required for these buildings. Notwithstanding a BAL assessment is not required, a BAL Assessment has nonetheless been prepared confirming the habitable buildings have a BAL-LOW rating (i.e. very low risk, specific construction requirements not warranted). Refer **Appendix 10** for a copy of the BAL assessment.

Exemptions from the Deemed Provisions may be applied pragmatically by the decision-maker. As the two dome shelters will not have people working in them for considerable periods of time, there is not considered to be any practical reason to require a BAL assessment to be prepared for these dome shelters. This outcome is supported by the Western Australian Planning Commission's Planning *Bulletin* 111/2016 *Planning in Bushfire Prone Areas*.

(b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or any other proposed planning instrument that the local government is seriously considering adopting or approving

Local Planning Strategy

When the 2015 SAT decision was made, there was no certainty on the ultimate land use in the strategic planning framework for the subject site. Both rural-residential and industrial land uses appeared to be contemplated (refer 2015 SAT decision at [12]). Since that time, however, there has been progress on the Shire's Local Planning Strategy which it is expected will provide certainty on the ultimate land use.

On 8 May 2018, the Council resolved to modify the draft Local Planning Strategy that had been prepared by identifying the subject site as 'future industrial development'. The officers' report to Council indicated the modification was made at the suggestion of the officers of the Department of Planning Lands and Heritage.

The draft Local Planning Strategy was advertised for public comment from December 2018 to 15 March 2019. The advertised documents identified the subject site and adjoining Lot 2 as falling within the 'Industry 2' precinct. Relevantly, the draft Strategy included the following action:

Support the subdivision and development of areas located within Industry 1 and Industry 2 Precincts for future light industry and industry use, subject to future rezoning and structure planning.

The draft Local Planning Strategy is considered a seriously considered planning proposal, having received Western Australian Planning Commission consent to advertise (with specific changes recommended in relation to the subject site) and having been adopted by Council for advertising. It therefore provides a sound basis for confirming the future and ultimate strategic purpose for the subject site is a site for industry (not rural-residential).

Insofar as the SAT approval included a condition restricting the approval to a five-year term, it is considered the Tribunal's basis for the five-year limitation (the uncertainty of the strategic planning for the subject site) is no longer relevant in the context of the draft Local Planning Strategy.

Consistency in decision-making

This application is similar in many respects to the approval already granted by the Tribunal in 2015. In this respect, in circumstances where the planning framework is the same and the circumstances have not changed in any substantial way, it is in the interests of orderly and proper planning that planning decisions in relation to a site are made in a consistent way. Inconsistency has a potential to bring the decision-making process into disrepute because it suggests a decision is arbitrary rather than one made in accordance with a disciplined approach reflecting the application of sound town planning principles and consistent with commonly accepted notion of justice.

There has been no change to the planning framework since 2015 which now restricts the development in any way, or might otherwise cause a rethink on the way the application should be dealt with. In fact, the decision to advertise the Local Planning Strategy confirms the ultimate intended use of the subject site to be for industry and the proposal is therefore freed of the uncertainty of the future landuse that existed in 2015.

Insofar as there has already been an approval granted for the development, only those elements of the current application which were not included in the 2015 approval warrant detailed consideration.

(c) any approved State planning policy;

State Planning Policy 2.5 Rural Planning applies to the subject site; clause 6.6 simply requires that consideration is given to the considerations listed in clause 67 of the Deemed Provisions.

Refer to the response to subclause (a) above, in relation to bushfire, for consideration of the bushfire issues addressed in State Planning Policy 3.7 Planning for Bushfire Prone Areas.

(d) any environmental protection policy approved under the Environmental Protection Act 1986 section 31(d);

None applicable.

(e) any policy of the Commission

None applicable.

(f) any policy of the State;

None applicable.

(g) any local planning policy for the Scheme area;**Stormwater Discharge from Building Sites**

The Shire has requested a stormwater plan for the watercourse (including environmental management) and runoff from buildings and impermeable surfaces, consistent with its Local Planning Policy 1.1 Stormwater Discharge from Building Sites (**LPP1.1**). LPP1.1 requires a stormwater drainage plan to be provided; however, in the circumstances of this particular proposal a stormwater plan is not considered necessary. This is because the proportion of impermeable surfaces (steel roofs, canvas shelters and the tops of sea containers structurally part of shelters, totalling approximately 3,500m²) in proportion to the total land area (27.467ha) is such that hard surfaces comprise only 1.3% of the subject site. Of these surfaces, it is intended the Workshop 1 roof (approx. 2,000m²) will be connected to rainwater tanks for collection of stormwater, meaning only about 0.5% of the subject site comprises impermeable surfaces with stormwater directed to the ground. This is by any measure an insignificant proportion of impermeable surfaces on a site.

The site plan (refer **Appendix 3**) has been modified to include stormwater measures, through the addition of a note confirming stormwater from roofs will be directed either to watertanks or to the ground.

The soils (laterite gravels and sands) of the subject site are capable of absorbing water from roofs. Given this, the large areas of ground which are left as uncovered pasture, the large distance to the gully in the eastern part of the property, and the insignificant area of impermeable surfaces, a stormwater plan is not considered necessary or helpful for this proposal. It is considered reasonable to depart from LPP1.1 in this instance.

(h) any structure plan, activity centre plan or local development plan that relates to the development;

The Collie Basin Structure Plan (1992) applies to portion of the subject site. It specifies a limit line of substantial urban development to ensure a separation between urban uses and mining activities. Given the Structure Plan is directed primarily at restricting urban growth and a substantially similar development was approved on the subject site in 2015, it is considered the Structure Plan is not an impediment to the proposed development.

(i) any report of the review of the local planning scheme that has been published under the Planning and Development (Local Planning Schemes) Regulations 2015;

None applicable.

(j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;

Not applicable.

(k) the built heritage conservation of any place that is of cultural significance;

None applicable.

(l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;

None applicable.

(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;

Appearance of development

The buildings, roadways and gravel beds have been designed to reflect the types of setbacks and structures which exist on other rural properties in the locality. This includes the retention of existing trees.

The types of buildings (which include transportable structures and dome shelters) are standard and typical on both rural and industrial properties. The buildings will be located near existing trees which help to shade and soften the building's surroundings. In addition, areas between gravel beds left to pasture for grazing provide for a rural setting for the buildings. Given the screening vegetation employed, it is not necessary to treat the buildings in a way to give them a "rural" appearance, and we would argue that with the diverse range of building types and materials used on rural properties it is nonetheless difficult if not impossible to define a rural style appropriate to an office building and toilet block. In the circumstances, it is considered the proposed buildings are compatible with their setting.

In any event, given the draft Local Planning Strategy indicates industrial land uses are to be developed on the subject site, even if the development were perceived as being industrial in nature, it would be consistent with the long-term vision and land use identified for the subject site.

Noise impacts on adjoining properties

The Environmental Protection Authority's *Guidance Statement No.3 Separation Distances between Industrial and Sensitive Land Uses* specifies generic separation distances between industrial and sensitive land uses to avoid conflict (including noise nuisance) between land uses; it specifies a generic separation distance of 200m for a transport vehicles depot.

The proposed depot zone is located approximately 440m from the nearest dwelling. The proposal therefore more than exceeds the 200m generic separation distance. Accordingly, noise mitigation is not required.

- (n) the amenity of the locality including the following —**
- (i) environmental impacts of the development;**
 - (ii) the character of the locality;**
 - (iii) social impacts of the development;**

Given the nature of the development and its relative isolation to other land uses, there is not considered to be any resulting environmental or social impacts.

Further, the development is consistent with the existing rural character of the area (see above) and the future industrial character of the area.

- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;**

The proposed development does not have an effect on the natural environment or water resources.

- (p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;**

Approximately 2.2ha of the subject site's frontage area will be planted with a commercial crop. Since the vegetation serves a commercial purpose and will be managed as an agricultural enterprise, a traditional landscape plan is not warranted. It would, however, be appropriate to impose a condition of approval requiring the vegetation strip to be planted and maintained for the life of the development.

The Shire has requested a vegetated bund of sufficient height is provided to screen the majority of the proposed development from the road. This request is not considered reasonable or practical for the following reasons:

- A bund causes drainage issues where rainfall is directed away from the vegetation which has flow-on difficulties in establishing and maintaining the vegetation.
- In respect of the avocado and walnut crop trees which are proposed it causes issues for safety of workers harvesting the crop on an unlevel ground.
- Avocado trees grow to a height of 10-12 metres (or more) and walnut trees can grow to a height of 25 metres (or more). The trees are of a sufficient height to screen the depot from the view of Patstone Road.
- There is limited utility in pursuing banded vegetation when the proposed buildings and structures are setback sufficiently far (250m – 650m) from Patstone Road so they are not in immediate view and are screened by remnant trees and the planting of orchard trees.

A landscape plan is not necessary as the agricultural land use (orchard) is one which can be undertaken as a permitted use not requiring approval. It would, however, be appropriate for a condition of development approval to be imposed requiring the planting and establishment of the vegetation strip in the first winter after the granting of approval and maintenance of the vegetation strip for the duration of the development.

- (q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;**

There are no known hazards which would impact on the subject site's suitability for the proposed development.

Refer to subclause (a) above for discussion on bushfire.

- (r) the suitability of the land for the development taking into account the possible risk to human health or safety;**

There is no known risk to human health or safety.

- (s) the adequacy of —**

- (i) the proposed means of access to and egress from the site; and**
- (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;**

A TIS has been prepared and approved by the Shire for the previous transport depot. It demonstrates the means of accessing the subject site meet relevant safety standards. Recently work has been undertaken to implement the crossover permit including the clearing of vegetation within the vehicle sightlines.

The Shire's approval of the TIS was conditional on reference in it to the hours of operation being removed, and it identifying car parking in accordance with the SAT approval. These requests can be responded to in the following manner:

- Hours of operation is a normal and standard inclusion for a TIS. Refer to section 5.5 of the Department of Planning's *Transport Impact Assessment Guidelines Volume 4 Individual Developments*. In any event, the TIS simply recognises that the hours of operation were not restricted by the SAT approval.
- The nature of the depot use means that car parking is necessarily informal. The depot space will change and evolve over time, and formalised car parking would quickly become redundant as the space is needed for heavy vehicle manoeuvring. Given the property covers an area of more than 27 hectares, there is more than ample room on the subject site for informal car parking to occur without overflowing onto the street or causing a public nuisance.

- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;**

Patstone Road is capable of accommodating movements of vehicles into and out of the subject site.

The proposed vegetation strip is setback further from Patstone Road than is required to satisfy the minimum sightline distances, so as to provide superior sightlines.

- (u) the availability and adequacy for the development of the following —**

- (i) public transport services;**
- (ii) public utility services;**
- (iii) storage, management and collection of waste;**
- (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);**

(v) access by older people and people with disability;

None of these considerations limit the functionality of the proposed development.

(v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;

The development will be used to keep vehicles and equipment used for firefighting purposes. Accordingly, it improves the fire response capabilities of Collie and Allanson.

(w) the history of the site where the development is to be located;

In circumstances where the planning framework is the same and the circumstances have not changed in any substantial way, it is in the interests of orderly and proper planning that planning decisions in relation to a site are made in a consistent way.

Given there has already been a transport depot approved on the subject site, it is in the interest of orderly and proper planning that a fresh approval is likewise granted for a substantially similar land use on the subject site.

(x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;

The proposed development will have a positive impact on the community through the retention of jobs and industry in-town.

(y) any submissions received on the application;

Not yet applicable.

(za) the comments or submissions received from any authority consulted under clause 66;

Not yet applicable.

(zb) any other planning consideration the local government considers appropriate.

Permanent structures

The Shire has requested the applicant amend the site plan with permanent structures (i.e. excluding sea containers and dome structures used as workshops, storage, etc.). This request, in our view, is not reasonable given the nature of the land use which is proposed. We note:

- (i) Dome structures are permanent (not temporary) structures which are not moveable or temporary in any way. Dome shelters are commonly erected in association with industrial and rural land uses as they provide a workspace for employees sheltered from the elements.
- (ii) Shipping containers are a normal and commonplace feature of a transport depot land use. This was observed by the Tribunal in the 2015 SAT decision at [26].

- (iii) The Shire's request essentially seeks a different, better proposal. The guide used by town planners – the *Development Assessment Panel Practice Notes: Making Good Planning Decisions* – states:

It is not a relevant planning consideration that another proposal might provide a better planning outcome. The job of the decision-maker is to determine the application before it – not to second guess what could be achieved.

This position was confirmed in the decision of the Town Planning Appeal Tribunal in SPB (Australia) Pty Ltd and Ors v Town of Claremont [2003] WATPAT 138, at [90], where the Tribunal noted:

“...The function for the Tribunal is not, of course, to determine whether a proposed development is the best possible development, having regard to all issues that might conceivably be placed on the subject site. What the Tribunal must do is to assess whether, in the interests of all orderly and proper planning, and the amenity of the area, and having regard to all applicable planning instruments, a development should be approved. Thus, unless it can be said that a proposed development is contrary to any of those considerations, it should be approved notwithstanding that some may think that a better development of the site might be possible.”

In the circumstances of the type of land use which is proposed, the Shire's request for “permanent structures” is not considered a valid request.

Delineation of depot zone

The Shire has requested details of how the boundary of the storage area will be visibly articulated and identifiable on-site.

The response is that although it is not considered necessary to visually mark the edge of the depot zone, it is possible to do so by way of stakes, bollards, a fence, or other such markers.

Fire ignition

The Shire has requested detail of mitigation measures to protect the adjacent State forest from possible fire ignition on the site.

Section 5.6 of the *Guidelines for Planning in Bushfire Prone Areas* describes types of high-risk land uses which may lead to the potential ignition, prolonged duration and/or increased intensity of a bushfire, for which a bushfire risk management plan would be required; high-risk land uses include:

service stations, landfill sites, bulk storage of hazardous materials, fuel depots and certain heavy industries, as well as military bases, power generating land uses, saw-mills, highways and railways, among other uses meeting the definition.

In our opinion, a depot does not meet the definition for a high-risk land use as it does not reflect the types of heavy industries described above. Accordingly, a bushfire risk management plan is not required.

Emergency evacuation plan

The Shire has requested a bushfire emergency evacuation plan.

Bushfire emergency evacuation plans are required for vulnerable land uses. As the proposed land uses cannot be described as a vulnerable land use under section 5.5.1 of the *Guidelines for Planning in Bushfire Prone Areas*, a bushfire emergency evacuation plan is not required.

Number of shipping containers

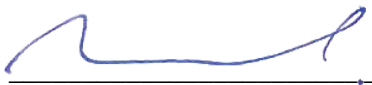
It is proposed that there is no limitation on the number of shipping containers that may be stored in the depot zone in association with the proposed development, despite the SAT approval limiting the number of shipping containers to no more than 30. This is because in the context of there being greater certainty that the ultimate use of the subject site will be industry under the Local Planning Strategy, there is no longer a need to limit the number of shipping containers. All shipping containers on the subject site will be used in association with the predominant use of depot.

5 CONCLUSION

This application seeking development approval for a depot suitably responds to and addresses the relevant planning considerations. The proposal therefore warrants development approval subject to standard and appropriate conditions.

Please do not hesitate to contact the writer should you require any further information or wish to discuss this submission.

Yours sincerely,



ROSS UNDERWOOD
ASSOCIATE

190402 3514 Revised development application letter (depot).docx

APPENDIX 1

CERTIFICATE OF TITLE

WESTERN



AUSTRALIA

RECORD OF CERTIFICATE OF TITLE **UNDER THE TRANSFER OF LAND ACT 1893**

REGISTER NUMBER 51/DP63416	
DUPLICATE EDITION 3	DATE DUPLICATE ISSUED 16/10/2012

VOLUME
2716FOLIO
499

The person described in the first schedule is the registered proprietor of an estate in fee simple in the land described below subject to the reservations, conditions and depth limit contained in the original grant (if a grant issued) and to the limitations, interests, encumbrances and notifications shown in the second schedule.



REGISTRAR OF TITLES

LAND DESCRIPTION:

LOT 51 ON DEPOSITED PLAN 63416

REGISTERED PROPRIETOR: **(FIRST SCHEDULE)**

DAVID EDWARD CHURCHES OF POST OFFICE BOX 181, COLLIE
 JENNY LEE OF 31 CHARLTON DRIVE, LIBERTY GROVE, NEW SOUTH WALES
 SMARGIASSI NOMINEES PTY LTD OF 37 WELLINGTON BOULEVARDE, COLLIE
 AS TENANTS IN COMMON IN EQUAL SHARES

(T M054689) REGISTERED 21/9/2012

LIMITATIONS, INTERESTS, ENCUMBRANCES AND NOTIFICATIONS: **(SECOND SCHEDULE)**

1. H141122 EASEMENT BURDEN TO ELECTRICITY CORPORATION FOR UNDERGROUND SALINE PIPELINE PURPOSES - SEE SKETCH ON DEPOSITED PLAN 63416 AND INSTRUMENT H141122. REGISTERED 18/6/1999.
2. *K932082 NOTIFICATION CONTAINS FACTORS AFFECTING THE WITHIN LAND. LODGED 6/5/2009.

Warning: A current search of the sketch of the land should be obtained where detail of position, dimensions or area of the lot is required.
 * Any entries preceded by an asterisk may not appear on the current edition of the duplicate certificate of title.
 Lot as described in the land description may be a lot or location.

-----END OF CERTIFICATE OF TITLE-----

STATEMENTS:

The statements set out below are not intended to be nor should they be relied on as substitutes for inspection of the land and the relevant documents or for local government, legal, surveying or other professional advice.

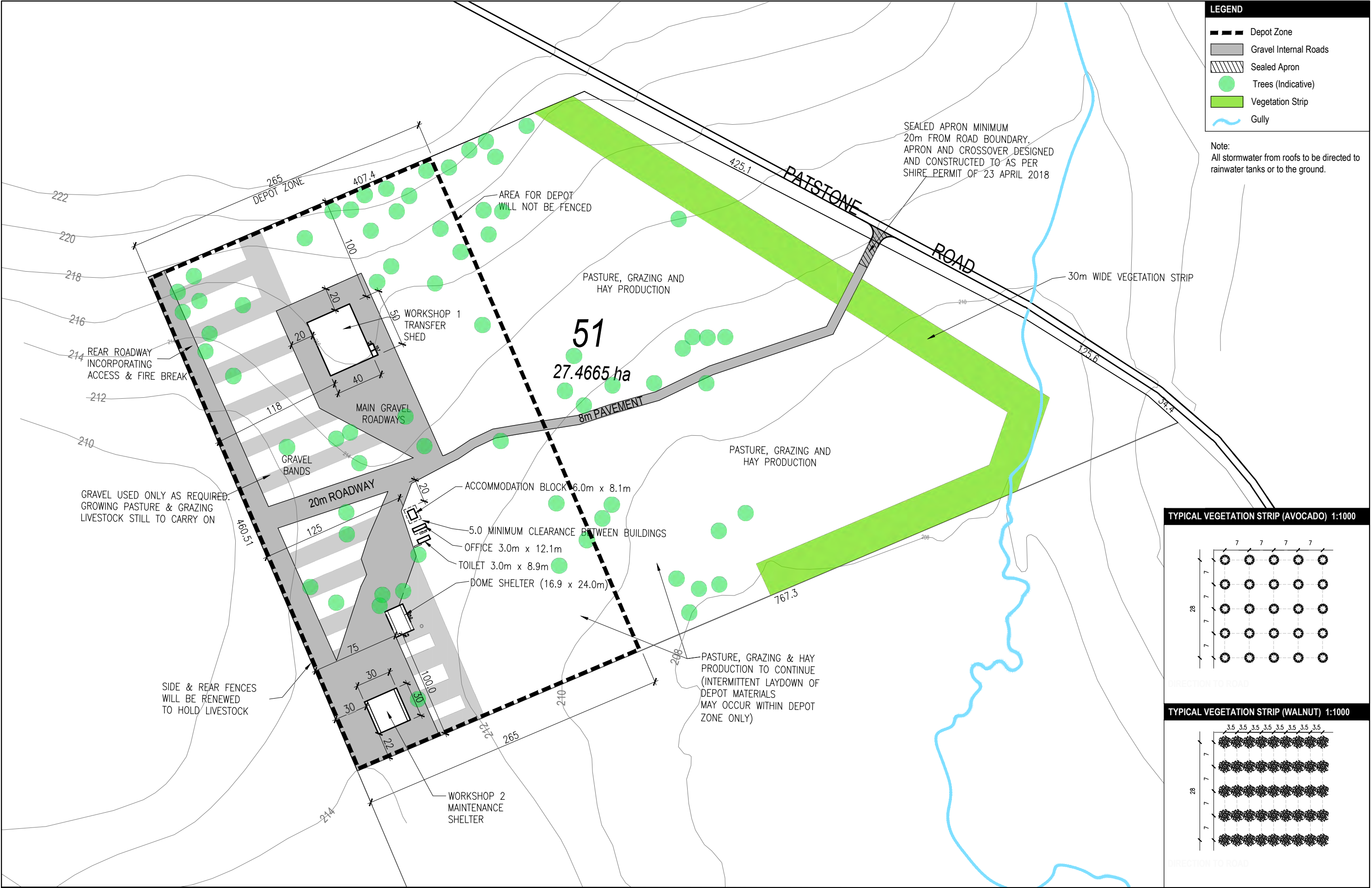
SKETCH OF LAND: DP63416
 PREVIOUS TITLE: 2210-470
 PROPERTY STREET ADDRESS: NO STREET ADDRESS INFORMATION AVAILABLE.
 LOCAL GOVERNMENT AUTHORITY: SHIRE OF COLLIE

APPENDIX 2
LOCATION PLAN

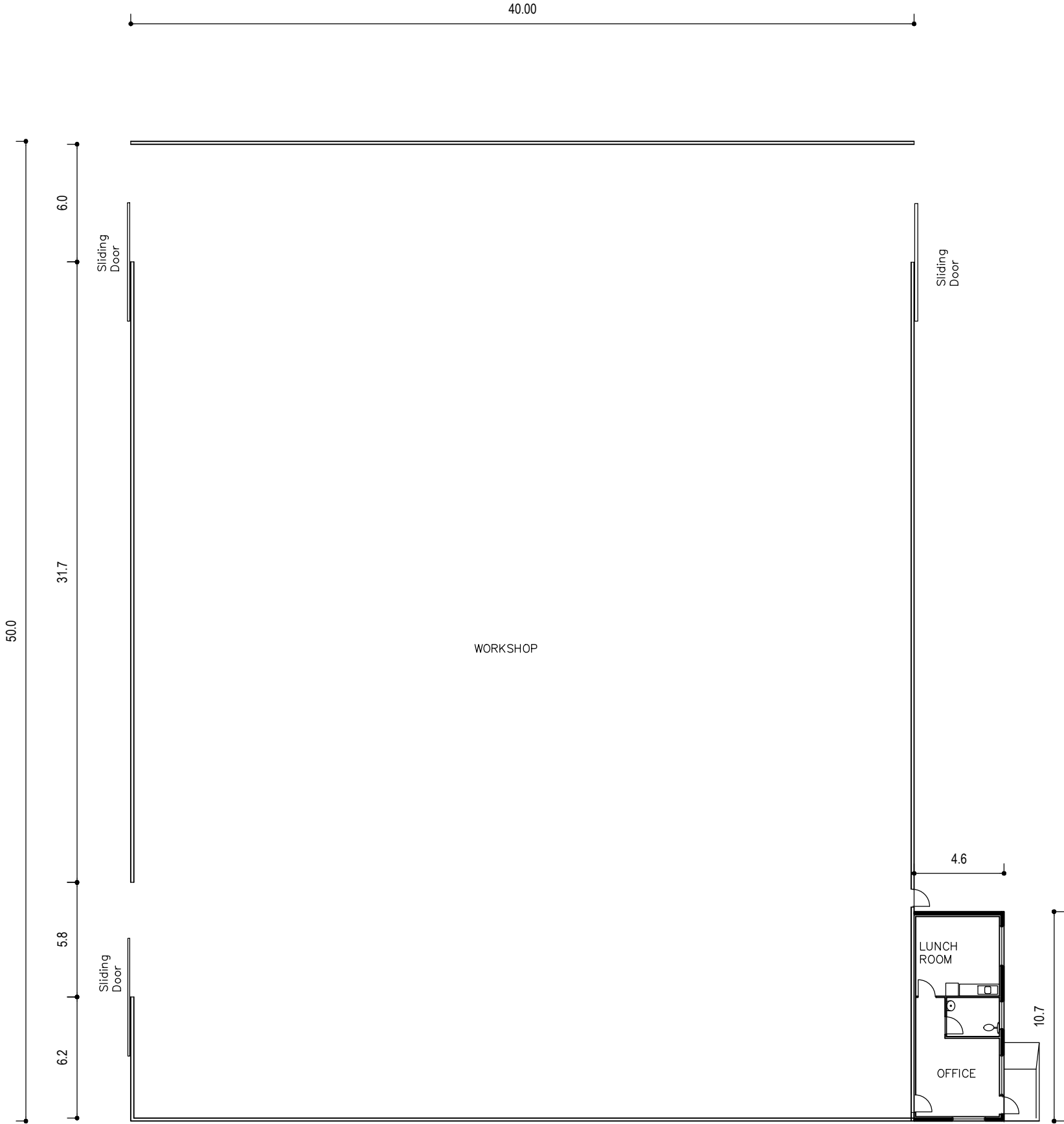


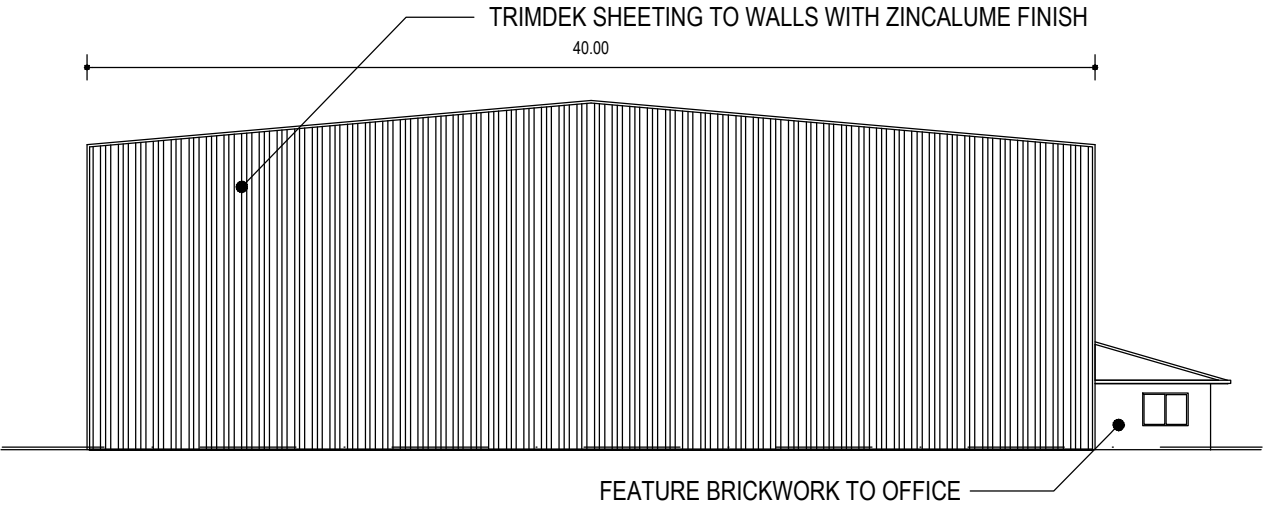
APPENDIX 3

SITE PLAN

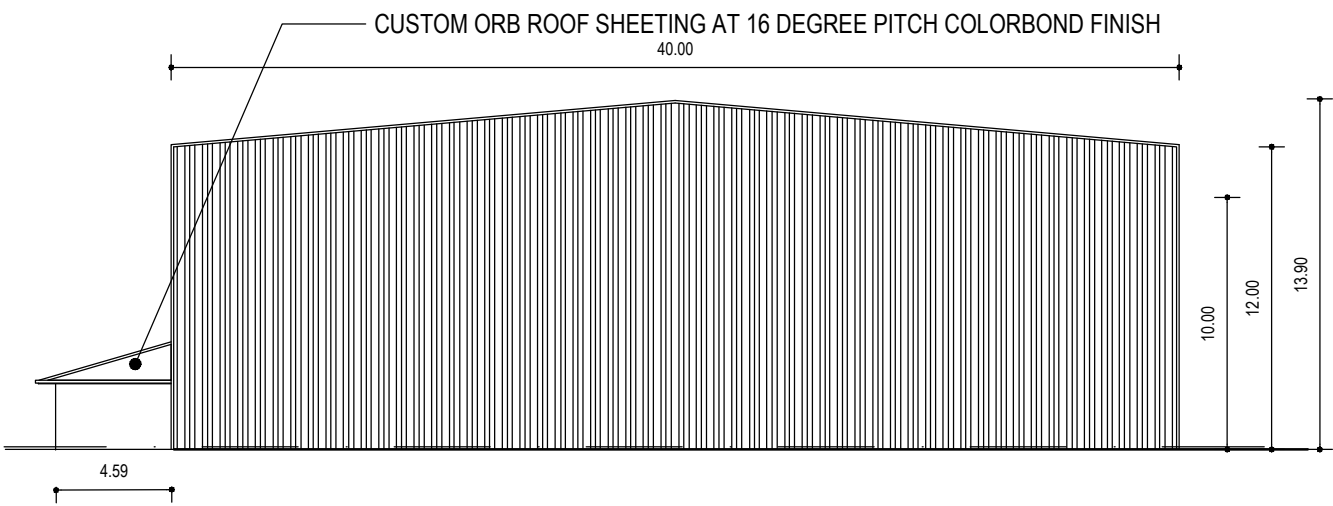


APPENDIX 4
WORKSHOP 1 PLANS

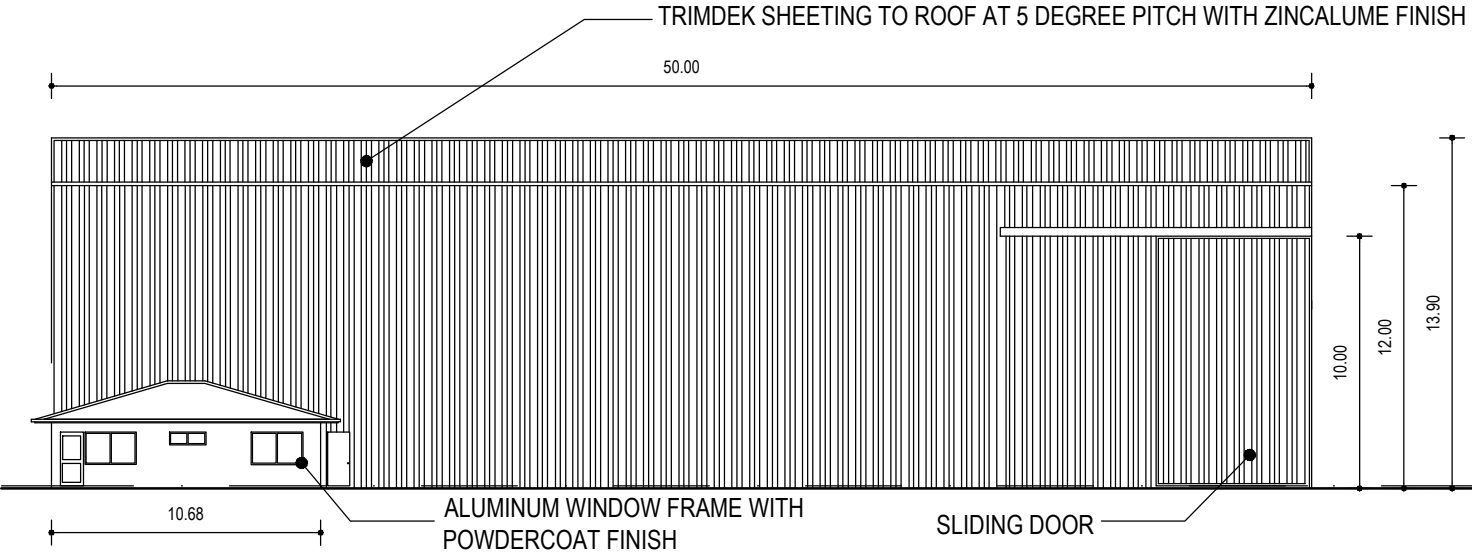




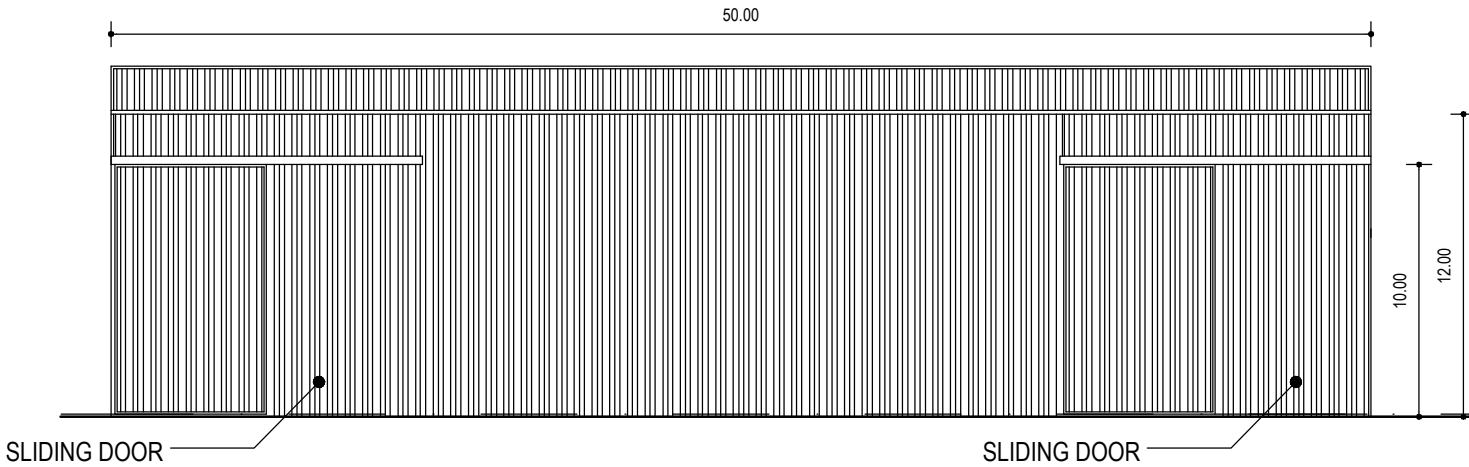
ELEVATION 1



ELEVATION 2



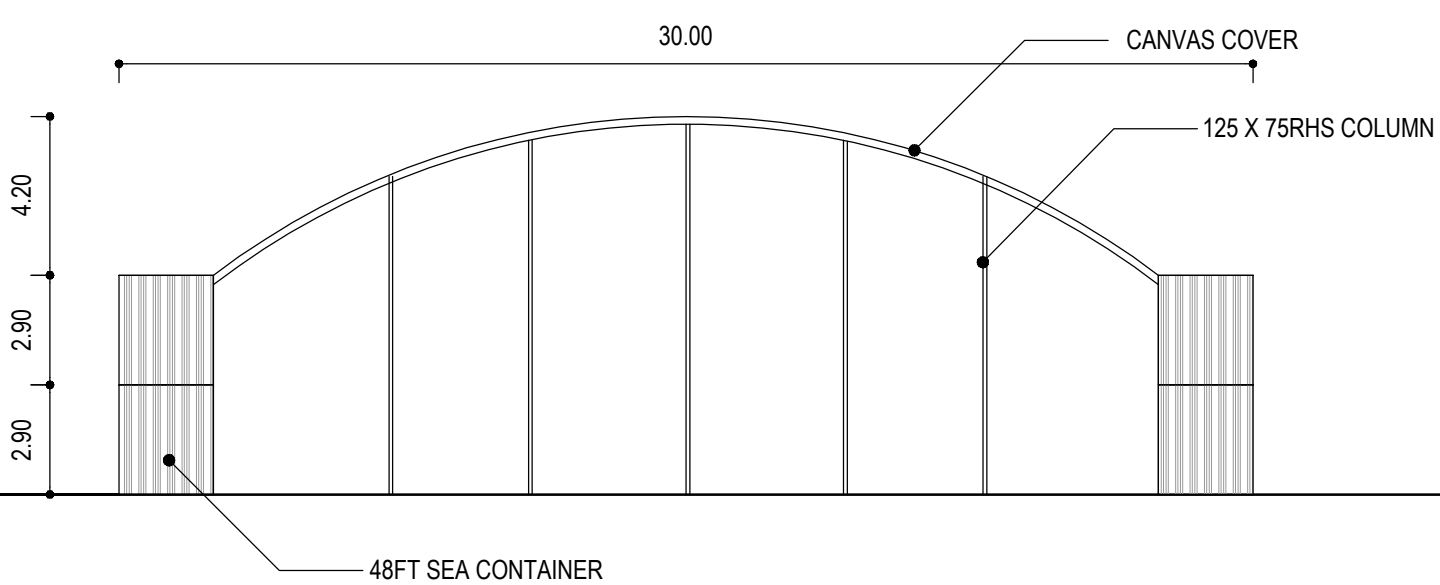
ELEVATION 3



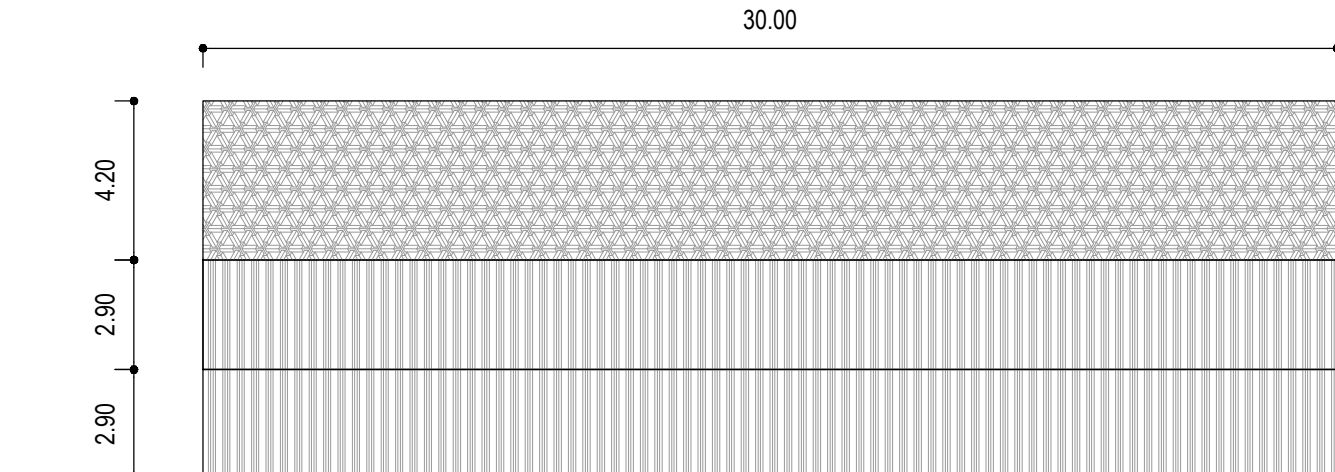
ELEVATION 4

APPENDIX 5

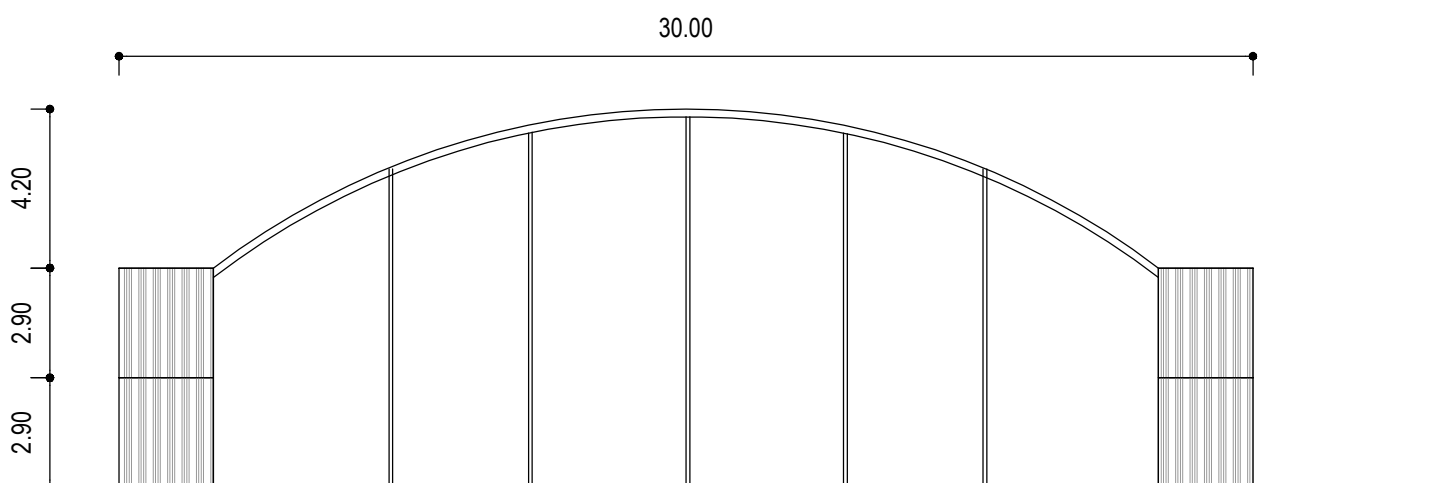
WORKSHOP 2 PLANS



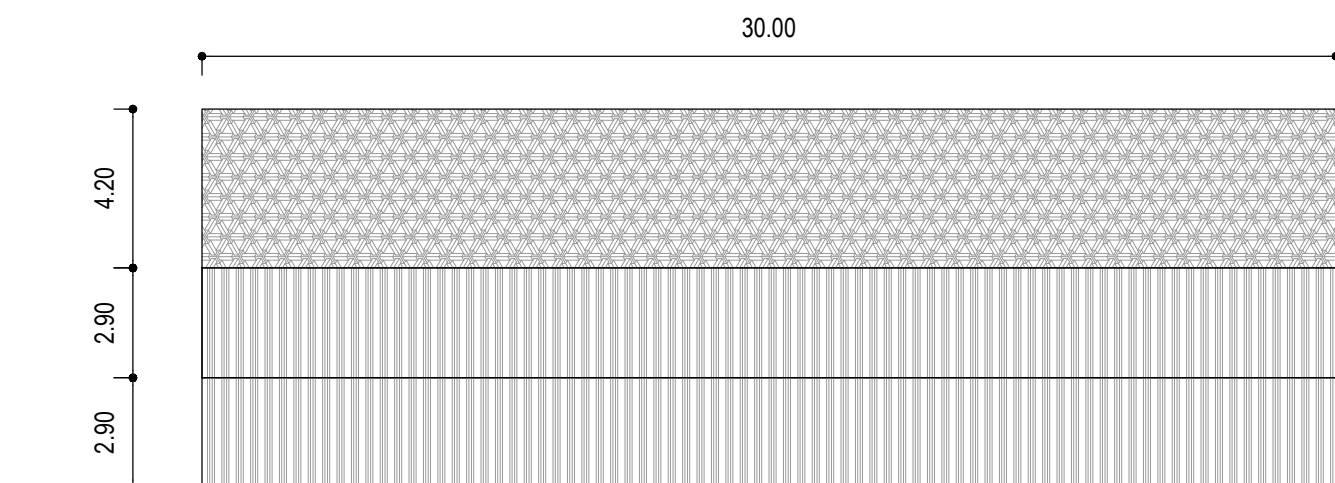
ELEVATION 1



ELEVATION 2



ELEVATION 3



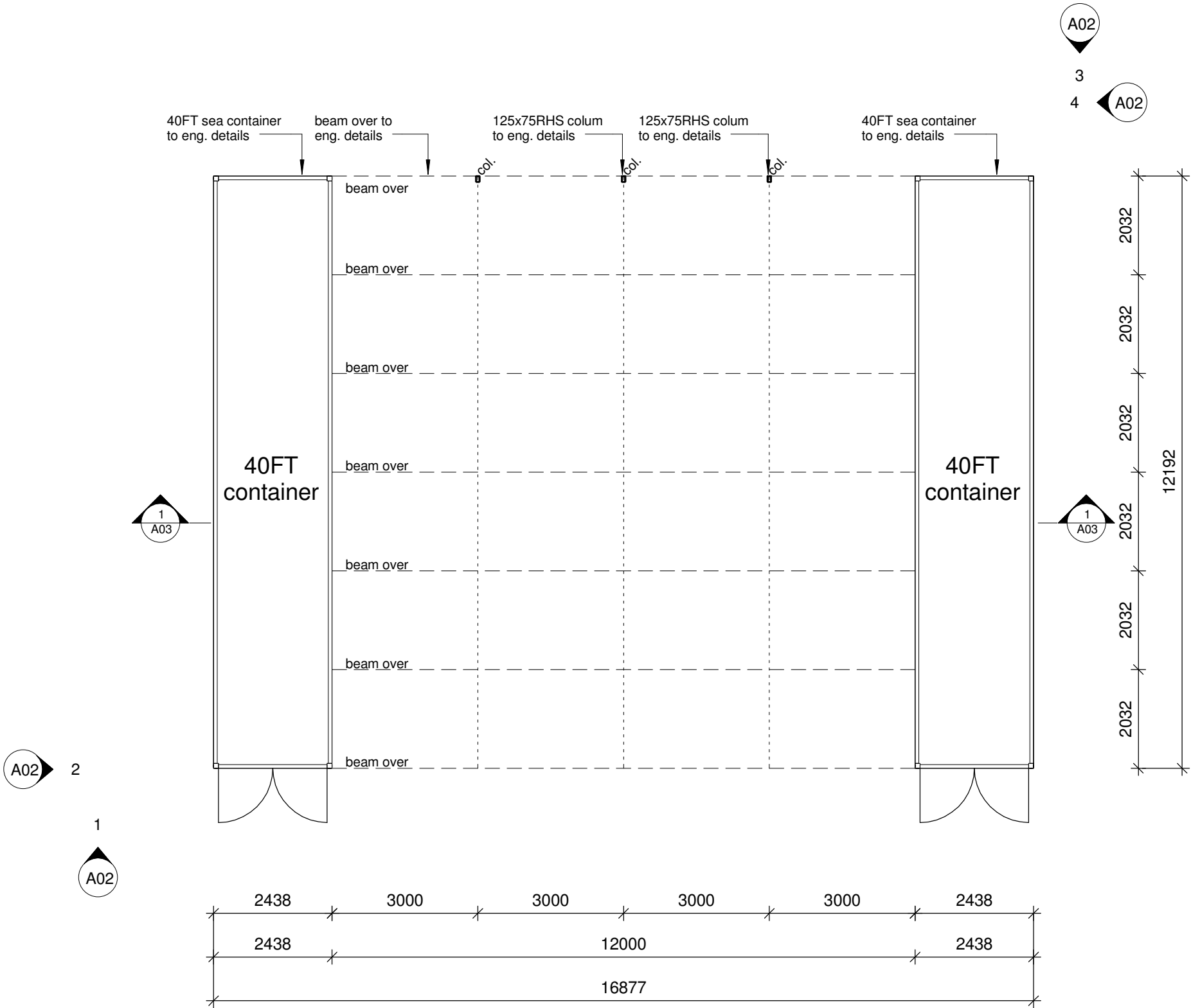
ELEVATION 4

APPENDIX 6

DOMESHELTER PLANS

CONSTRUCTION NOTES

SEA CONTAINER TO MANFC SPECS
ROOF STRUCTURE TO BE STEEL ROOF
FRAMING TO BCA 3.4.3. & ENG. DETAILS
ROOF COVER TO BE AS PER PLAN



Floor Plan
1 : 100

General Notes
All materials and work practices shall comply with the Building Code of Australia 2016 and all relevant current Australian Standards.
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The contractor/builder is responsible for setting out and checking all levels and measurments onsite.

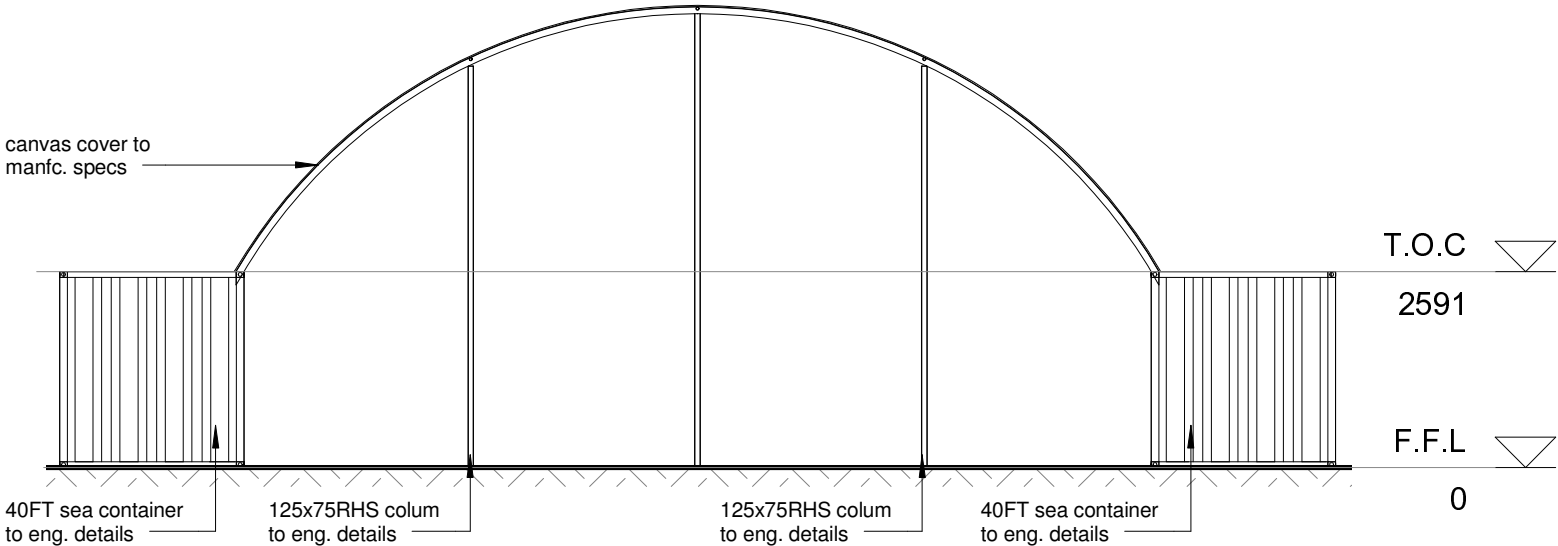
Proposed Sea Container & Dome Shelter

Lot 51 Patstone Road, Collie For D.
Churches - R32 Construction

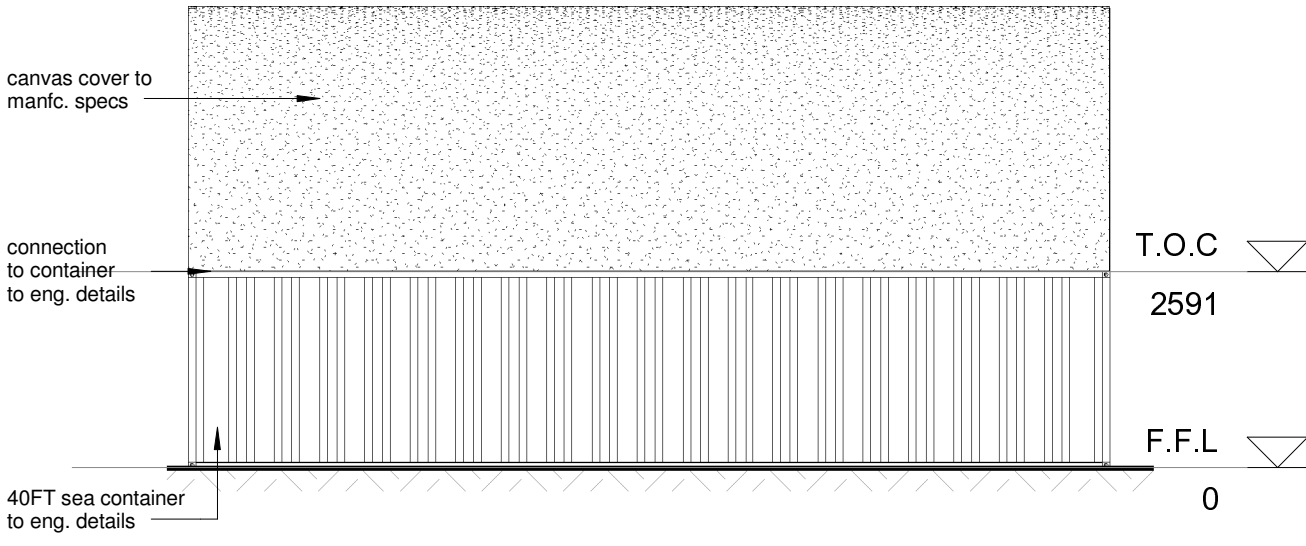
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			Date: 16/07/18	
			Drawn by: JG	
			Scale: 1 : 100	



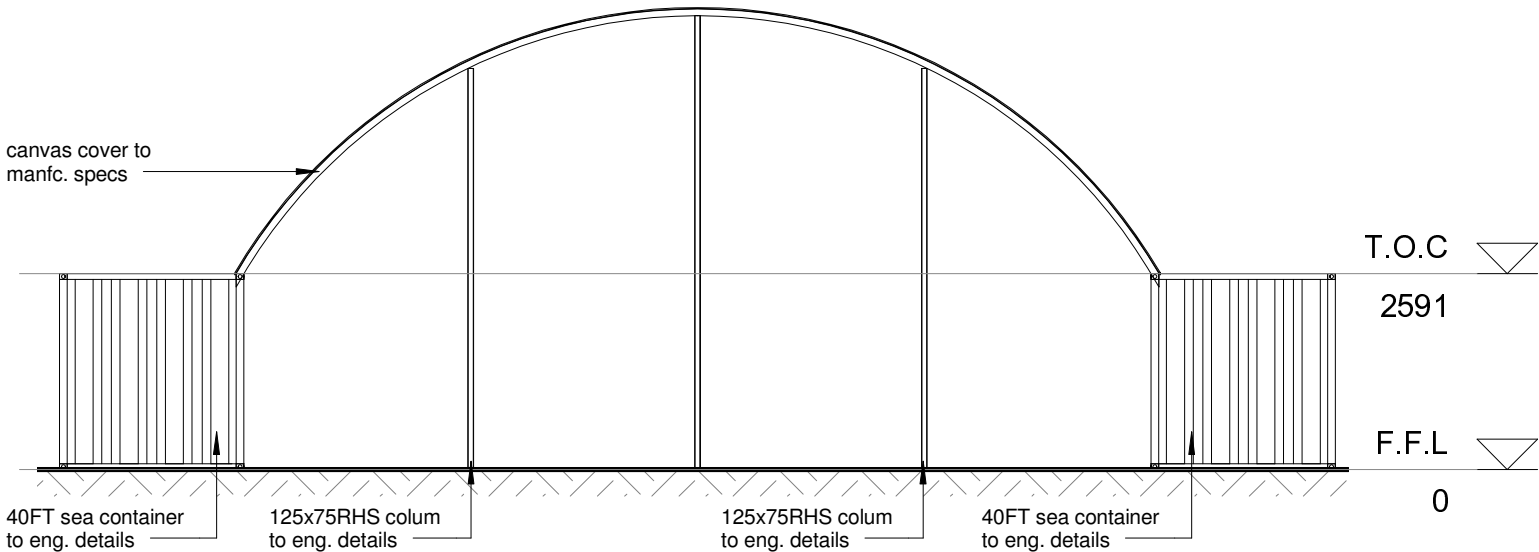
Phone : 97217471 Fax : 97217471 Mobile : 0418945793
Email : ghasseb@westnet.com.au
Address : 9b Wittenoom Street BARRBURY WA 6230



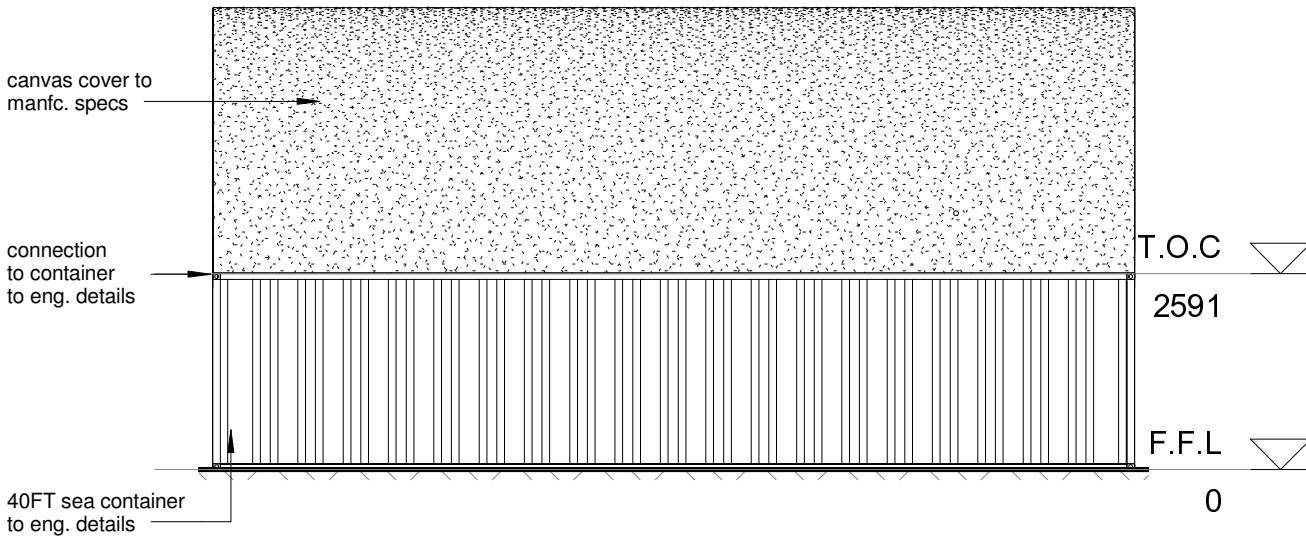
Elevation 1
1 : 100



Elevation 2
1 : 100



Elevation 3
1 : 100



Elevation 4
1 : 100

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Proposed Sea Container & Dome Shelter

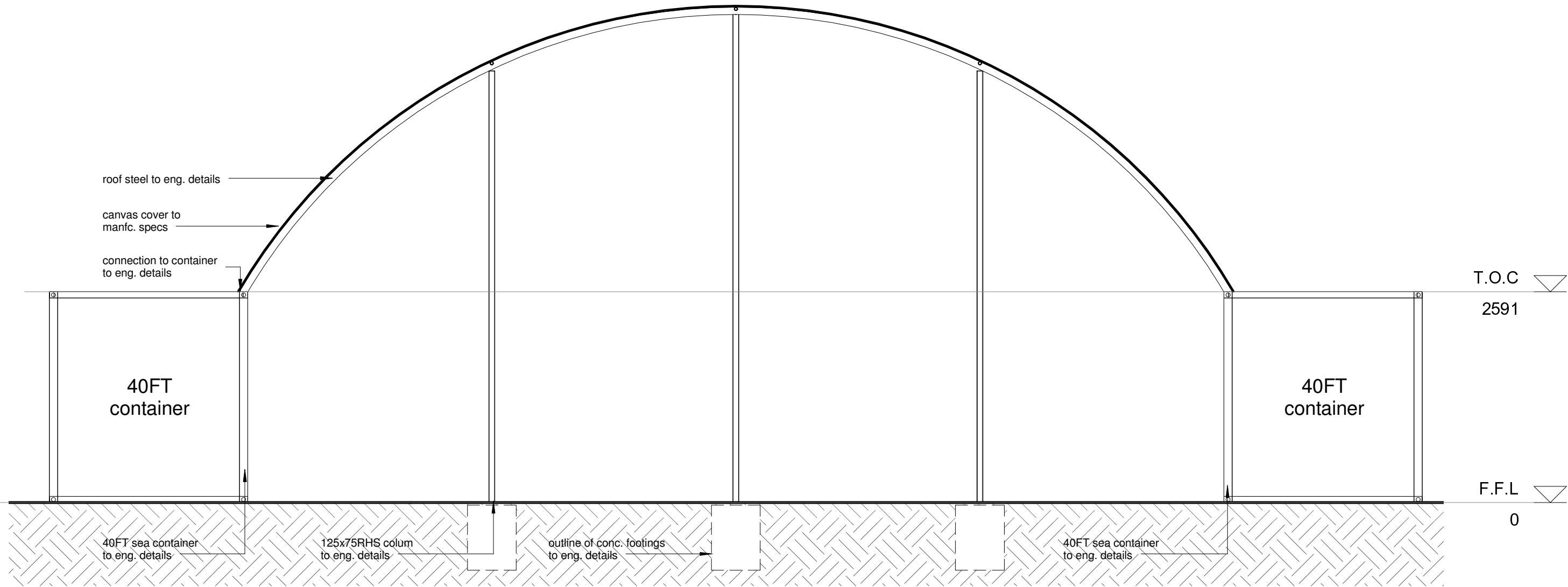
Lot 51 Patstone Road, Collie For D.
Churches - R32 Construction

REVISION SCHEDULE			Elevations	
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			Date:	16/07/18
			Drawn by:	JG
			Scale:	1 : 100



GHASSEB DRAFTING
DESIGN & DRAFTING PRACTICE

Phone : 97217471 Fax : 97217471 Mobile : 0418945793
Email : ghasseb@westnet.com.au
Address : 9b Wittenoom Street BUNBURY WA 6230



Section 1
1 : 50

General Notes
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Proposed Sea Container & Dome Shelter

Lot 51 Patstone Road, Collie For D.
Churches - R32 Construction

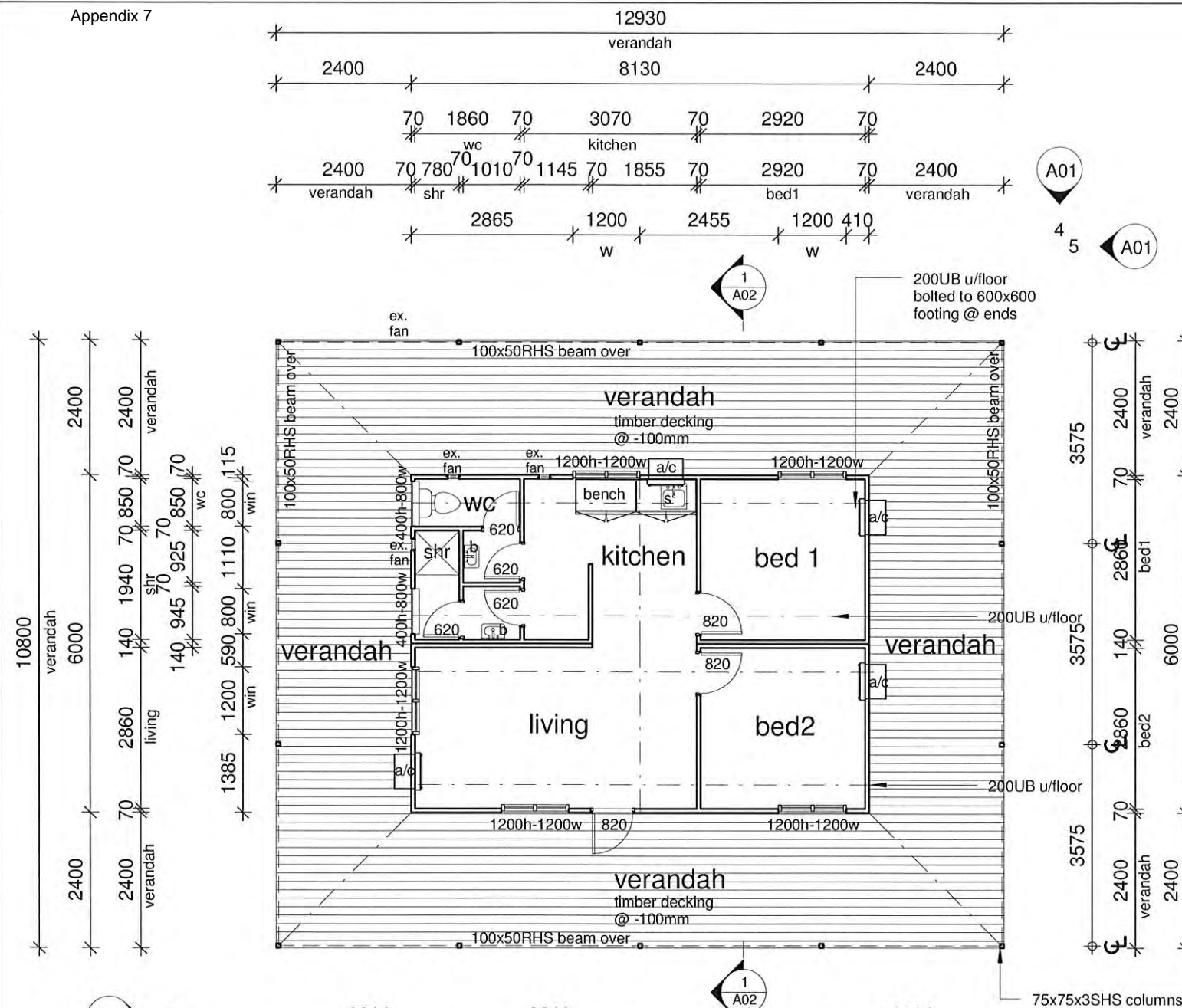
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			Date:	16/07/18
			Drawn by:	JG
			Scale:	1 : 50



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Email : ghasseb@westnet.com.au
Address : 9b Wittenoom Street, BUNBURY WA 6230

APPENDIX 7

ACCOMMODATION BLOCK PLANS



Floor Plan
1 : 100

AREAS
ACCOMMODATION BLOCK = 48.7m²

CONSTRUCTION NOTES

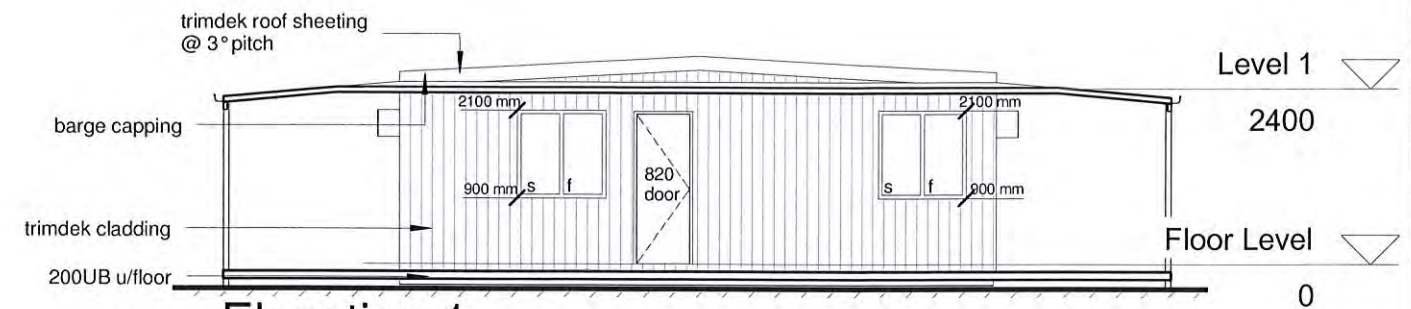
EXTERNAL WALLS TO BE 70X45MGP10 STUD WALLS WITH TRIMDEK CLADDING.
INTERNAL WALLS TO BE 70X45MGP10 STUDS WITH TIMBER PANEL CLADDING.
FLOOR TO BE 19MM AQUATITE ON TIMBER JOISTS AND STEEL CHASIS.
ROOF STRUCTURE TO BE MGP10 ROOF FRAMING TO BCA 3.4.3.
ROOF COVER TO TRIMDEK COLORBOND BE AS PER PLAN
ALL CEILINGS @ 2400MM UNO.
WINDOWS TO BE STANDARD GLAZING WITH ALUMINIUM FRAME

General Notes

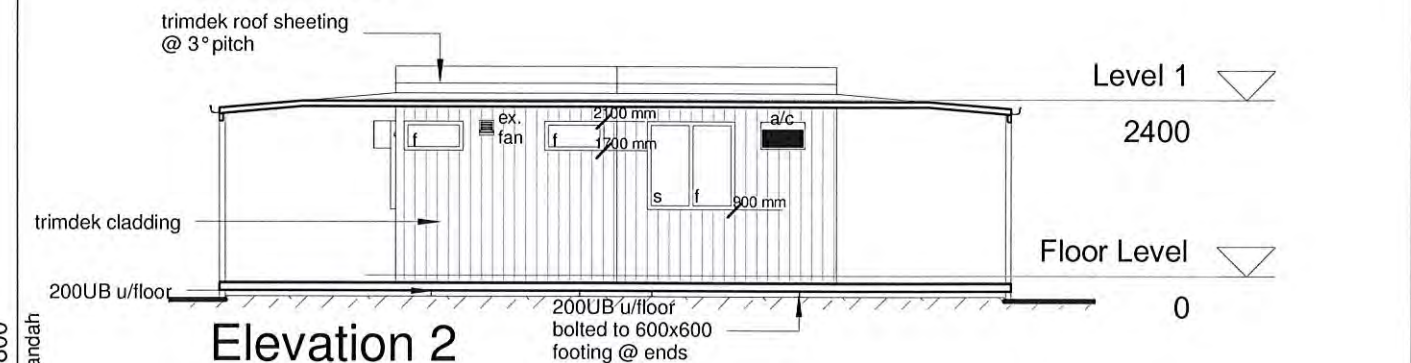
All materials and work practices shall comply with the Building Code of Australia 2016 and all relevant current Australian Standards.
All dimensions and levels are to be checked and verified by owner/builder and any discrepancies in the documents must be resolved before ordering or commencement of any works.
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Proposed Accommodation Block

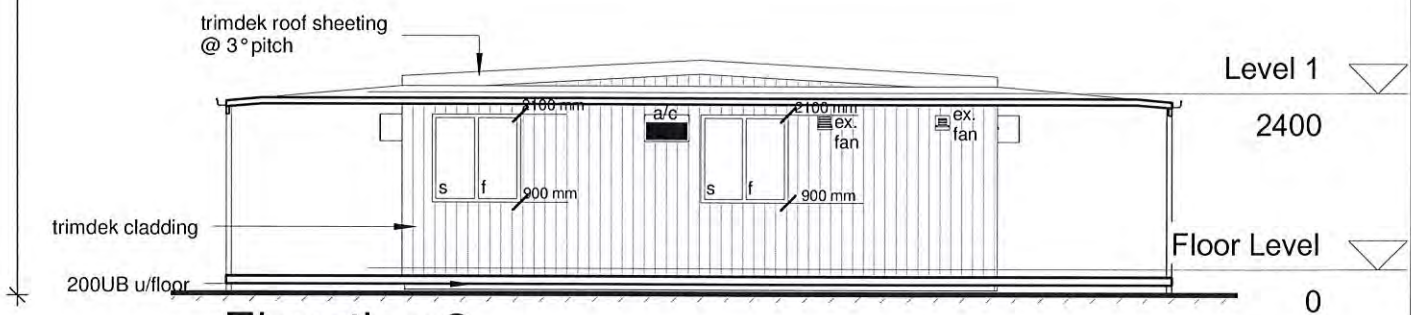
Lot 51 Patstone Road, Collie For D.
Churches - R32 Construction



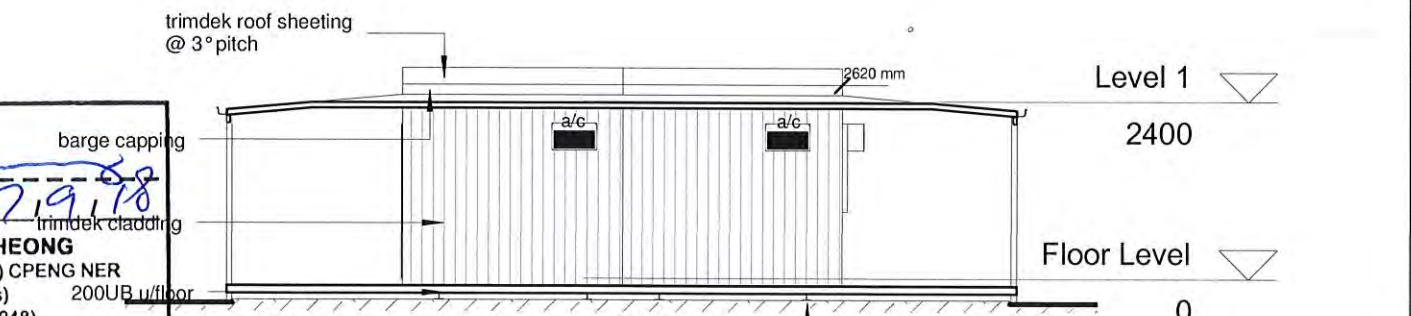
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Elevation 2
1 : 100



Elevation 3
1 : 100

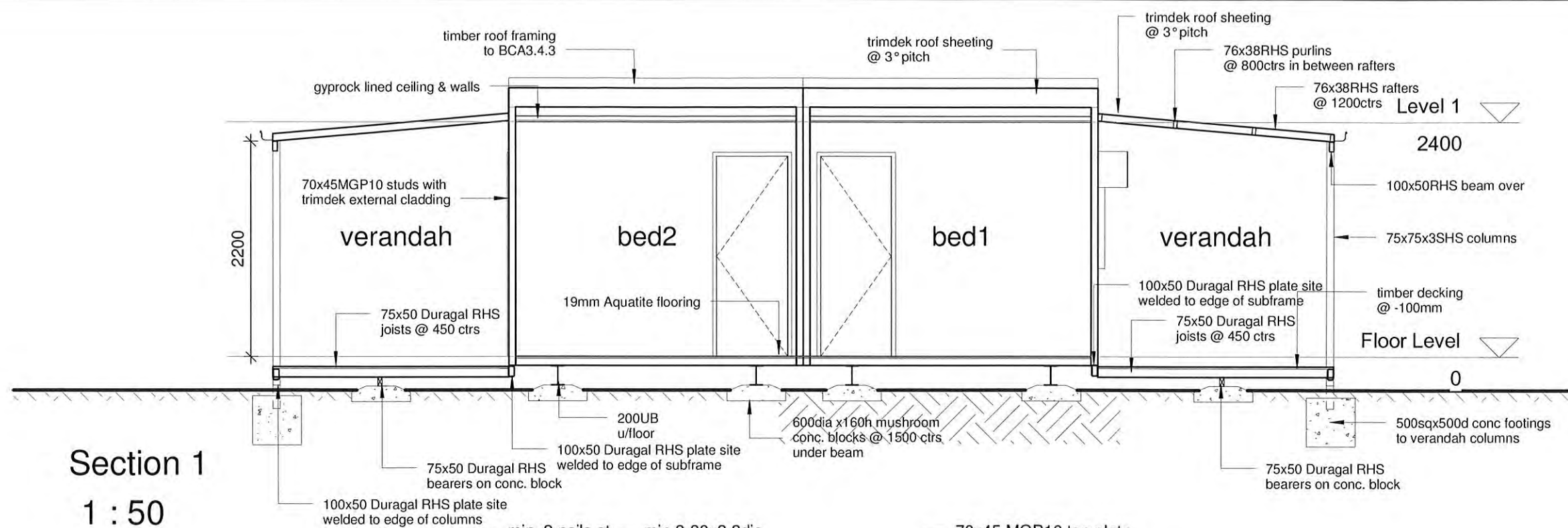


Elevation 4
1 : 100

REVISION SCHEDULE			Floor Plans	
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2	21.9.18	ISSUED FOR CONSTRUCTION	Date:	13/07/18
3	26.9.18	ISSUED FOR CONSTRUCTION	Drawn by:	JG
			Scale:	1 : 100



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Address : 9b Wittenoom Street Bunbury WA 6230
Appendix 7

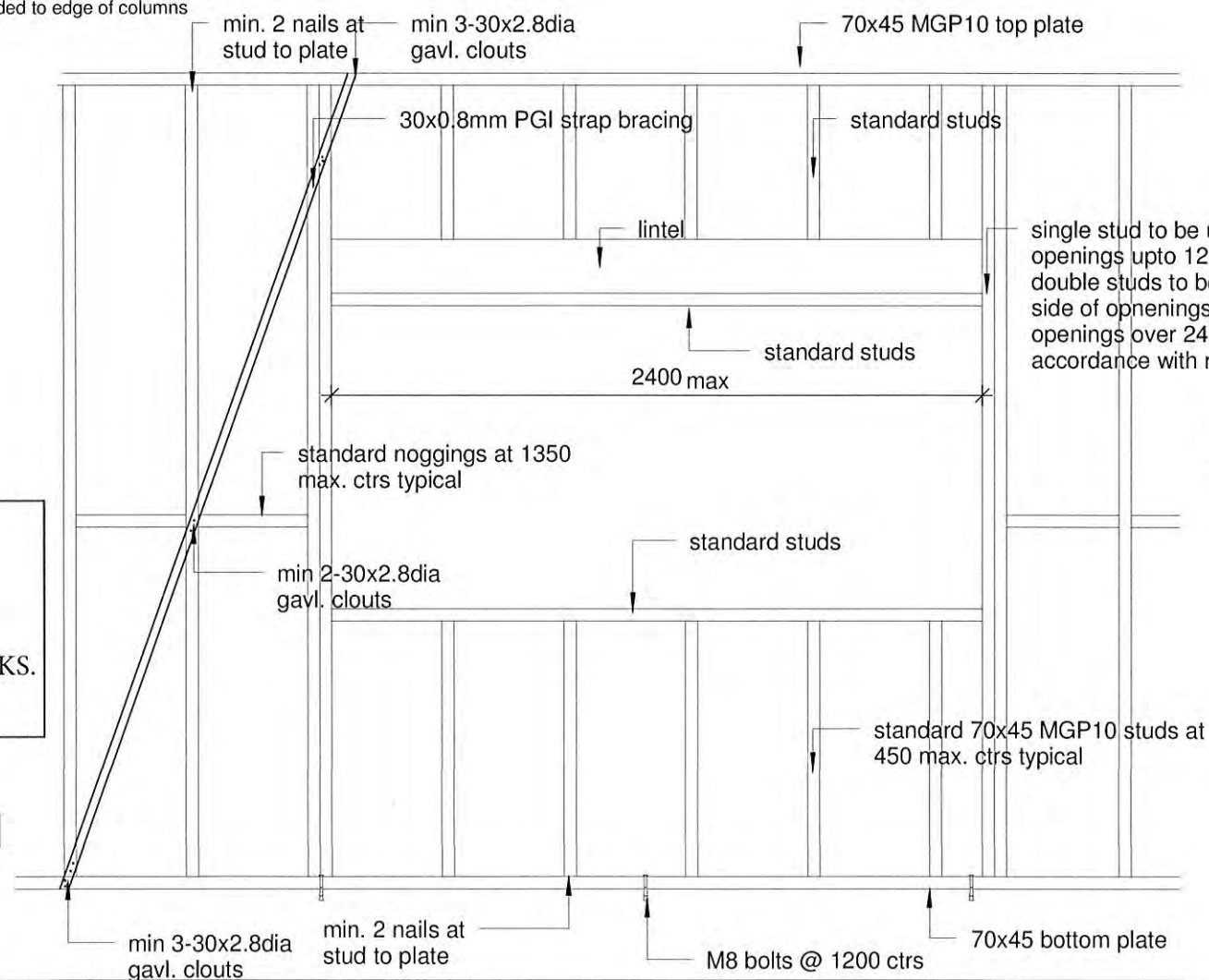


Section 1
1 : 50

NOTES:

1. GRAVITY FOOTING @ 4 CORNERS OF BUILDING.
2. FIX ALL SPREADER BLOCKS @ 1500 CTRS. TO UB SKIDS.
3. FIX CORNERS OF VERANDAH POSTS TO GRAVITY BLOCKS.
4. GRAVITY BLOCKS TO BE 0.5 m³.

Framing Detail
1 : 25



ENGINEERS AUSTRALIA

DAVID CHEONG & ASSOCIATES
45 Railway Parade
Mount Lawley, WA 6050
Office: (08) 6468 2764
Mobile: 0412 541 888
dcwork929@gmail.com

Date: 27/9/18

DAVID C K CHEONG
FIEAust (508015) CPENG NER
APEC IntPE (Aus)
RPEQ (QLD) (19048)
RBPCE (N.T.) (263087ES)

ALL STUD WALL CONSTRUCTION
TO COMPLY WITH TABLE 8.18C
OF AS 1684.2 AND BCA 3.4.3

General Notes

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Appendix 7

Proposed Accommodation Block

Lot 51 Patstone Road, Collie For D.
Churches - R32 Construction

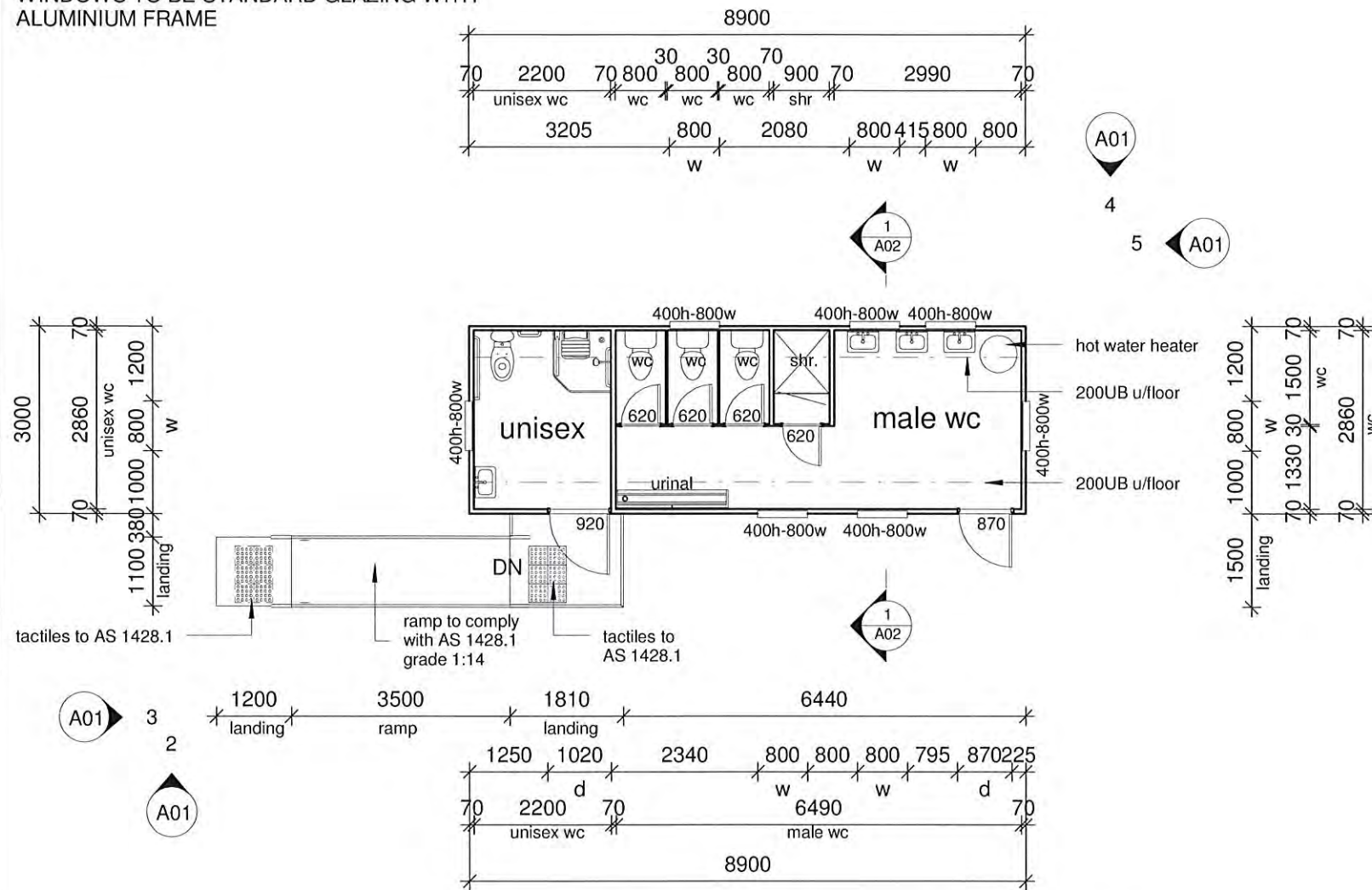
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2	21.9.18	ISSUED FOR CONSTRUCTION	Date:	13/07/18
3	26.9.18	ISSUED FOR CONSTRUCTION	Drawn by:	JG
			Scale:	As indicated



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Email : ghasseb@westnet.com.au
Address : 9b Wittenoom Street Bunbury WA 6230
Appendix 7

APPENDIX 8
TOILET BLOCK PLANS

EXTERNAL WALLS TO BE 70X45MGP10 STUD WALLS WITH TRIMDEK CLADDING.
INTERNAL WALLS TO BE 70X45MGP10 STUDS WITH TIMBER PANEL CLADDING.
FLOOR TO BE 19MM AQUATITE ON TIMBER JOISTS AND STEEL CHASIS.
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ROOF COVER TO TRIMDEK COLORBOND BE AS PER PLAN
ALL CEILINGS @ 2400MM UNO.
WINDOWS TO BE STANDARD GLAZING WITH ALUMINIUM FRAME

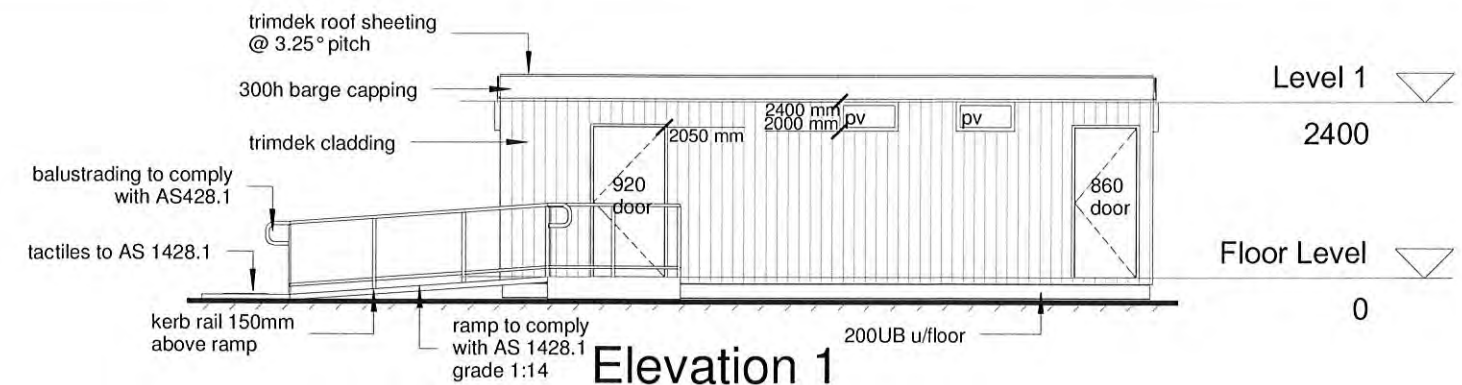


Floor Plan
1 : 100

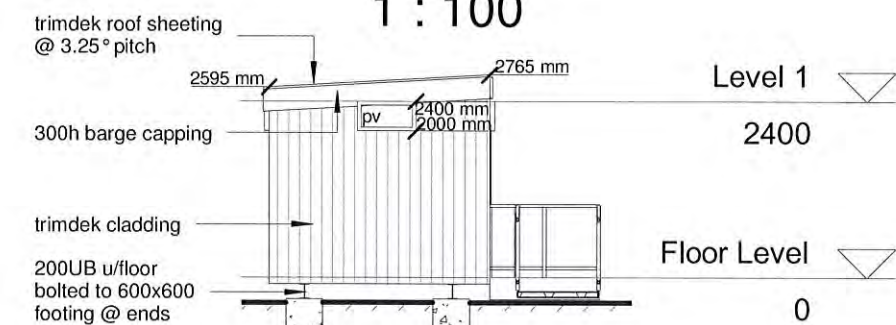
AREAS
TOILET BLOCK = 26.7m²

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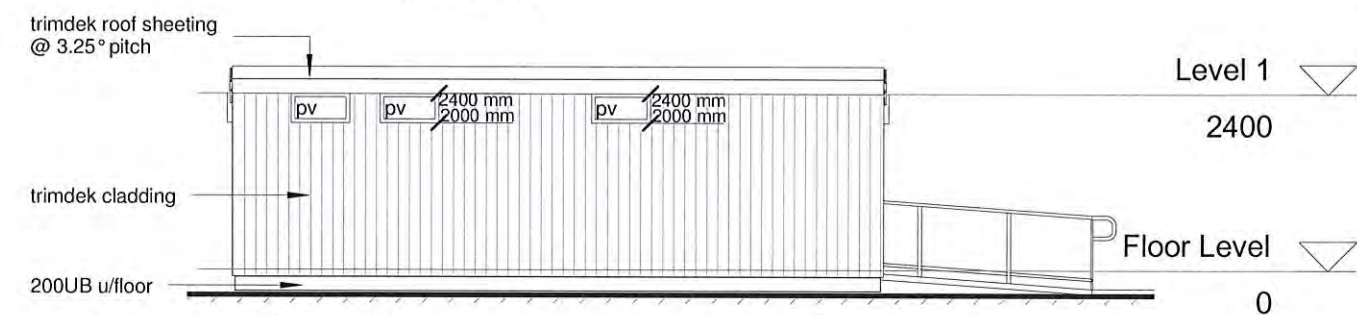
Date: 27/9/18
DAVID C K CHEONG
FIEAust (508015) CPENG NER
APEC IntPE (Aus)
RPEQ (QLD) (19048)
RBPCE (N.T.) (263087ES)



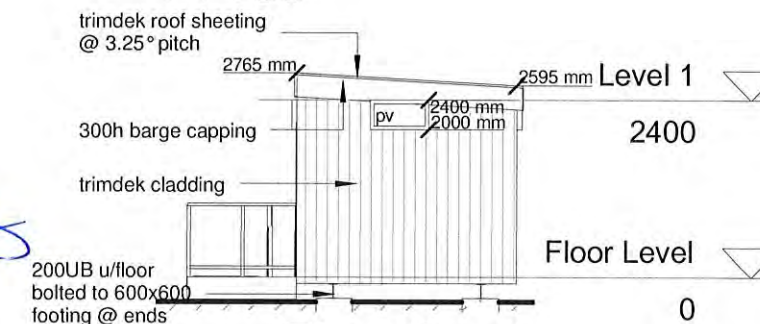
Elevation 1
1 : 100



Elevation 2
1 : 100



Elevation 3
1 : 100



Elevation 4
1 : 100

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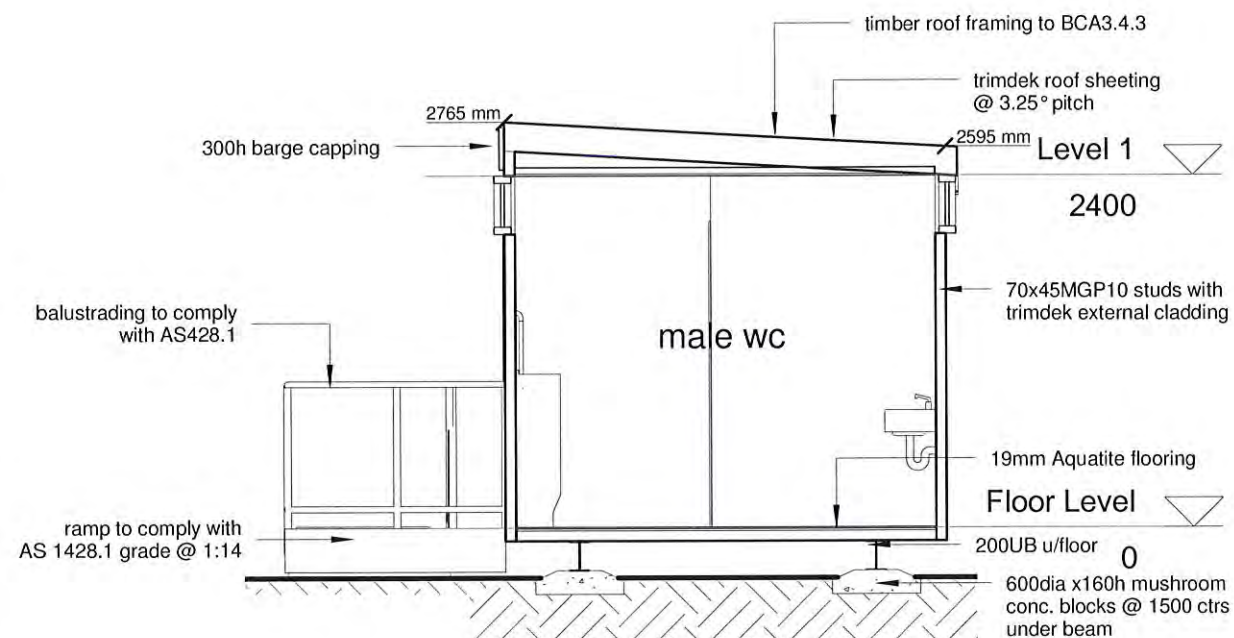
Proposed Toilet Block

Lot 51 Patstone Road, Collie For D.
Churches - R32 Construction

REVISION SCHEDULE			Floor Plans	
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1	17.5.18	ISSUED FOR CLIENT	Project number:	0-2143
2	21.9.18	ISSUED FOR CONSTRUCTION	Date:	17/05/18
3	26.9.18	ISSUED FOR CONSTRUCTION	Drawn by:	JG
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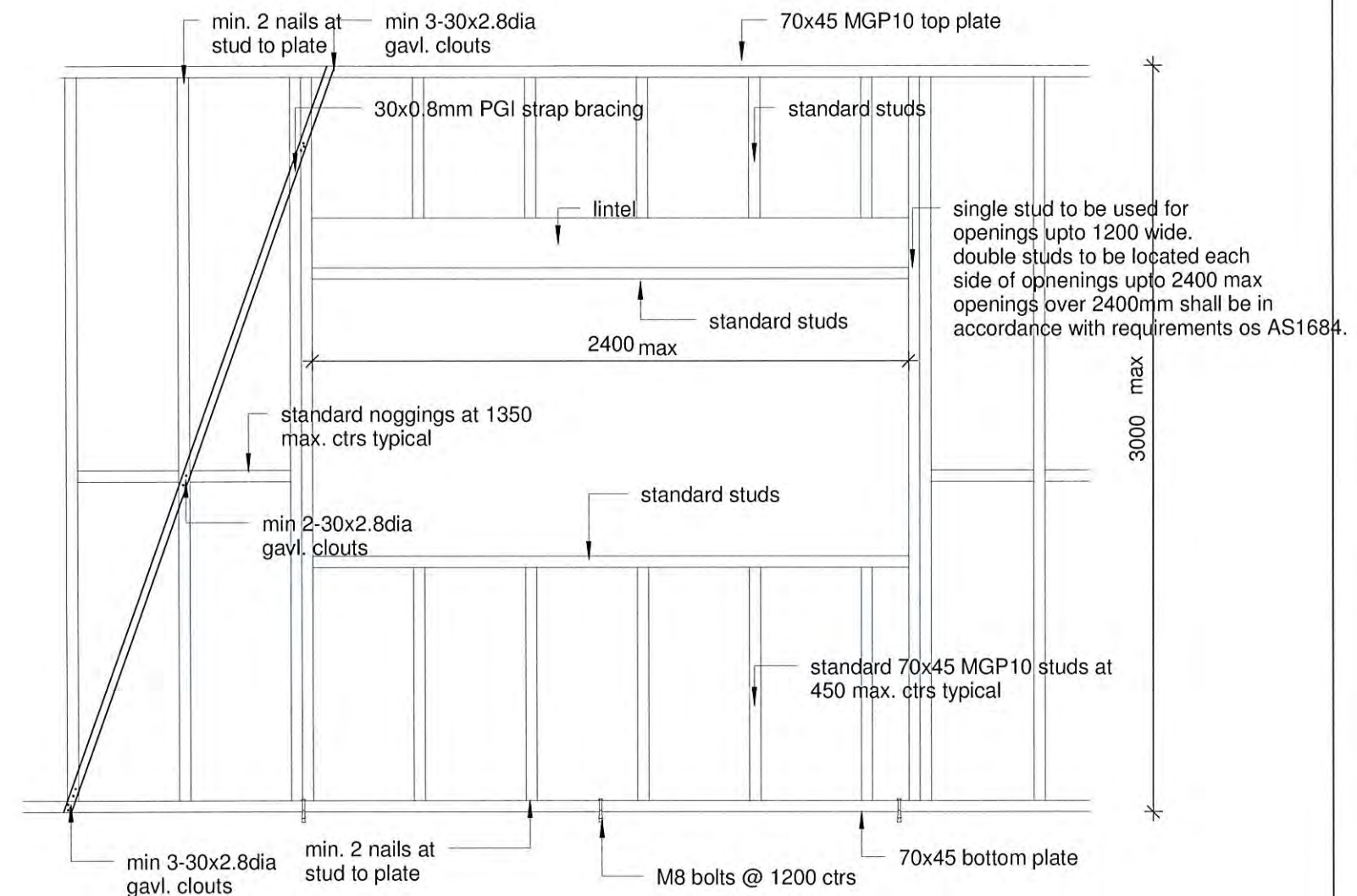
Phone : 97217471 Fax : 97217471 Mobile : 0418945793
Email : ghasseb@westnet.com.au
Address : 9b Wittenoom Street Bunbury WA 6230
Appendix 7



Section 1
1 : 50

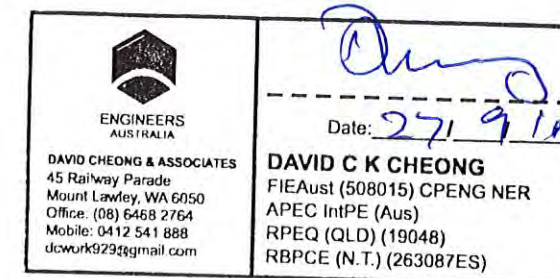
NOTES:

1. GRAVITY FOOTING @ 4 CORNERS OF BUILDING.
2. FIX ALL SPREADER BLOCKS @ 1500 CTRS. TO UB SKIDS.
3. FIX CORNERS OF VERANDAH POSTS TO GRAVITY BLOCKS.
4. GRAVITY BLOCKS TO BE 0.5 m³.



Framing Detail
1 : 25

ALL STUD WALL CONSTRUCTION
TO COMPLY WITH TABLE 8.18C
OF AS 1684.2AND BCA 3.4.3



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Proposed Toilet Block

Lot 51 Patstone Road, Collie For D.
Churches - R32 Construction

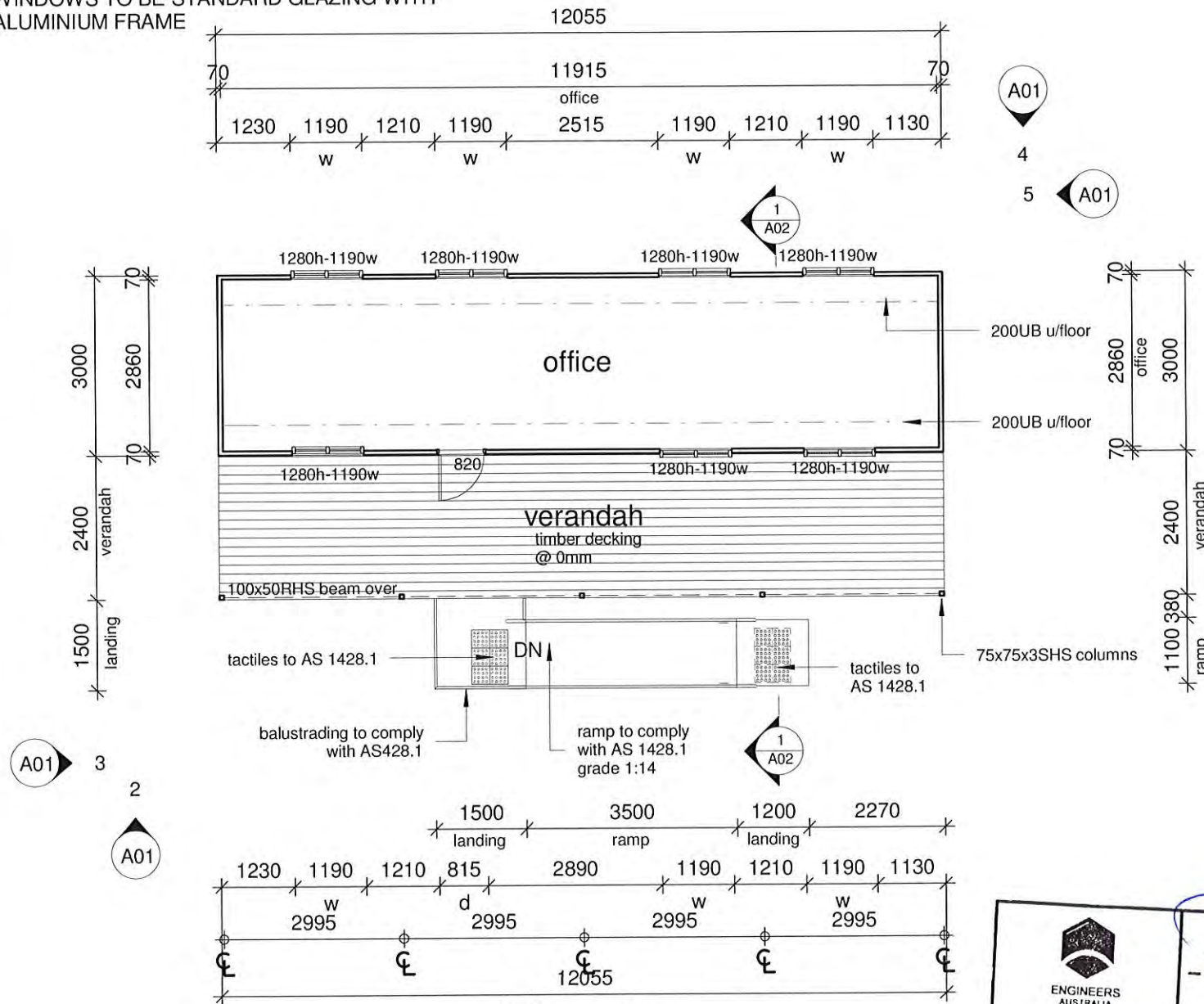
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2	21.9.18	ISSUED FOR CONSTRUCTION	Date:	17/05/18
3	26.9.18	ISSUED FOR CONSTRUCTION	Drawn by:	JG
			Scale:	As indicated



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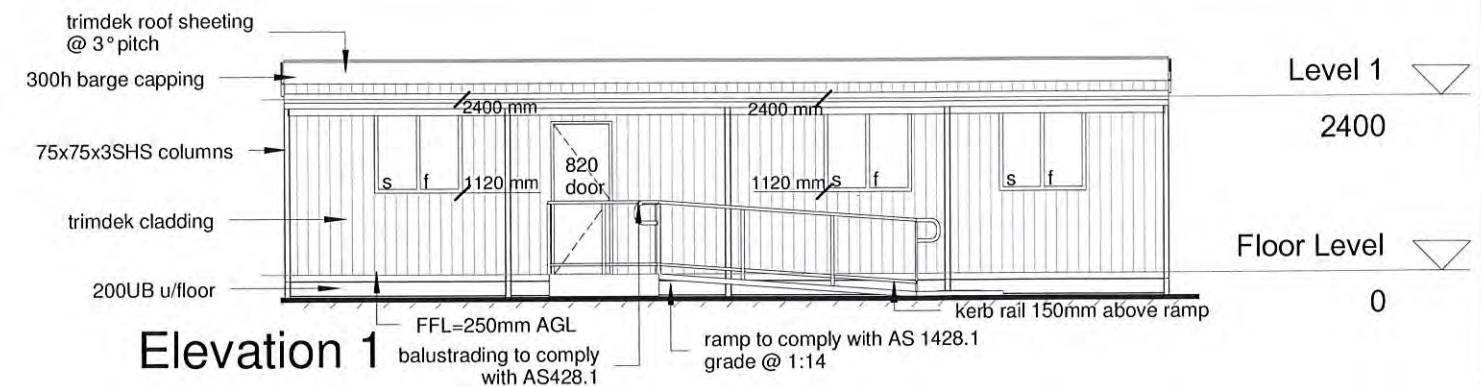
APPENDIX 9
OFFICE PLANS

EXTERNAL WALLS TO BE 70X45MGP10 STUD
WALLS WITH TRIMDEK CLADDING.
INTERNAL WALLS TO BE 70X45MGP10 STUDS
WITH TIMBER PANEL CLADDING.
FLOOR TO BE 19MM AQUATITE ON TIMBER
JOISTS AND STEEL CHASIS.
ROOF STRUCTURE TO BE MGP10 ROOF
FRAMING TO BCA 3.4.3.
ROOF COVER TO BE TRIMDEK COLORBOND
AS PER PLAN
ALL CEILINGS @ 2400MM UNO.
WINDOWS TO BE STANDARD GLAZING WITH
ALUMINIUM FRAME



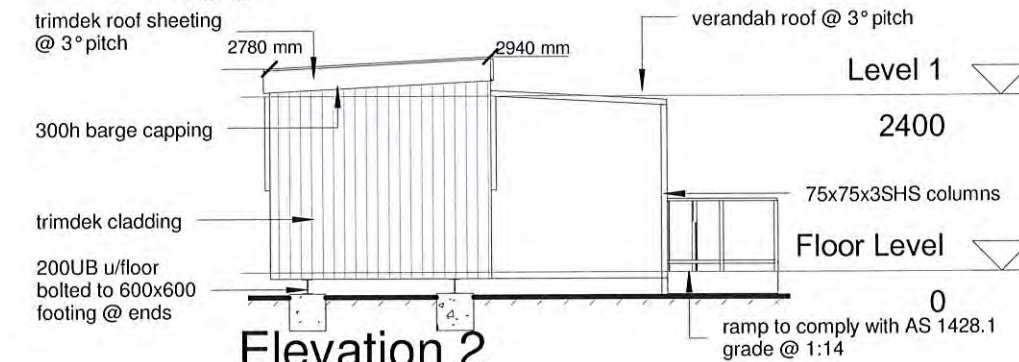
AREAS
OFFICE BLOCK = 36.1m²
VERANDAH = 28.9m²

Floor Plan
1 : 100



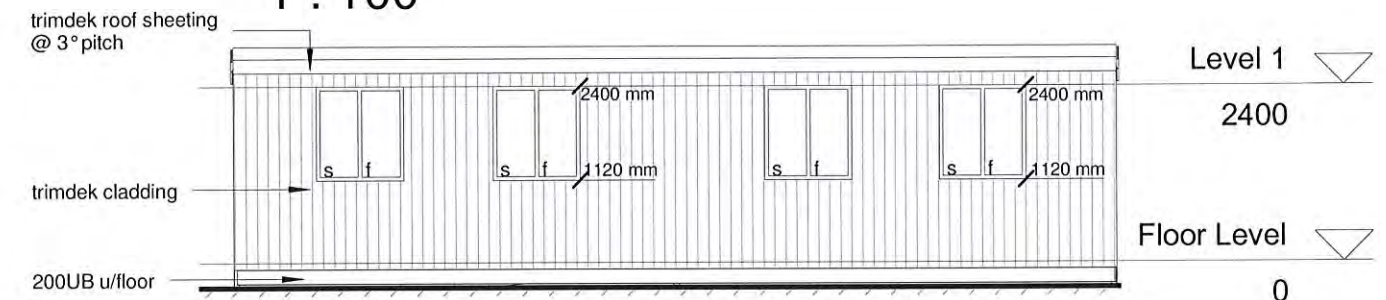
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1 : 100



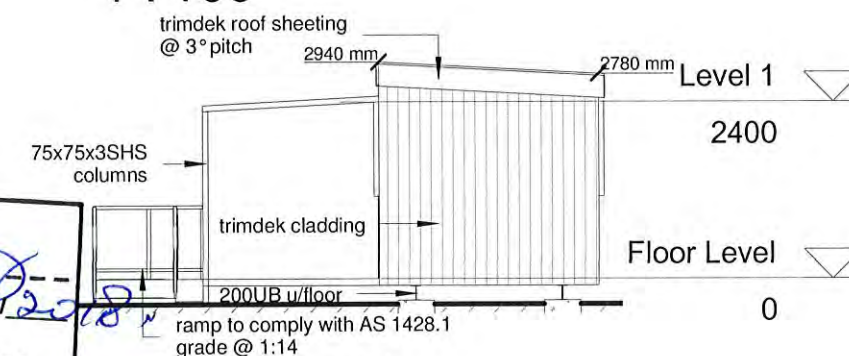
Elevation 2

1 : 100



Elevation 3

1 : 100



Elevation 4

1 : 100


**ENGINEERS
AUSTRALIA**

DAVID CHEONG & ASSOCIATES
45 Railway Parade
Mount Lawley, WA 6050
Office: (08) 6468 2764
Mobile: 0412 541 888
dcw@work929@gmail.com

[Handwritten signature in blue ink]
Date: 27/9/20

DAVID C K CHEONG
FIEAust (508015) CPENG NER
APEC IntPE (Aus)
RPEQ (QLD) (19048)
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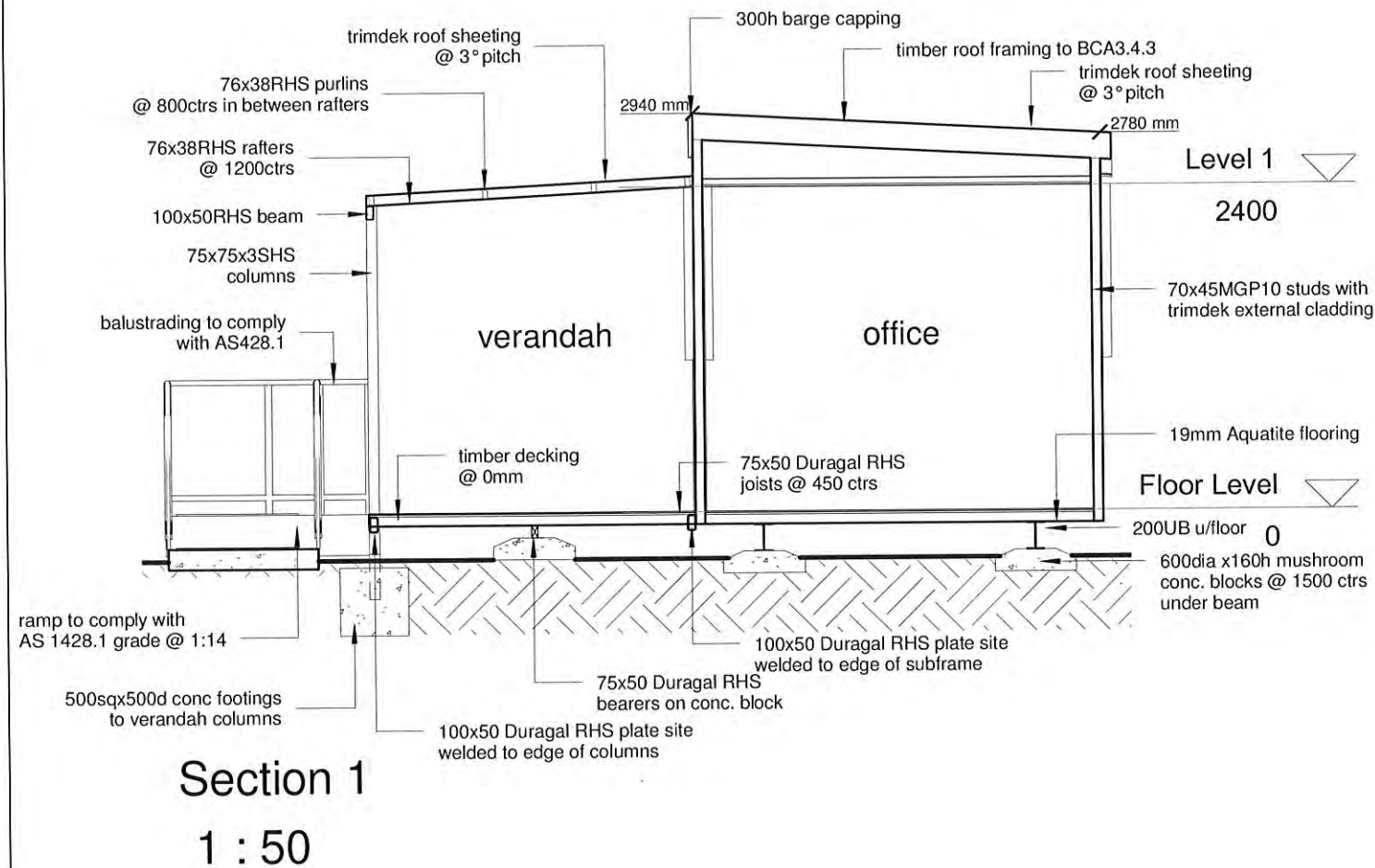
Proposed Office Block

Lot 51 Patstone Road, Collie For D.
Churches - R32 Construction

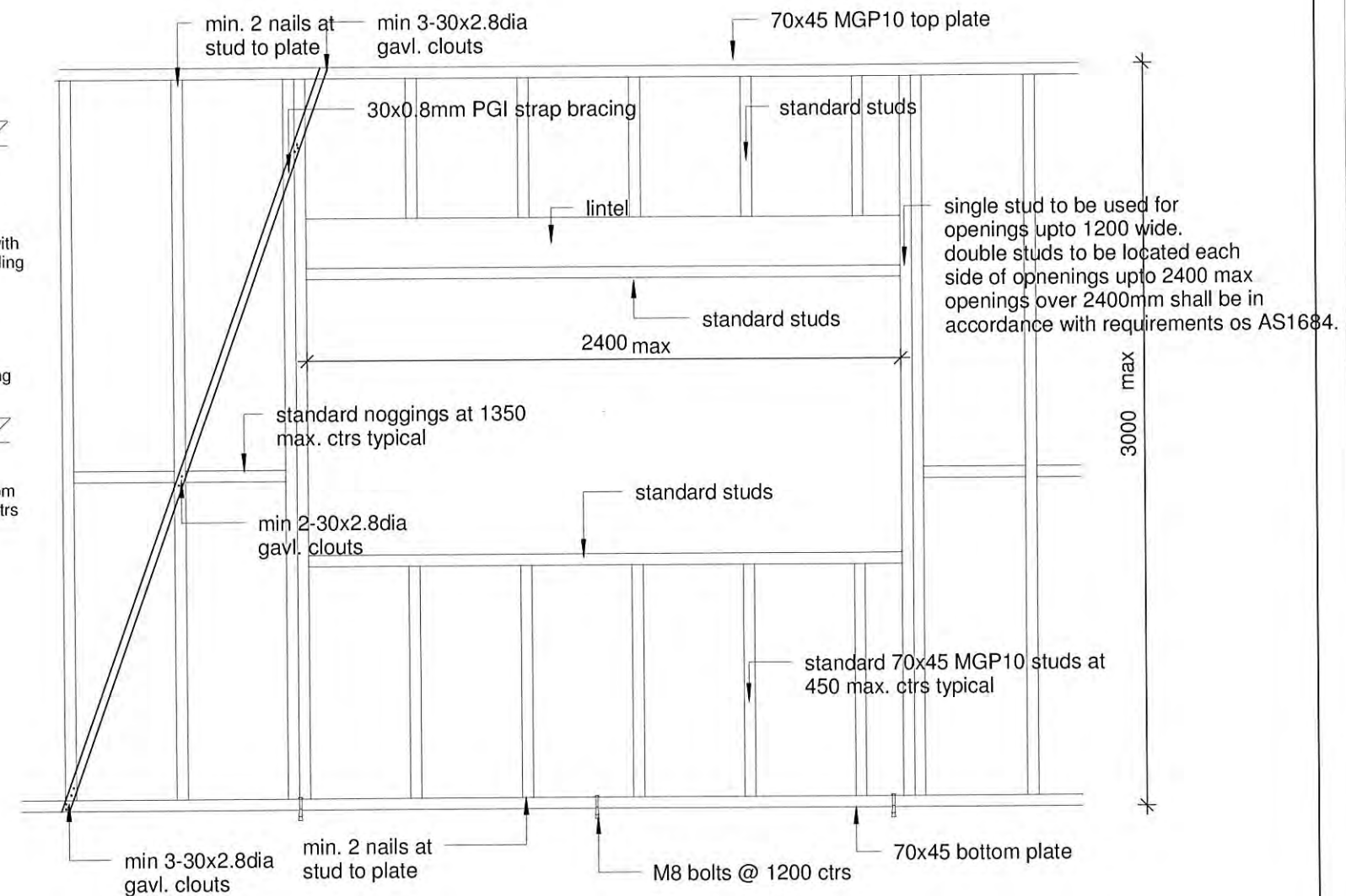
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2	7.8.18	ISSUED FOR CLIENT	Date:	17/05/18
3	21.9.18	ISSUED FOR CONSTRUCTION	Drawn by:	JG
4	26.9.18	ISSUED FOR CONSTRUCTION	Scale:	1 : 100

**GHASSEB
DRAFTING**

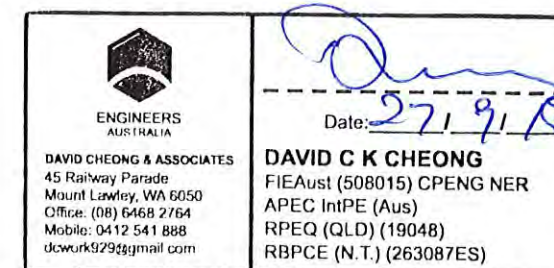
Phone : 97217471 Fax : 97217471 Mobile : 0418945793
Email : ghasseb@westnet.com.au
Address : 9b Wittenoom Street Bunbury WA 6230

**NOTES:**

1. GRAVITY FOOTING @ 4 CORNERS OF OFFICE BLOCK.
2. FIX ALL SPREADER BLOCKS @ 1500 CTRS. TO UB SKIDS.
3. FIX CORNERS OF VERANDAH POSTS TO GRAVITY BLOCKS.
4. GRAVITY BLOCKS TO BE 0.5 m3.



ALL STUD WALL CONSTRUCTION
TO COMPLY WITH TABLE 8.18C
OF AS 1684.2 AND BCA 3.4.3



General Notes
All materials and work practices shall comply with the Building Code of Australia 2016 and all relevant current Australian Standards.
All dimensions and levels are to be checked and verified by owner/builder and any discrepancies in the documents must be resolved before ordering or commencement of any works.
The contractor/builder is responsible for setting out and checking all levels and measurements onsite.

Proposed Office Block

Lot 51 Patstone Road, Collie For D.
Churches - R32 Construction

REVISION SCHEDULE			Sections	
REV	DATE	DESCRIPTION	Sheet number:	A02
1	17.5.18	ISSUED FOR CLIENT	Project number:	0-2143
2	7.8.18	ISSUED FOR CLIENT	Date:	17/05/18
3	21.9.18	ISSUED FOR CONSTRUCTION	Drawn by:	JG
4	26.9.18	ISSUED FOR CONSTRUCTION	Scale:	As indicated



Phone : 97217471 Fax : 97217471 Mobile : 0418945793
Email : ghasseb@westnet.com.au
Address : 9b Wittenoom Street Bunbury WA 6230

APPENDIX 10
BAL ASSESSMENT

Bushfire Attack Level (BAL) Certificate

Determined in accordance with AS 3959-2009

This Certificate has been issued by a person accredited by Fire Protection Association Australia under the Bushfire Planning and Design (BPAD) Accreditation Scheme. The certificate details the conclusions of the full Bushfire Attack Level Assessment Report (full report) prepared by the Accredited Practitioner.


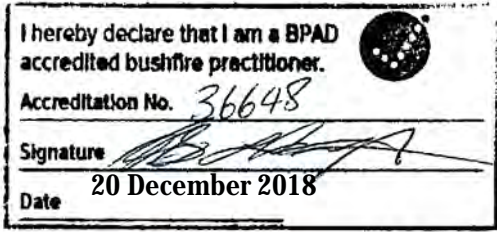
Property Details and Description of Works

Address Details Local government area Main BCA class of the building Description of the building or works	Unit no	Street No	Lot 51	Street name / Plan Reference Patstone Road		
	Collie				State WA	Postcode 6225
	Shire of Collie					
	Class 3 & 5	Use(s) of the building		Habitable Building		
	Construction of Office-Toilet & Accommodation Blocks					

Determination of Highest Bushfire Attack Level

AS 3959 Assessment Procedure	Vegetation Classification	Effective Slope	Separation Distance	BAL
Method 1	Excludable - Clause 2.2.3.2(a)	Downslope	N/A	BAL – LOW

BPAD Accredited Practitioner Details

Name Neill Thompson Company Details Bushfire Solutions South West Phone: 0447 395 173 Email: Website: http://bushfiresolutionsouthwest.com.au 	 <p>I hereby declare that I am a BPAD accredited bushfire practitioner. Accreditation No. 36648 Signature [Signature] Date 20 December 2018</p>
I hereby certify that I have undertaken the assessment of the above site and determined the Bushfire Attack Level stated above in accordance with the requirements of AS 3959-2009 (Incorporating Amendments 1, 2 and 3).	<p>Authorised Practitioner Stamp</p>

Reliance on the assessment and determination of the Bushfire Attack Level contained in this report should not extend beyond a period of 12 months from the date of issue of the report. If this report was issued more than 12 months ago, it is recommended that the validity of the determination be confirmed with the Accredited Practitioner and where required an updated report issued.

Bushfire Attack Level Assessment Report

Prepared by a BPAD Accredited Practitioner



Fire Protection Association Australia Life Property Environment



AS 3959 BAL Assessment Report

This report has been prepared by an Accredited BPAD Practitioner using the Simplified Procedure (Method 1) as detailed in Section 2 of AS 3959 – 2009 (Incorporating Amendment Nos 1, 2 and 3). FPA Australia makes no warranties as to the accuracy of the information provided in the report. All enquiries related to the information and conclusions presented in this report must be made to the BPAD Accredited Practitioner.

Property Details and Description of Works

Address Details	Unit no	Street no	Lot no	Street name / Plan Reference		
			51	Patstone Road		
Local government area	Suburb			State		Postcode
	Collie			WA		6225
Main BCA class of the building	Shire of Capel					
Description of the building or works	Class 3 & 5		Use(s) of the building	Habitable Buildings		
	Construction of Office-Toilet & Accommodation Blocks					

Report Details

Report / Job Number	Report Version	Assessment Date	Report Date
1373	A	10 December 2018	20 December 2018

BPAD Accredited Practitioner Details

Name Neill Thompson BPAD 36648	 <i>Authorised Practitioner Stamp</i>
Company Details Bushfire Solutions South West Mobile: 0447 395 173 E: neill@bushfiresolutionsouthwest.com.au  BUSHFIRE SOLUTIONS SOUTH WEST	
<i>Reliance on the assessment and determination of the Bushfire Attack Level contained in this report should not extend beyond a period of 12 months from the date of issue of the report. If this report was issued more than 12 months ago, it is recommended that the validity of the determination be confirmed with the Accredited Practitioner and where required an updated report issued.</i>	

Vegetation Classification

All vegetation within 100m of the site / proposed development was classified in accordance with Clause 2.2.3 of AS 3959-2009. Each distinguishable vegetation plot with the potential to determine the Bushfire Attack Level is identified below.

Photo ID:	P1	Plot:	1
Vegetation Classification or Exclusion Clause			
Excludable - 2.2.3.2(a) >100m from site			
Description / Justification for Classification			
Vegetation a distance more than 100 metres from the proposed site.			
Photo ID:	P2	Plot:	2
Vegetation Classification or Exclusion Clause			
Excludable - 2.2.3.2(c) Multi Areas < 0.25Ha			
Description / Justification for Classification			
Areas of vegetation less than 0.25 h/a, and not within 20 metres of the proposed site.			

Photo ID:	P3	Plot:	3
Vegetation Classification or Exclusion Clause			
Excludable - 2.2.3.2(a) >100m from site			
Description / Justification for Classification			
Vegetation a distance more than 100 metres from the proposed site.			
Photo ID:	P4	Plot:	4
Vegetation Classification or Exclusion Clause			
Excludable - 2.2.3.2(c) Multi Areas < 0.25Ha			
Description / Justification for Classification			
Areas of vegetation less than 0.25 h/a, and not within 20 metres of the proposed site.			

Relevant Fire Danger Index

The fire danger index for this site has been determined in accordance with Table 2.1 or otherwise determined in accordance with a jurisdictional variation applicable to the site.

Fire Danger Index

FDI 40 ☐

Table 2.4.5

FDI 50 ☐

Table 2.4.4

FDI 80 ☒

Table 2.4.3

FDI 100 ☐

Table 2.4.2

Potential Bushfire Impacts

The potential bushfire impact to the site / proposed development from each of the identified vegetation plots are identified below.

Plot	Vegetation Classification	Effective Slope	Separation (m)	BAL
Plot 1	Excludable – Clause 2.2.3.2(a)	Downslope >0 to 5 degrees	N/A	BAL – LOW
Plot 2	Excludable – Clause 2.2.3.2(c)	Downslope >0 to 5 degrees	N/A	BAL – LOW
Plot 3	Excludable – Clause 2.2.3.2(a)	Flat/Upslope	N/A	BAL – LOW
Plot 4	Excludable – Clause 2.2.3.2(c)	Downslope >0 to 5 degrees	N/A	BAL – LOW

Table 1: BAL Analysis

Determined Bushfire Attack Level (BAL)

The Determined Bushfire Attack Level (highest BAL) for the site / proposed development has been determined in accordance with clause 2.2.6 of AS 3959-2009 using the above analysis.

Determined Bushfire Attack Level

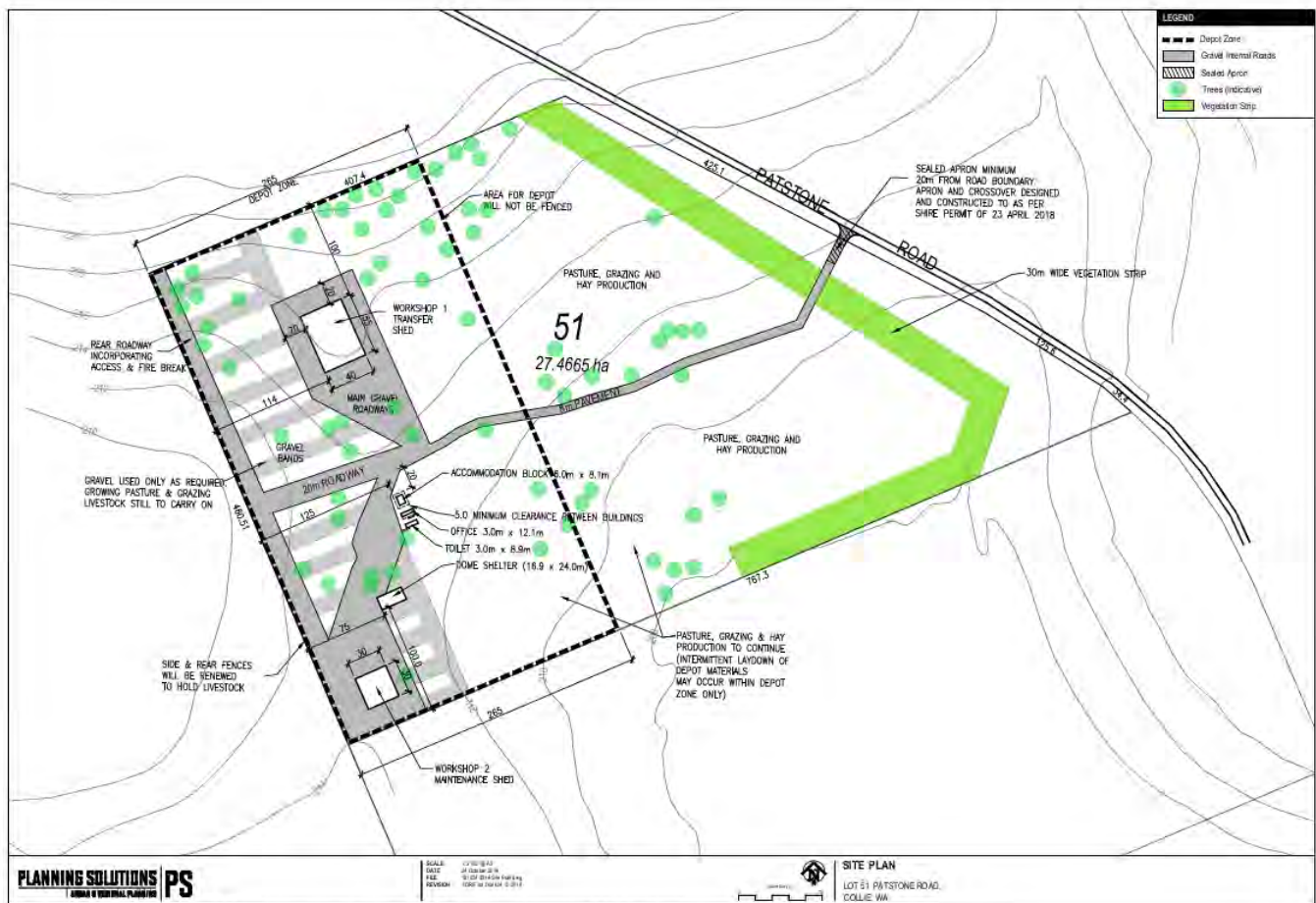
BAL – LOW

Appendix 1: Plans and Drawings

Plans and drawings relied on to determine the bushfire attack level

Drawing / Plan Description Site Plan

Job Number 1373	Revision	Date of Revision
------------------------	-----------------	-------------------------



Appendix 2: Additional Information / Advisory Notes

All trees around the APZ will require ongoing maintenance and have a vertical to ground clearance of 2 metres.

No branches or tree crown canopies are to be overhanging the roof space of the dwelling.
The ground fuel will require maintaining, to minimise any future risk.

All grasses are to be managed and maintained to a maximum height of 100 millimetres.

Bush fire hazard can be altered by reducing fuel loads in bush areas, by modifying fuel zones, removing understorey vegetation and leaf litter by chemical or mechanical means or by control burning. Providing adequate separation between the vegetation and the building is strongly recommended for all new homes.

Statement:

I have taken all reasonable steps to ensure that the information provided in this assessment, is accurate and supports the conditions on and around the site, and the corresponding lot, on the date of this assessment.

This does not guarantee that a building will not be destroyed or damaged by a bushfire. This assessment for the proposed new dwelling is made in good faith based on the information available to the bushfire consultant at the time of the assessment. Notwithstanding, the bushfire consultant or Local Government authority will not, except as may be required by law, be liable for any loss or other consequences whether due to negligence arising out of the services rendered by the bushfire consultant or Local Government authority.

Note: Any new plantings of vegetation, or a failure to maintain the properties requirements for fuel loading maintenance, can and will change the BAL rating significantly.

It is the owner's responsibility to maintain fuels and vegetation's, in accordance to the Shire of Collie Annual Fire Break Notice.

The BAL and the corresponding Sections for specific construction requirements are listed in the table below:

Bushfire Attack Levels Table

Bushfire Attack Level (BAL)	Classified Vegetation within 100m of the site heat flux exposure thresholds	Description of predicted bushfire attack and levels of exposure	Construction Section
BAL – LOW		There is insufficient risk to warrant specific construction requirements. DFES recommend ember protection where possible to limit the risk of fire attack	4
BAL – 12.5	$\leq 12.5 \text{ kW/m}^2$	Ember attack	3 and 5
BAL – 19	$> 12.5 \text{ kW/m}^2$ $\leq 19 \text{ kW/m}^2$	Increasing levels of ember attack and burning debris ignited by windborne embers together with increasing heat flux	3 and 6
BAL – 29	$> 19 \text{ kW/m}^2$ $\leq 29 \text{ kW/m}^2$	Increasing levels of ember attack and burning debris ignited by windborne embers together with increasing heat flux	3 and 7
BAL- 40	$> 29 \text{ kW/m}^2$ $\leq 40 \text{ kW/m}^2$	Increasing levels of ember attack and burning debris ignited by windborne embers together with increasing heat flux with the increased likelihood of exposure to flames	3 and 8
BAL-FZ	$> 40 \text{ kW/m}^2$	Direct exposure to flames from fire front in addition to heat flux and ember attack	3 and 9

An APZ is an area surrounding a building that is managed to reduce the bushfire hazard to an acceptable level.

The width of the required APZ varies with slope and vegetation.

The APZ should at a minimum be of sufficient size to ensure the potential radiant heat impact of a fire does not exceed 29kW/m² (BAL-29). It should be lot specific.

The APZ should be contained solely within the boundaries of the lot on which the building is situated, except in instances where the neighbouring lot or lots will be managed in a low-fuel state on an ongoing basis, in perpetuity.

It is the responsibility of the landowner/proponent to maintain their APZ in accordance with Schedule 1 'Standards for Asset Protection Zones'.

Schedule 1: **STANDARDS FOR ASSET PROTECTION ZONES**

Fences: within the APZ are constructed from non-combustible materials (e.g. iron, brick, limestone, metal post and wire). It is recommended that solid or slatted non-combustible perimeter fences are used.

Objects: within 10 metres of a building, combustible objects must not be located close to the vulnerable parts of the building i.e. windows and doors.

Fine Fuel load: combustible dead vegetation matter less than 6 millimetres in thickness reduced to and maintained at an average of two tonnes per hectare.

Trees (> 5 metres in height): trunks at maturity should be a minimum distance of 6 metres from all elevations of the building, branches at maturity should not touch or overhang the building, lower branches should be removed to a height of 2 metres above the ground and or surface vegetation, canopy cover should be less than 15% with tree canopies at maturity well spread to at least 5 metres apart as to not form a continuous canopy.

Shrubs (0.5 metres to 5 metres in height): should not be located under trees or within 3 metres of buildings, should not be planted in clumps greater than 5m² in area, clumps of shrubs should be separated from each other and any exposed window or door by at least 10 metres.

Shrubs greater than 5 metres in height are to be treated as trees. **Ground covers (<0.5 metres in height):** can be planted under trees but must be properly maintained to remove dead plant material and any parts within 2 metres of a structure, but 3 metres from windows or doors if greater than 100 millimetres in height.

Ground covers greater than 0.5 metres in height are to be treated as shrubs.

Grass: should be managed to maintain a height of 100 millimetres or less.

References

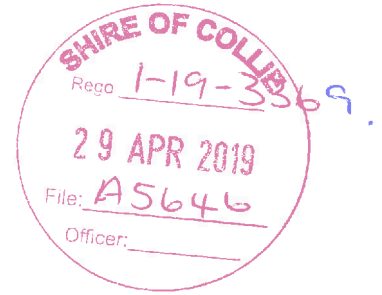
Shire of Capel Firebreak and Fuel Hazard Reduction Notice 2018/19

WA Planning Commission: Standards for Asset Protection Zones

Google Maps 2018

Standards Australia AS3959 (2009) Construction of buildings in bushfire prone areas.

1



SUBMISSION TO SHIRE OF COLLIE

In the matter of Proposed Depot Lot 51 Patstone Road, Collie.

Name: Richard Shea

Interest: Owner of 289 Patstone Road

Dear Sir,

I oppose the application for approval of a transport depot at Lot 51 Patstone Road, Collie based on the following points, and I refer to the application where necessary in relation to these;

- (1) Page #3, para #3 The proposal as stated is to develop the subject site as a depot for the parking and maintenance of commercial vehicles and the storage of articles.

This application varies considerably the now lapsed previous application in now seeking "to store items" which may lead to a conclusion that R32 and Smargiassi Enterprises having lost the ability to turn their scenic drive lot into a junk yard (Shire of Collie v Smargiassi Nominees Pty Ltd Case No: Collie 262/2015) are now looking for alternate land to store scrap metal, skip bins, car bodies, old machinery, timber and builders rubble. Indeed I go so far as to suggest given observations from Patstone Road this is already the case.

Further the original application was for a transport depot and when approved by SAT had severe restrictions on what and how long items could be stored at the depot. Indeed, SAT stipulated that items not associated with the transport of goods could only be stored for a maximum period of 3 months. Without arguing whether approval has lapsed or not, items not associated with a transport depot in any way have been stored on the Lot for periods far in excess of 3 months. This demonstrates the contempt in which Smargiassi Nominees and Collie Steel hold for imposed planning obligations.

- (2) Page #5 Zone and zone objectives

The land is currently zoned rural and as such should be zoned for use consistent with rural pursuits and retain the rural character and amenity of the locality. From the first bend travelling towards Allanson all the way into Allanson that section of Patstone Road is exclusively residential, albeit with some blue gum plantation trees that align with the natural bush setting of the road. For the proponents to claim that the proposed development is wholly compatible in such a setting is extremely disingenuous and should be dismissed by the council for the sham it is. Further for the proponents to claim that screening vegetation they will provide will improve the rural character beggars belief when the proponents were responsible for removal of all the verge mature trees along the complete lot frontage without fulfilling any of the lapsed planning vegetation offset obligations. Years of growth will be required before effective screening is once again along that section of road.

- (3) Page #10 Noise impacts on adjoining properties This section makes no mention of the noise impact of heavy vehicles on Patstone Road at night. Trucks and machinery have been observed arriving and entering Lot 51 at all hours of the night, and the proposal makes no mention of

transport and unloading activities at night with high levels noise transmission onto the surrounding residential properties. Generic separation distance should be discounted in a rural setting such as Patstone Road.

(4) Page 12 para (t)

The proponents boldly state that Patstone Road is capable of further accommodating another 20 light vehicle and 50 heavy vehicle movements per day. No proof is offered that a rural road used by many families from Allanson particularly at school pick up and drop off times would not lead to an exposure to unacceptable risk for these road users as heavy vehicles turn on and off Patstone Road into Lot 51. I assert that such a statement is completely erroneous and the Shire needs to consider carefully the risk implications of such a heavy vehicle load on a rural road used by a large portion of the Allanson public.

(5) Page 14 Fire ignition

Any hot work activities such a cutting, grinding and welding significantly increase the risk of a bush fire particularly in this location where forest abuts onto the property. Given the nature of the proposal as a depot for the handling of steel products I assert this risk is extremely high and unacceptable for the location.

(6) Para #5 Conclusion

A totally different conclusion can be reached when you consider all the points I have annunciated, and I urge the council to exercise its jurisdiction and not approve the proposal. Given the track record of Smargiassi Nominees with regard to the Scenic Drive court case (already cited) I believe it would be prudent for the council to do.

I remain
Yours Faithfully
R.L.Shea

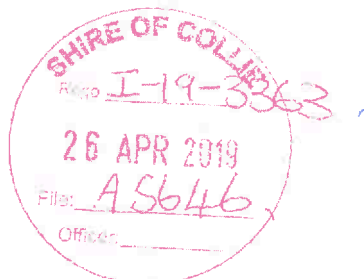


Department of Biodiversity,
Conservation and Attractions



Your ref: A5646
Our ref: PRS 43899 2019/000952
Enquiries: Cherie Kemp
Phone: 08 9725 4300
Email: swlanduseplanning@dbca.wa.gov.au

Shire of Collie
87 Throssell Street
Collie WA 6225



Attention: Robert Quinn

SHIRE OF COLLIE REF A5646 – DEVELOPMENT APPLICATION FOR PROPOSED DEPOT – LOT 51 PATSTONE ROAD COLLIE WA 6255

The Department of Biodiversity Conservation and Attractions Parks and Wildlife Service South West Region has the following comments on the above proposal.

The proposal should satisfy the Planning for Bushfire Protection Guidelines (WAPC/DFES) and SPP 3.7 Planning in Bushfire Prone Areas without imposing management requirements on the adjacent State Forest. The recommended setback from DBCA managed lands is 100 metres to avoid impacts from fire management or other works.

It is noted the proponents intend to retain all existing trees insitu, this is supported by DBCA.

It is considered that the proposal and any potential environmental impacts will be appropriately addressed through the existing planning framework.

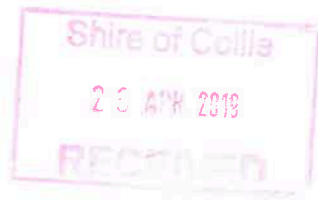
Thank you for the opportunity to comment on this application. Please contact Cherie Kemp at the Parks and Wildlife Service's South West Region office on 97254300 if you have any queries regarding this advice.


Bob Hagan
Regional Manager
Parks and Wildlife Service

16 April 2019

South West Region
PO Box 1693, Bunbury,
Western Australia 6230
Phone: (08) 9725 4300 Email:
bunbury@dbca.wa.gov.au
dbca.wa.gov.au

3

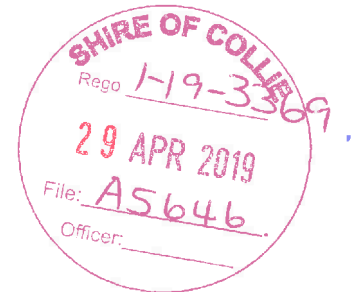


A & K Bonnell
 253 Patstone Rd (PO Box 560)
 Collie WA 6225
 Mob: 0412 350 611
 bonnella@mtbarkerchicken.com.au

23 April 2019

Mr Robert Quinn
 Collie Shire Planner
 COLLIE WA 6225

Dear Mr Quinn,



**RE: PROPOSED DEVELOPMENT APPLICATION FOR PROPOSED DEPOT
 LOT 51 PATSTONE RD COLLIE**
APPLICANTS: SMARGIASSI NOMINEES PTY LTD, DAVID CHURCHES AND JENNY LEE

Firstly before commenting on the above proposal I have attached copies of 2 letters dated 2008 and 2017 from the Shire of Collie ("the Shire") regarding investigation of rural/residential land on Patstone Road.

I replied to Katya Tripp Strategic Planner of the Shire by phone 2017 and outlined to her as my 100 acre property has the Munda Biddi trail running along the back boundary and the Bibbulmun track running up the western boundary. My property has great tourist potential for Collie and leaving the current zoning rural would give that flexibility. I asked Katya to update me on the outcome of the strategic plan, to date I have had no reply.

Secondly I would like to quote some key strategies in the Shire's Corporate Business Plan 2017/2018 - 2021/2022:

- 2.1 - Local Industrial Development and Diversification
 - 2.1.1 - Work with State Government to invest in Collie's economic future
 - 2.1.3 - Ensure the provision of Industrial Land
- 2.3 - A Growing Tourism Industry
 - 2.3.2 - Develop and Implement a trail strategy
 - 2.3.2 - Support Local and Regional Tourism Destination management and marketing initiatives that provide Local Tourism growth
- 3.1 - A protected natural environment
 - 3.1.3 - Encourage industry to take collaborative approach to environmental management
- 4.1 - Appropriate land use development
 - 4.1.1 - Ensure appropriate planning controls for land use and development
 - 4.1.5 - Ensure building and structures (rural and residential are safe and built to the required standard)
- 5.1 - Good Governance and Leadership
 - 5.1.5 - Administer local laws and ensure compliance with statutory obligations

Also attached is additional correspondence:

1. Letters from the Shire to Andrew and Kelsey Bonnell 253 Patstone Rd, Collie in 2008 and 2017 in relation to investigating rural residential potential land on Patstone Road.
2. A copy of State Administrative Tribunal ("SAT") 5 year order from February 2015 for temporary use of the above property as a transport depot with 18 conditions, many not compliant or lapsed.
3. Photos taken (17th April 2019) of the property as it currently stands at Lot 51 Patstone Rd.

On the Shire's webpage there is the outcome of a lengthy court case of Smargiassi Nominees versus the Shire in relation to Smargiassi Nominee's property at 1 Scenic Drive. This was at a cost of many thousands of dollars to the Shire as well as many man hours. On 21st December 2018 Perth Magistrate A Maughan handed down a fine for non-compliance to Smargiassi Nominees, for the property at 1 Scenic Drive. In his findings reference was made (Section 7(3)(ii)) of the property being described by witnesses as "a rubbish dump" and an "eyesore". As you can see by the attached photos the same could said about the above property in its current state.

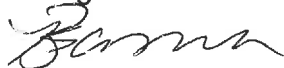
On the SAT Order ("the Order") dated February 2015 the temporary approval is for a 'transport depot'. Conditions of the Order have either lapsed or are questionably non-compliant. It appears the Shire has enforced Item 5 of the Order and required the applicants to submit a new development application.

Under the Proposal set out in the new development application, this has now gone from a transport depot to a full blown industrial commercial site for two existing businesses - Collie Steel (Smargiassi Nominees Pty Ltd) and R32 Construction (David Churches).

I would consider the current application would be in strong conflict with the Shire's current Corporate Business Plan, particularly, given the past history of the above applicants and their current vision of a highly industrial commercial site (including unlimited sea containers) less than 2km from the town boundary and 300 mtrs from the Bibblumun Track.

Now the hard part, the applicants are not going to go away. Whatever legislation, red tape, State Government intervention (Mick Murray?), mediation is required, the Shire needs to get the above applicants out to the so called Shotts Heavy Industry Park ASAP with an agreed conditional lease or purchase.

Kind regards



Andrew & Kelsey Bonnell

Our Ref: A5646
Doc Ref: 0-19-652
Enquires: Shire Planner 9734 9009



8 April 2019

Andrew Bonnell
PO Box 560
COLLIE WA 6225

Dear Andrew

**REQUEST FOR COMMENT - DEVELOPMENT APPLICATION FOR PROPOSED DEPOT -
LOT 51 PATSTONE ROAD COLLIE WA 6255**

The Shire of Collie has received an application for development approval for a Depot at lot 51 Patstone Road Collie. A copy of the proposed Depot application may be inspected at the Council's Administration Office at 87 Throssell Street, Collie between the hours of 8.30 am and 4.30 pm on weekdays. Alternatively, plans of the proposed Depot application may be viewed on the Shire of Collie website.

Submissions on the proposed development may be made to the Shire of Collie, 87 Throssell Street, Collie WA 6225 by 4.00 pm on Tuesday 23 April 2019 in writing or via colshire@collie.wa.gov.au

If you have any queries regarding the proposal please contact Robert Quinn on 9734 9009, e-mail at colshire@collie.wa.gov.au or by facsimile at 9734 4072.

Yours sincerely

Robert Quinn
SHIRE PLANNER



Our File Ref: LUP/025
Our Doc Ref: O-17-863
Contact: Katya Tripp 9734 9009

4 April 2017

Andrew & Kelsey Bonnell
PO Box 560
Collie WA 6235

Dear Mr & Mrs Bonnell

RE: FUTURE SUPPLY OF RURAL RESIDENTIAL LAND - 253 PATSTONE ROAD

The Shire is writing to advise you that we are currently preparing a new Local Planning Strategy.

The Local Planning Strategy (LPS) applies to the whole of the Shire and:

- a) sets out the long term (10-15yrs) planning directions for the local government; and
- b) applies any State or regional planning policy that is relevant to the strategy; and
- c) provides the rationale for any zoning or classification of land under the local planning scheme.
- d) plays an important role in setting the direction and informing amendments to a local government's Local Planning Scheme (the Scheme).

As part of this process the Shire needs to ensure a future supply of rural residential land to meet expected population growth and demand for next 10 years. Under the current LPS Development Investigation Areas (DIA) are predicated to meet this demand.

As an owner of a property in a current DIA please can you advise if you do or do not have any intentions of developing your land for rural residential purposes in the next 5-10 years.

Please contact me with your response on 9734 9009 or katya.tripp@collie.wa.gov.au.

Yours sincerely

Katya Tripp
Strategic Planner

Shire of Collie

87 Throssell Street, Collie WA 6225

Ph: (08) 9734 1000

Fax: (08) 9734 4072

Email: colshire@collie.wa.gov.au**Collie River Valley**

All communications to be
addressed to the Chief Executive Officer

Our Ref: LUP/001

31st January, 2008

Andrew Bonnell
PO Box 560
COLLIE WA 6225

Dear Landowner,

PROPOSALS FOR RURAL RESIDENTIAL SUBDIVISION

In recent times Shire of Collie staff and Councillors have received numerous enquiries regarding the proposed Town Planning Scheme No.5, the possibility of rezoning Rural land to Rural Residential and subdivision of land on the North side of Booth St and along Patstone Road.

Given the proposed Town Planning Scheme will hopefully be entering its public advertising phase I thought it may be opportune to provide an update with regards to what this means to the properties along the North side of Booth Street and Patstone Road.

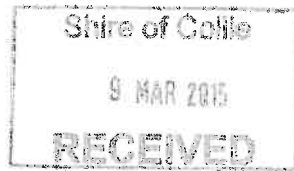
Current Town Planning Scheme

1. Council is currently operating under Town Planning Scheme No.1. Under this scheme properties to the North of Booth Street and the majority of land along Patstone Road are zoned Rural. Consequently there is currently no possibility of this land being subdivided into Rural Residential lots.

Proposed Town Planning Scheme (TPS No.5)

2. At its meeting of 13 March 2007 Council resolved to adopt for advertising Draft Town Planning Scheme No.5 (TPS No.5) and Local Planning Strategy and to refer Town Planning Scheme No.5 and Local Planning Strategy to the Environmental Protection Authority (EPA) and Western Australian Planning Commission (WAPC) for consent to advertise;
3. Advice was received on 15 November 2007 from the WAPC that the Minister for Planning and Infrastructure has given consent for Town Planning Scheme No.5 to be advertised for public inspection subject to modifications (as set out in WAPC letter) being effected prior to advertising;





Planning and Development Act 2005.

IN THE MATTER OF:

David Churches

Applicant

-and-

Shire of Collie

Respondent

Matter Number: DR 433 2013

Application Lodged: 27 November 2013

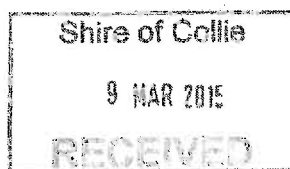
ORDER

On the application heard on 23 October and 26 November 2014 before Senior Member Peter McNab, it is on 27 February 2015 ordered that:

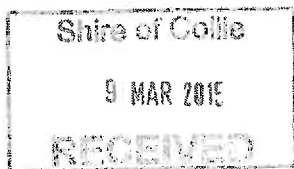
1. The review is allowed and the decision under review is set aside.
2. In lieu thereof, there will be a grant of temporary development approval for a transport depot at No 51 Patstone Road in the Shire of Collie, to run from 9 February 2015, in accordance with the conditions set out in the schedule below.
3. In lieu thereof, there will be a grant of temporary development approval for a transport depot at No 51 Patstone Road in the Shire of Collie, to run from 9 February 2015, in accordance with the conditions set out in the schedule below.

SCHEDULE OF CONDITIONS

- 1) At all times, the development the subject of this planning approval must comply with the definition of 'Transport Depot' as contained in Schedule 1 of the *Shire of Collie Local Planning Scheme No 5*.
- 2) All development shall be in accordance with the approved development plans which form part of this planning approval.
- 3) This is a temporary planning approval and the land use and development the subject of this temporary approval must cease five (5) years from the date of this approval, at which time this approval will expire pursuant to cl 10.6 of the *Shire of Collie Local Planning Scheme No 5*.



- 4) The building identified as Workshop 1 in Appendix 1 of the Consolidated Application is excluded from this approval.
- 5) Unless subject to the approval of any subsequent application made before the expiry of this approval as outlined in condition 3 above or, alternatively, subject to approval for an alternative use, upon the cessation of operations under this approval, all buildings and improvements inconsistent with rural use shall be removed from the property and the site restored to its previous rural use within six (6) months from the date of expiry of this approval.
- 6) With the building permit application, a landscaping plan must be submitted for the approval of the Shire of Collie. The landscape plan must address the following:
 - 6.1 A site plan of all existing and all proposed development with natural and finished ground levels;
 - 6.2 The location, species and size of existing vegetation and vegetation to be removed;
 - 6.3 Arrangements for the replacement of any existing vegetation, if any, identified as being removed for the construction of a crossover and intersection treatment;
 - 6.4 Exact species, location and number of proposed plants;
 - 6.5 A key or legend detailing proposed species type grouped under the subheadings of tree, shrub and ground cover;
 - 6.6 Mulching or similar treatments of garden beds including edges (if any);
 - 6.7 Details of proposed maintenance of landscaped areas including the source of water supply and proposed responsibility for maintenance;
 - 6.8 Treatment of paved areas (parking and pedestrian areas); and
 - 6.9 Fence material, height and treatment.
- 7) Within six (6) months of the date of this approval, or such longer period as agreed with the Shire of Collie, the landscaped area(s) must be planted, established and watered in accordance with the endorsed landscape plan(s). These areas must be maintained as landscaped areas at all times and to the satisfaction of the Shire of Collie.
- 8) There shall not be greater than thirty (30) sea containers onsite at any given time. Any sea containers permanently on site shall not store materials other than those which are incidental to the operation of the transport depot.
- 9) Materials being transferred, not incidental to the operation of the transport site, shall not be present onsite for a period longer than three (3) consecutive months.
- 10) No processing of materials shall occur onsite, including the dismantling of parts for distribution.



- 11) Upon entering the site, no machinery or parts stored onsite shall have traces of contaminants present.
- 12) Before the development is operational, a minimum of ten (10) car parking bays must be provided on the land the subject of this planning approval and to the satisfaction of the Shire of Collie.
- 13) Goods or materials must not be stored within the parking or landscaping area, or within access driveways at any time.
- 14) Prior to development of the site, a Transport Statement, to the extent necessary, shall be submitted for approval to the Shire of Collie in accordance with the Western Australian Planning Commission's Transport Assessment Guidelines for Development.
- 15) Before the development is operational, an intersection treatment design shall be submitted for approval to the Shire that is designed to Main Roads WA standards for the following:
 - Turning movements of the largest vehicle;
 - Pavement upgrade based on projected usage;
 - Intersection is to be kerbed and asphalted, for the section of Patstone Road that is affected;
 - Tree clearing to allow for Safe Intersection Sight Distance (SISD); and
 - Drainage to allow for an ARI 1:5 year event.

This plan shall be submitted along with any recommendations of the approved Transport Statement and the approved design shall be constructed and implemented to the satisfaction of the Shire of Collie.
- 16) Before the development is operational, a stormwater system must be designed and constructed in accordance with the Shire of Collie's Local Planning Policy: Stormwater Discharge from Building Sites. All stormwater generated by the proposed development must be retained and disposed of onsite. Detailed design plans of the proposed stormwater management must be submitted for approval prior to the development commencing.
- 17) Reticulated sewerage is not available to the subject site. Prior to commencing development, an application to construct or install an apparatus for the treatment of sewage and the disposal of effluent and liquid wastes must be submitted for the approval of the Shire of Collie's Environmental Health Services in accordance with the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 (WA).
- 18) No development shall occur within the Collie Basin Boundary as indicated on the Collie Basin Structure Plan 1992, without the prior approval of the Department of Mines and Petroleum.

Peter McNab

Senior Member Peter McNab



I certify the foregoing to be a true and correct copy of the original

UON

State Administrative Tribunal

Date: 27. 2. 2015

Lot 51 Patstone Rd - photos taken along southern boundary of property

Appendix 8



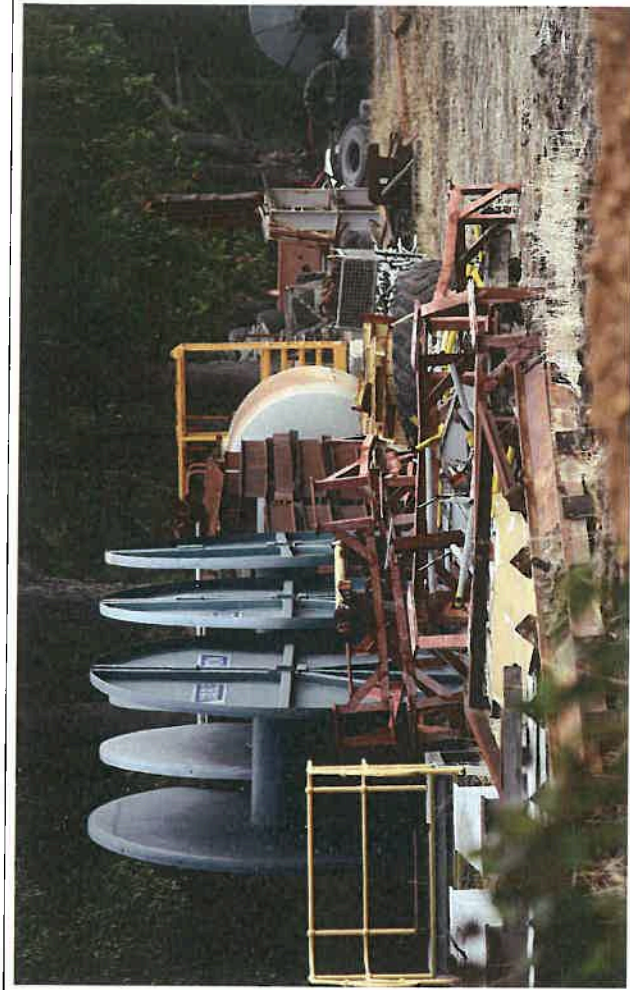
Appendix 8



Appendix 8



Appendix 8



Photos near corner of western and southern boundary of the property



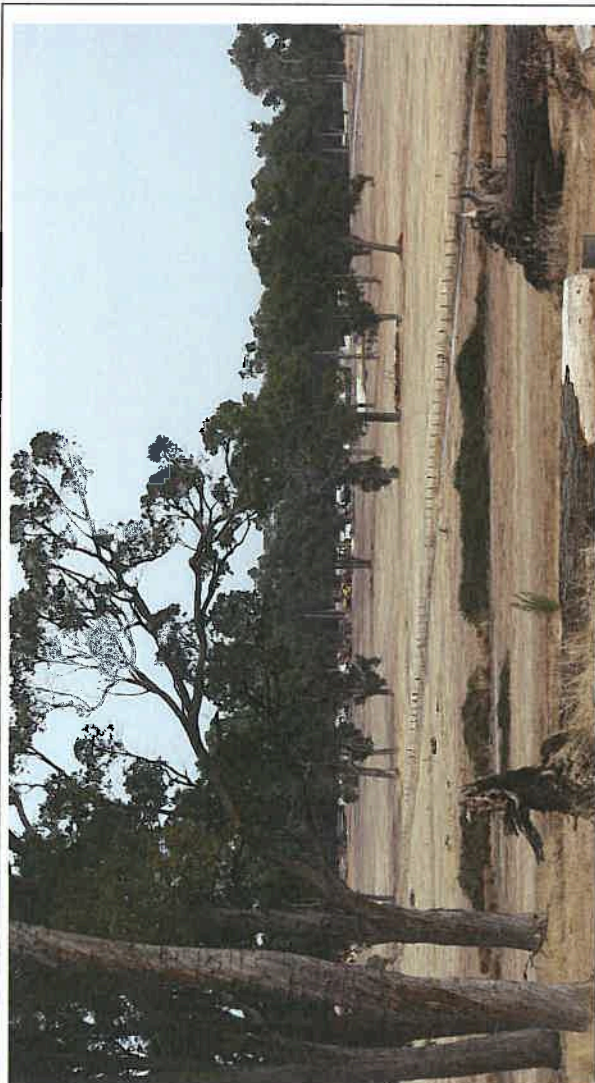
Photos taken from Patstone Rd looking into the property and along Patstone Rd

Appendix 8



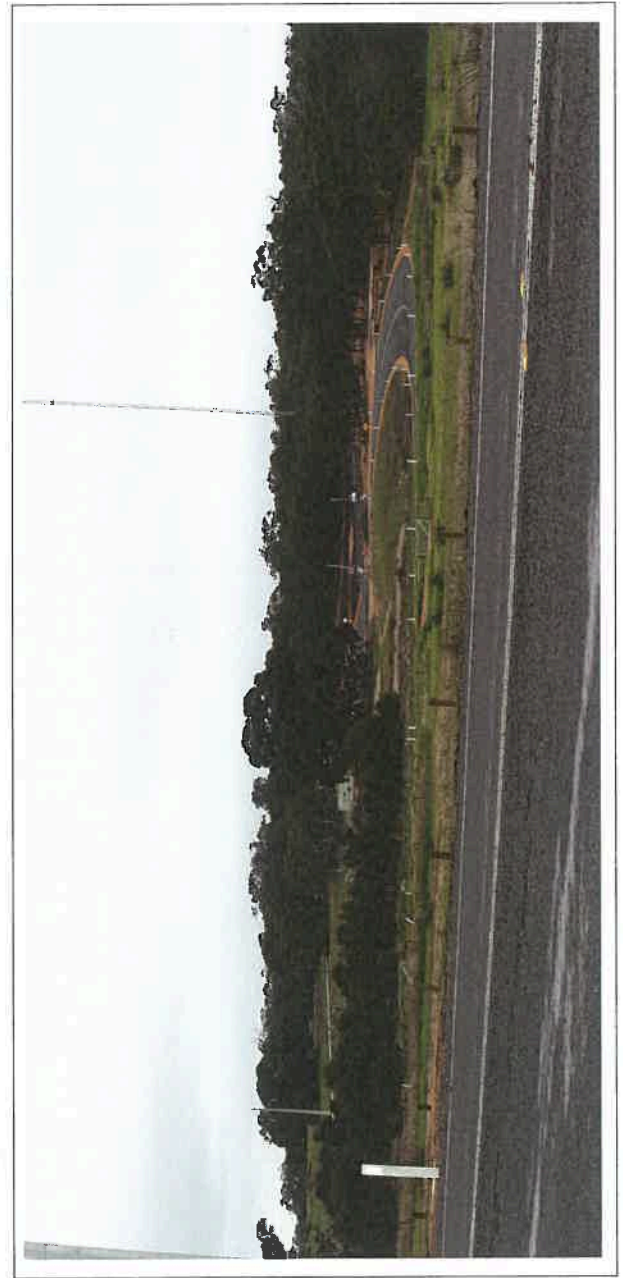
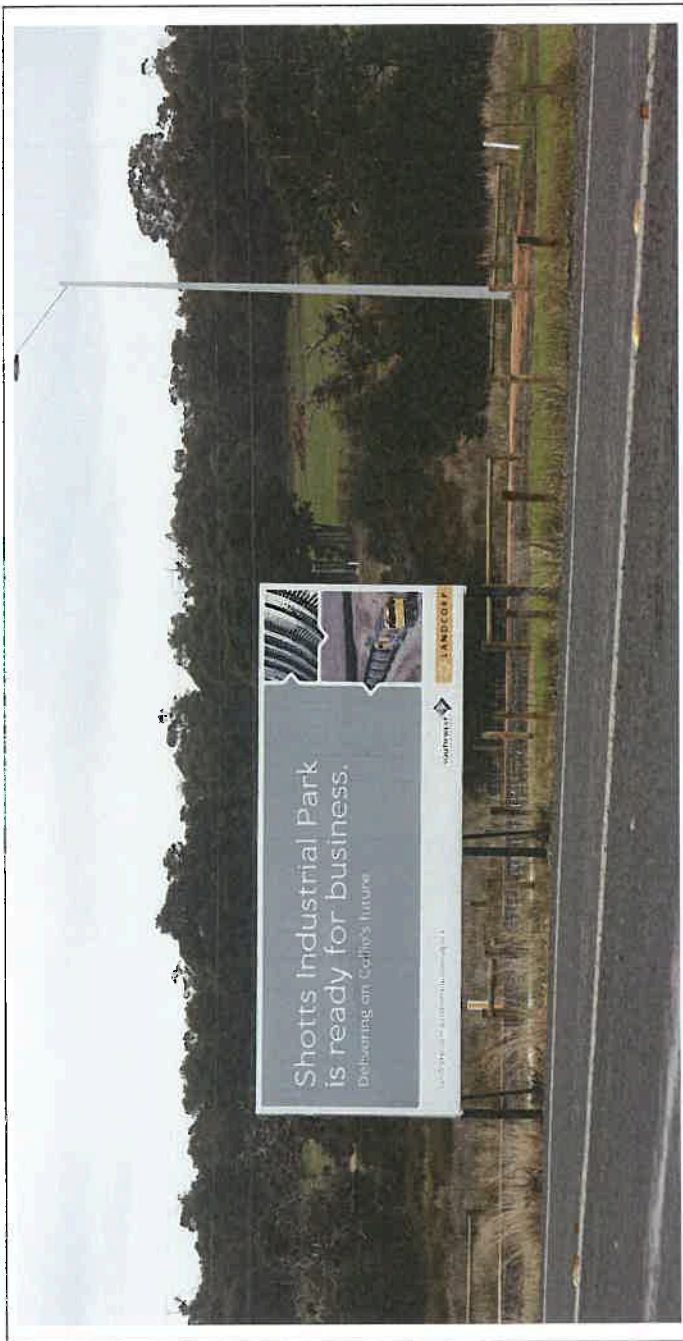
Appendix 8

Appendix 8



Appendix 8

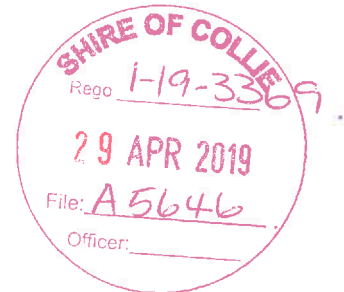
SHOTTS INDUSTRIAL PARK – REQUIRING TENANTS



Robert Quinn

From: Collie Shire
Sent: Tuesday, 23 April 2019 3:22 PM
To: Andrew Dover; David Blurton
Cc: Robert Quinn
Subject: FW: David Blurton CEO Shire of Collie submission 51 Patstone Road.

From: Darryl Kirk <chuditch1@gmail.com>
Sent: Tuesday, 23 April 2019 3:01 PM
To: Collie Shire <colshire@collie.wa.gov.au>
Subject: David Blurton CEO Shire of Collie submission 51 Patstone Road.



David Blurton: CEO Shire of Collie

87 Throssell Street

Collie W.A. 6225.

Dear Mr Blurton. In response to the advertisement the Shire of Collie put in the Collie Mail 18/04/19. I wish to make a submission in supporting this proposed Transport Depot at 51 Patstone Road Collie.

Our town is facing serious economic times and little has been done over many years to create alternative industry in Collie. Before you can have new industry you need to have land zoned correctly for it to operate from. I am aware that Collie has no general-purpose industrial land. This situation has not arisen just recently, but as a result of a lack of action by not just this Shire Council but councils over many years.

I have been encouraged by the councils new draft town plan that will turn the Patstone Road area including 51 Patstone Road into general-purpose industrial land. I do add that I am strongly concerned that this has only occurred because of the blood and guts effort put in by the Transport Depot Proponents to try to drag this town kicking and screaming from the past into the present.

In 2012 the CEO of the Shire of Collie Jason Whiteaker agreed to a sensible plan to close the old industrial area at Scenic Drive and support the setting up of a transport Depot at 51 Patstone Road. The fiasco that has gone on in the Shire of Collie since Jason Whiteaker resigned, is a disgrace. Hundreds of thousands of dollars has been wasted on lawyers and planners trying to stop Collie Steel and R32 Construction from implementing that plan.

The stupidity of the situation we find ourselves in, is that the very land that is the subject of this Transport Depot application is about to be made into general-purpose industrial land. This could be written up as a tragic comedy if it wasn't for the fact there are real people being hurt by the council using the ratepayers money to avoid its obligations to create industrial land for Collie and instead maliciously prosecuting those who are trying to have a go.

Councils obligations to the ratepayers of Collie have taken a back seat to the ambitions of some councilors to push their own agenda. Collie is an industrial town and will only continue to exist so long as industry is supported. Tourism and aged care are pipe dreams that cannot possibly replace the hundreds of jobs we currently have in coal, power generation, agriculture and forestry.

Regards, Darryl Kirk

197 Palmer Road

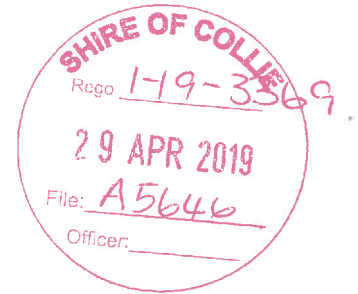
Collie 6225

P0409101833

E chuditch1@gmail.com

Robert Quinn

From: Jason Miles <jasonmilesbutcher@hotmail.com>
Sent: Tuesday, 23 April 2019 3:35 PM
To: Robert Quinn
Subject: Re: Lot 342 Patstone Road



Hi Robert

My only concerns with the development of 51 Patstone Rd would be if there was excessive visual pollution and noises pollution.

As my house is only a residential property that is next door to the proposed depot.

Thank you

Jason Miles

342 Patsone Rd

From: Robert Quinn <robert.quinn@collie.wa.gov.au>
Sent: Thursday, 11 April 2019 1:09 PM
To: jasonmilesbutcher@hotmail.com
Subject: Lot 342 Patstone Road

Hi Jason

Please find attached letter requesting comment for lot 51 Patstone Road.

If you have any queries please contact me on 97349009.

Regards
Robert

Robert Quinn

From: Andrew Dover
Sent: Tuesday, 23 April 2019 3:53 PM
To: Robert Quinn
Subject: Fwd: Development Application

FYI

Andrew Dover
 Director Development Services
 Shire of Collie
 08 9734 9000

Sent from my iPhone

Begin forwarded message:

From: Rosanne Pimm <rosanne.pimm@gmail.com>
Date: 23 April 2019 at 8:19:13 am GMT+1
To: Andrew Dover <andrew.dover@collie.wa.gov.au>
Subject: Development Application

Development Application Lot 51 Patstone Rd., Collie.

Dear Andrew,

I wish to express my deep concern with the above Development proposal. It would appear that the proposal considerably exceeds than that which was granted by the SAT 2015 decision.

I am very concerned with the eye sore that has now been created on the property and what the future of Lot 51 will become. What was once pleasant farmland is now becoming a junk heap, on a road leading into Collie.

The proponents have made no effort to minimise the visual impact and even though it is proposed to vegetate the front of the block with Orchard trees it would be many many years before any impact would be achieved.

The destruction of all the trees along 51 Patstone road frontage is a disgrace and indicates the level of disdain shown by the proponents to its neighbours and the general public.

Traffic movements are also a concern and although Patstone Rd is a reasonable rural road it was never envisaged that there could be an extra 50 heavy and 30 light movements per day added to its traditional traffic movements.

I express concern that there will not be adequate environmental steps put in place particularly from the work shop and the storage of the scrap machinery.

I believe that the run off of contaminated materials has not been adequately addressed. The block can become very wet in winter and much of the run off could end up in the creek which flows through the property. What happens to all the oils in the old machinery. There will no doubt be a considerable quantity of fuel stored on the property, a quantity far greater than that which would be attributable



Appendix 8
to farming operations on a block of comparable size

Appendix 8

I have read Clause 67a Zone and Zone Objectives.

I cannot understand how the proposed development application could be approved.

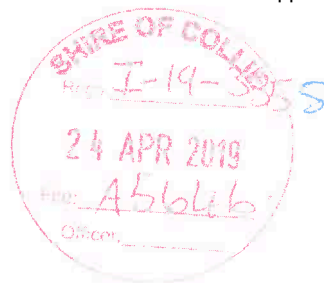
Yours faithfully,

Rosanne Pimm

PO Box 700

Collie 6225

23/4/2019



David Blurton: CEO Shire of Collie
87 Throssell Street
Collie W.A. 6225.

Dear Sir, I refer to the recent advertising in the Collie Mail newspaper of a proposed Transport Depot development at 51 Patstone Road Collie. I write to make a submission in support of the proposed development.

It should not be a surprise to anybody, who was a long-term resident of Collie that we have a problem with not having industrial land upon which businesses can operate. This deficiency has held our town back for many many years.

I was an employee of R&N Palmer who employed 135 people in this town in 1978. They had to leave town when the government resumed the housing commission land upon which they operated from in North Collie. Palmer's left Collie and within a couple of years all the hundred and 135 jobs were gone. Collie Shire Council was either unwilling or unable to do anything to provide land upon which Palmer's could operate.

I recall how the Collie Mail carried an advertisement for comment on the same transport Depot at 51 Patstone Road in late 2013. The proponents Collie Steel and R32 Construction are the same proponents that are listed for the development that was advertised in April this year 2019. Upon inspection of the details of the development they appear to be the same as the development that was approved by the State Administrative Tribunal (SAT) in February 2015. It appears from reading Collie Community Reel Facebook to be also the same development that SAT approved in mediation between the same proponents and the Shire of Collie in June 2014. 51 Patstone Road is also part of the draft local planning strategy that was approved in October 2017. 51 Patstone Road is also part of the draft local planning strategy for which submissions recently closed and is earmarked to become general-purpose industrial land for Collie.

This all leaves me wondering whether I have woken up on Groundhog Day. It seems to be nonsense to be taking all this time to approve something that has already been approved over and over again and it concerns me that this is doing damage to the reputation of Collie. We are desperate to create new jobs and industry in this town and I respect the need for good planning but is this about planning or about malice.

I am concerned about what role the council has played in stopping industry from establishing and developing in our town. An observation of the Collie Mail newspaper for some years now, or at least until October 2017, has revealed little in the way of encouragement or support for local industry. It may be that the newspaper is not reporting accurately what the council is doing. However an inspection of the town plan LPS5 reveals that there is no general-purpose industrial land available in Collie.

Can the council deny that the State Planning Commission ordered them to create general purpose industrial land at Patstone Road? Council has created and advertised a draft plan showing 51 Patstone Road becoming general-purpose industrial land. One would expect that it should only be weeks at the most months away from approving that plan. Why then is the current farce being played out?

In order to give serious respect to the offer by the State Government and being administered by Regional Development Minister Alannah MacTierenan, of \$80m for industry in Collie, council needs to provide a place for this industry to go?

I urge the council to immediately support this long overdue project and change its attitude to the establishment of industry in our town.

Yours Sincerely

Trevor J Barrett
44 Hutton Street
Collie 6225

P 0400484157
E trev47@hotmail.com

Motions Report - Closed Since Last Council Meeting

Friday, 3 May 2019

6386	Closed	CEO	Adoption of the Recommendations of the CBD Revitalisation Committee
<i>Item No</i>	24.2		The Committee recommends to Council:
<i>Date Moved</i>	15-Apr-14		1. Instruct staff to commence investigations (through real estate agents) regarding the purchase of the property as identified in the In Committee Item.
<i>Date Completed</i>	3-may-19		2. Implementation of the project is subject to funding as determined by the Council
<i>Comment</i>	initial discussions held with owner and real estate agents; Matter on hold. Council requested closing minute 6386 at its Ordinary meeting dated 16 April 2019.		
7898	Closed	DTS	Policy Development for the Banning of Single Use Plastics
<i>Item No</i>	14.1		That Council
<i>Date Moved</i>	31-Jul-18		1. Request Shire staff to develop a policy regarding the implementation of Council's commitment to reduce the use of single use plastics in Shire buildings and at Shire run or supported/sponsored events, and report to the Policy Review Committee.
<i>Date Completed</i>	3-may-19		2. Authorise Shire Staff to continue working with WALGA and the Waste Education Officers from Bunbury-Harvey Regional Council to develop a policy consistent with the five (5) member Councils included in the group and to continue to offer further education within our community.
<i>Comment</i>	Policy Adopted.		
8056	Closed	DCS	Lease for Collie Bowling Club Inc.
<i>Item No</i>	12.3		That Council lease the building and grounds known as the Collie Bowling Club located on Part Reserve 6684 to the Collie Bowling Club Inc. subject to the consent of the Minister for Lands with the following conditions:
<i>Date Moved</i>	12-Feb-19		
<i>Date Completed</i>	3-may-19		d) lease to be deemed a community built and operated lease with a term of 5 years with a 5 year option;
			e) Annual lease amount payable be \$1 per annum incl GST;
			f) Other conditions to be in accordance with Council policy DS 1.5
<i>Comment</i>	Leasing process completed.		
8095	Closed	CESO	Adopt the Recommendation of the Minutes of the Bush Fires Advisory Committee
<i>Item No</i>	10.2		Staff investigate Council owned building for the purpose of a Level 2 Incident Control Centre and provide a fully costed proposal and a funding strategy and report back to Council.
<i>Date Moved</i>	26-Mar-19		
<i>Date Completed</i>	3-may-19		
<i>Comment</i>	Superseded by State Government announcement.		

Motions Report - Closed Since Last Council Meeting

Friday, 3 May 2019

8113	Closed	CEO	Integrated Workforce Plan 2017/18-2021/22
<i>Item No</i>	11.1	That Council receive the draft Integrated Workforce Plan 2017/18 – 2021/22 document as presented at Appendix 1.	
<i>Date Moved</i>	16-Apr-19		
<i>Date Completed</i>	3-may-19		
<i>Comment</i>	Received.		
8116	Closed	SP	Bunbury-Wellington Sub-Regional Strategy - Nomination of Councillor to Steering Group
<i>Item No</i>	13.1	That Council hereby resolves to nominate Cr Stanley and Cr Miffling as a proxy to represent the Shire of Collie on the Bunbury-Wellington Sub-Regional Strategy Steering Group.	
<i>Date Moved</i>	16-Apr-19		
<i>Date Completed</i>	3-may-19		
<i>Comment</i>	Completed		
8120	Closed	DTS	Supply of Electricity to Contestable Sites
<i>Item No</i>	20.2	That Council;	
<i>Date Moved</i>	16-Apr-19	Award a 3-year contract to Synergy commencing 1st December 2019 for the supply of electricity to the following locations: -	
<i>Date Completed</i>	3-may-19	<ul style="list-style-type: none">- Administration building located at 87 Throssell St, Collie- Roche Park Recreation Centre located at Lot 2793 Coombes St, Collie- Swimming Pool located at Lot 964 Wittenoom St, Collie- Central Park located Lot 0 Forrest St, Collie- Shire Depot located at Lot 26 Morrison Way, Collie	
<i>Comment</i>	Contract signed.		

Motion Report - Show All Open Motions

(Sorted by Officer, Motion No.)

Friday, 3 May 2019

5381	Open	DDS	Heritage Interpretation Plan
<i>Item No</i>	15.1		That Council staff further investigate the following proposals identified in the Shire of Collie Heritage Interpretation Plan:
<i>Date Moved</i>	10-May-11		a.the cost to implement the proposed Central Collie Heritage Trail for the 2012-13 budget, using recommendations in the High Priority Actions and Suggestions (Table 5) as a guide; and
<i>Date Completed</i>			b.development of a Collie Heritage and Tourism fund.
			2.That in respect to the Shire of Collie Heritage Interpretation Plan Council:
			a.Consider the overarching strategies and actions for the Shire (Table 4) in the next major review of the Shire's Strategic Plan;
			b.Defer consideration of the medium term and long term actions and suggestions, and the Mine Discovery Site high priority action until just before budget deliberations commence for the 2013-14 financial year;
			c.Not support the formation of a working group;
			d.Seek further advice on the matter of archaeological research and tourism from officers and the Collie River Valley Marketing Group, with a report back to Councillors either through a memo or a Council agenda item before formulation of the 2012-13 budget.
<i>Comment</i>	Shire Planner has developed strategies to be implemented. No items budgeted at this stage.		

6245	Open	DDS	Adoption of the Recommendations of the Collie Weeds and Waterways Advisory Committee
<i>Item No</i>	11.2		That Council adopts en bloc the recommendations contained within the minutes of the Collie Weeds and Waterways Advisory Committee meeting held on 5 September 2013 as shown below:
<i>Date Moved</i>	22-Oct-13		11.2.1That Council endorse the design, construction and installation of a series of interpretive signs along the Collie River foreshore between the Co-op and East End Bridges, focusing on local fauna, flora and Noongar cultural beliefs, utilising funds from the SuperTowns River Revitalisation Project.
<i>Date Completed</i>			11.2.2That Council endorses the Committee's decision to investigate methods of effective removal of Typha Orientalis from the Collie River, with particular attention given to the Venn Street boards area.
<i>Comment</i>	Quotes obtained for signage. Grant applications made to Country Arts WA to leverage Shire funding. Grant application refused. Alternative funding being sought. 11.2.2 Contractor engaged to undertake Typha control; treatment completed 10/05/2014.		

Motion Report - Show All Open Motions

(Sorted by Officer, Motion No.)

Friday, 3 May 2019

6872	Open	DTS	Collie LIA Entry Road Design - Concept Alignment Options
Item No	16.1	That Council:	
Date Moved	29-Sep-15	1.Receive the plan showing the four (4) concept alignment options prepared by Executive Manager Technical Services.	
Date Completed		2.Authorise staff to liaise with relevant bodies including but not limited to, Department of Mines, Department of Parks and Wildlife, Department of Water, Main Roads WA, Brookfield Rail, with the aim of suggesting a preferred alignment.	
		3.Request Executive Manager Technical Services to report back to Council with a preferred option for Council endorsement before undertaking detailed design.	
Comment	Letters sent out to stakeholders during February 2017. Replies have been received from PTA, DMP, DEWR and Dept of Water. Main Roads recently (March 2019) advised they are working on a formal reply		
6990	Open	DDS	Adoption of the Recommendations of the Weeds and Waterways Advisory Committee
Item No	11.2	That Council adopts en bloc the recommendations contained within the minutes of the Weeds and Waterways Advisory Committee meeting held on 11 February 2016:	
Date Moved	08-Mar-16	11.2.1That Council endorses the Committee's Recommendation to:	
Date Completed		1.Request that the Public Transport Authority agrees to revoke management orders for Reserve 9012 and portion of Reserve 10519	
		2.Once the Public Transport Authority agrees to revoke its management order in Reserve 9012 and excise portion of Reserve 10519, requests that the Department of Lands:	
		1.Vest or designate Reserve 9012 as 'Water' given that it forms part of the Collie River waterway, or modify the Management Order of Reserve 9012 to vest the land with the Shire of Collie	
		2.Excise portion of Reserve 10519 as identified on the attached plan and amalgamate this with Reserve 47298, or create a separate Reserve for Drainage vested in the Shire of Collie	
		11.2.2That Council endorse the Committee's Recommendation to collect Long Term Plans and Allocation Plan information for the river from various organisations and present to the Committee	
Comment	Tender completed. Meeting held on site 15 June 2016 with PTA and Brookfield.Agreed in writing that site will be excised 04 October 2017. Currently complying with exision conditions including a condition to prepare legal indemnity agreement with Arc Infrastructure. This agreement is currently being negotiated.		

Motion Report - Show All Open Motions

(Sorted by Officer, Motion No.)

Friday, 3 May 2019

7271	Open	CESO	Adoption of the Recommendations of the Local Emergency Management Committee
Item No	11.15	That Council adopts en bloc the recommendations contained within the minutes of the Local Emergency Management Committee meeting held on 22 November 2016:	
Date Moved	06-Dec-16	11.15.1That Council staff work with all businesses, industry and agency stakeholders within the Collie District to prepare a Memorandum of Understanding to address mutual access, information sharing and operational support	
Date Completed			
Comment	Ongoing negotiations.		
7429	Open	CEO	Waste Water Resue Project
Item No	13.1	That Council:	
Date Moved	30-May-17	1.provide in principal support to further investigating using treated waste water from the Mungalup Road waste water treatment facility for irrigation of the Collie Golf Course and other Council reserves if possible; and	
Date Completed		2.authorise staff to seek grant funding opportunities to undertake an initial feasibility assessment of the project.	
Comment	Project put forward to South West Development Commission as a priority in light of Collie Water Proposal. (Feb 2019)		
7522	Open	DDS	Future Use of Former Allanson Bush Fire Brigade Building
Item No	15.1	That Council:	
Date Moved	22-Aug-17	1. Further investigates the development of shed for use by the Allanson Progress Association;	
Date Completed		2. Provide storage at the Former Shire Depot for the Museum Committee for a period of two years and;	
Comment	3. Thanks the remaining community groups for submitting their expression of interest, notifies them that it has been unsuccessful and advises them of other alternatives to pursue.		
Comment	Actions 1 & 2 currently being completed. 3. Completed		

Motion Report - Show All Open Motions

(Sorted by Officer, Motion No.)

Friday, 3 May 2019

7638	Open	DCS	Collie River Rowing Club Request for Lease
Item No	14.2	That Council lease the portion of the Reserve 34343 comprising the building known as the Rowing Club and the fenced area surrounding the building to the Collie River Rowing Club subject to approval of the Minister for Lands, with the following conditions:	
Date Moved	14-Nov-17	a)The Collie River Rowing Club to become an incorporated body and provide certificates of currency for building insurance and public liability insurance;	
Date Completed		b)Lease to be deemed a community built and operated lease with a term of 5 years with a 5 year option;	
		c)Annual lease amount payable be \$1 per annum Inc GST; and	
		d)Other conditions to be in accordance with Council Policy DS1.5.	
Comment	Discussion with residents showing interest in a rowing, kayaking, SUP club so initial meeting to be held 22 May 2019 to investigate.		
7673	Open	DDS	Expression of Interest for Buckingham Hall
Item No	15.1	That Council:	
Date Moved	12-Dec-17	1.Receive the submission from the Buckingham Heritage Group Inc regarding the future of Buckingham hall and grounds;	
Date Completed		2.Seek funding to restore the toilets and hall at Buckingham Hall and grounds;	
		3.Set a vision of developing the area as informal camping; and	
		4.Outsource the management of the site to interested parties once developed.	
Comment	Funding being sought to restore the toilets and hall.		
7778	Open	DCS	Lease for Collie Cricket Club
Item No	12.3	That Council	
Date Moved	17-Apr-18	1.Authorise staff to apply for a change of vesting of Reserve 30927 to Recreation with power to lease.	
Date Completed		2.Renew the lease of the building known as the Collie Cricket Clubrooms located on Reserves 30555 and 30927 to the Collie Cricket Association Inc. subject to the consent of the Minister for Lands with the following conditions:	
		a)lease to be deemed Community Built and Operated Lease with a term of 5 years with a 5 year option;	
		b)annual lease amount payable be \$1 per annum incl GST; and	
		c)other conditions to be in accordance with Council policy DS 1.5.	
Comment	Change of vesting order received; draft lease to DPLH for consent		

Motion Report - Show All Open Motions

(Sorted by Officer, Motion No.)

Friday, 3 May 2019

7797	Open	SPO	Review of Local Planning Strategy
<i>Item No</i>	13.1		That Council pursuant to the provisions of the Planning and Development Act 2005, hereby resolves to:
<i>Date Moved</i>	08-May-18		1.Modify the draft Local Planning Strategy to include areas 3 and 4 (minus Lot 1345 Patstone Road), as depicted on draft Strategy Map No. 2, as future Industrial Development;
<i>Date Completed</i>			2.Notify the Department of Planning, Lands and Heritage of this change prior to consideration of the draft Local Planning Strategy by the Western Australian Planning Commission;
			3.Delegates authority to the Shire's Chief Executive Officer to make representation to the WAPC regarding the reasons for the inclusion of Area 5, as depicted on draft Strategy Map No. 2, as future Rural Residential;
			4.Delegates authority to the Shire's Chief Executive Officer to modify the draft Shire of Collie Local Planning Strategy 2017 as directed by the Western Australian Planning Commission and provide a copy of the draft strategy as modified to the Commission for assessment; and
			5.Once certified by the Commission for the purpose of advertising, the draft Local Planning Strategy 2017 will be advertised in accordance with Regulation 13 (1) of the Planning and Development (Local Planning Schemes) Regulations 2015 for a minimum period of 21 days as in accordance with regulation 13(3) of the Planning and Development (Local Planning Schemes) Regulations 2015.
<i>Comment</i>			draft local planning strategy certified by commission on 5 December and advertising commenced 18 Dec. Advertsing closes 15 March. Submissions received and recommendation on support for strategy with or without modifications will be presented to Council at April OCM.

Motion Report - Show All Open Motions

(Sorted by Officer, Motion No.)

Friday, 3 May 2019

7809	Open	DDS	Bush Fire Advisory Committee
<i>Item No</i>	10.5		That Council adopts en bloc the recommendations contained within the minutes of the Bush Fires Advisory Committee held on 17 May 2018.
<i>Date Moved</i>	28-May-18		That Council:
<i>Date Completed</i>			<p>10.5.11. Accept the tender from Bio Growth Partners PTY LTD previously called for mechanical fuel reduction on reserve 36801 on a cost neutral basis; and</p> <p>2. That Shire officers further investigate Shire reserves that require fuel reduction and risk mitigation for the mechanical fuel reduction process and provide a report to Council on reserves upon finalisation of the investigations.</p> <p>10.5.4 That Council write to the Ministers for Fire and Emergency Services and Volunteers and the Association of Volunteer Bush Fire Brigades President, highlighting the issue of volunteer fire fighters not being eligible for Income Protection Insurance by insurance companies across Australia and outline the risk to their families and income if they were to be injured or become sick from any source other than fire fighting duties.</p> <p>10.5.5 That Council Purchase Dress Shirts for Brigade Officers to raise the professionalism of brigades and enhance the public image of the volunteers. The Dress shirt would be the D1374-YB-VBFB Shirt available from Stewart and Heaton as the standard Bush Fire Brigade Shirt for Dress requirements, modified to show Shire of Collie logos and positions.</p>
<i>Comment</i>	10.5.2 ongoing 10.5.1, 10.5.4 and 10.5.5 completed		

7813	Open	CEO	Economic Development Advisory Committee
<i>Item No</i>	10.7		That Council:
<i>Date Moved</i>	28-May-18		10.7.1 1. seek accreditation as a Small Business Friendly Council; and
<i>Date Completed</i>			2. recognise attaining accreditation as a Small Business Friendly Council as a strategy in the draft Corporate Business Plan 2017/18 – 2021/22 document.
<i>Comment</i>	Charter signed 10/8/2018 - Strategies to be implemented. First report due May 2019.		

Motion Report - Show All Open Motions

(Sorted by Officer, Motion No.)

Friday, 3 May 2019

7815	Open	DTS	Plant Committee
<i>Item No</i>	10.9		That Council notes the proposed 10 year plant replacement program and makes provision in it's 2018/19 plant replacement program to purchase and staff to investigate the following:
<i>Date Moved</i>	28-May-18		
<i>Date Completed</i>			10.9.11. CO8810 – Staff investigate modification to increase the load capacity of Isuzu 5t tipper truck. Staff also investigate options to refurbish cab and tray and report back to the Plant Committee.
			2. CO30537 – Replace Toro Ground master mower. Estimated purchase price of a new mower is \$54,000, trade-in of \$15,000, or auction of existing plant item giving an expected changeover of \$39,000 ex GST.
			3. CO19304 – Purchase of a loader attachment including both GP and grapple buckets for the Kubota tractor estimated at \$25,000 ex GST.
			4. Purchase of cab operated fertilizer spreader estimated at \$5,000 ex GST.
<i>Comment</i>	Staff to workshop options to upgrade/replace the 5T tipper truck		

7830	Open	DTS	Townscape Advisory Committee
<i>Item No</i>	10.2		That Council adopts en bloc the recommendations contained within the minutes of the Townscape Advisory Committee held on 5 June 2018.
<i>Date Moved</i>	19-Jun-18		10.2.1That the Townscape Advisory Committee respond to the Miners Welfare Board confirming that the wording for the Patterson Road sign will include the entire history from the commencement of Coalfields to present time.
<i>Date Completed</i>			10.2.2That staff research a suitable lighting and sound company for a draft proposal to projecting lighting onto buildings surrounding the overhead bridge.
			10.2.3That Council allocate an amount of \$16,000 in the draft 2018/19 budget for street tree planting along Prinsep and Wittenoom Streets.
<i>Comment</i>	Awaiting revised wording from Nola Green for the signs		

Motion Report - Show All Open Motions

(Sorted by Officer, Motion No.)

Friday, 3 May 2019

7916	Open	DCS	Responses to Questions Taken on Notice - Welcome to Country ceremonies
<i>Item No</i>	3		That staff develop a policy to guide welcome to country and other cultural ceremonies and refer the matter to the Policy Review Committee.
<i>Date Moved</i>	11-Sep-18		
<i>Date Completed</i>			
<i>Comment</i>	In progress.		
<hr/>			
7952	Open	DDS	Objection to the Refusal of an Application for Verge Treatment (Basketball Hoop) at 55 Ogden Street
<i>Item No</i>	13.2		That Council dismiss the objection to the refusal of an Application for Verge Treatment (Basketball Hoop) at 55 Ogden Street, Collie for the following reason:
<i>Date Moved</i>	23-Oct-18		•The proposed Basketball Hoop is not a Permissible Verge Treatment under Section 2.8 of the Shire of Collie Activities in Thoroughfares and Public Places and Trading Local Law 2012.
<i>Date Completed</i>			•undertake a review of the local law Activities in Thoroughfares and Public Places and Trading Local Law 2012, with a focus on verge treatments.
<i>Comment</i>	Point 1 completed. Point 2 to be commenced shortly.		
<hr/>			
7955	Open	DTS	Adoption of the Recommendations fo the Townscape Advisory Committee
<i>Item No</i>	10.2		That Council requests the Director of Technical Services to investigate civil works required to establish bus access to the front door of the Railway Station Building on Throssell Street.
<i>Date Moved</i>	23-Oct-18		
<i>Date Completed</i>			
<i>Comment</i>	Survey work programmed for March 2019. Design & cost estimate expected by May 2019		

Motion Report - Show All Open Motions

(Sorted by Officer, Motion No.)

Friday, 3 May 2019

7969	Open	FM	Disposal of Property to Recover Rates A482, A515 & A1795
<i>Item No</i>	12.6		That Council proceeds with action under section 6.64 (1) (b) of the WA Local Government Act (1995) and exercises its power to sell the following properties for the non-payment of rates:
<i>Date Moved</i>	23-Oct-18		
<i>Date Completed</i>			-A482 (88 Coombes Street, Collie) -A515 (8 Gane Road, Collie) -A1795 (9 Hodgson Terrace, Collie)
<i>Comment</i>	A482: The bank has repossessed the property. A515: Auction date was set to 23 April 2019, but the rates was paid prior to the auction taking place. A1795: An equity check has been conducted and an auction date will be confirmed soon.		

7983	Open	CEO	Black Diamond Risk Assessment
<i>Item No</i>	11.3		That Council;
<i>Date Moved</i>	13-Nov-18		1. Receive the risk assessment report for Black Diamond Lake as prepared by LGIS;
<i>Date Completed</i>			2. Note the risk assessment and suggested treatment options which has been prepared by staff as amended;
			3. Direct staff to address the identified risks which are the responsibility of the Shire of Collie by implementing the suggested treatments;
			4. Seek an amount of \$20,000 from the Mines Dept to fund the purchase and installation of road safety barriers to make good the road following the Departments clearing works.
			5. Refer a copy of the risk assessment report to the Department of Lands and request that the risks which have been identified on crown land be addressed by the state.
<i>Comment</i>	Sent to the Department of Lands and the Department of Mines. Staff to implement other treatments.		

Motion Report - Show All Open Motions

(Sorted by Officer, Motion No.)

Friday, 3 May 2019

7997	Open	DTS	Adoption of the Recommendations fo the Townscape Advisory Committee
Item No	10.6		That Council;
Date Moved	11-Dec-18		10.6.1
Date Completed			1. Refer the proposed Thoroughfare Advertising Policy to the Policy Review Committee as per amended changes; and 2. Further investigate alternative options to allow the appropriate, compliant advertising of local businesses, community events and the facilities and attractions within Collie through the Townscape Advisory Committee following the adoption of the proposed Signage Policy.
			10.6.2
			That the Townscape Advisory Committee request the Shire of Collie staff to investigate the costs for projection lighting onto the Good Sheds.
Comment	Approx cost of projection lighting is circa \$100k. DTS investigating other options.		
8030	Open	CEO	Adoption of Recommendations of the EDAC Committee
Item No	10.4		That Council adopts en block the recommendations contained within the minutes of the Economic Development Advisory Committee held on 13 December 2018.
Date Moved	22-Jan-19		That Council;
Date Completed			10.4.1Call for expressions of interest for a group to instigate the CBD revitalization projects, beginning with an interactive artwork in Forrest St as suggested in the CBD Walkabout session. Allocate \$1,500 seed funding for the successful group.
			10.4.2the Reimaging Collie Report be deferred.
			10.4.3note the update on the development of Shotts Industrial park and the work being undertaken by Landcorp in consultation with Shire of Collie staff and provide any previous information to Landcorp where appropriate.
			10.4.4note the progress on achieving small business friendly accreditation.
			10.4.5. 1. Receive the report; 2. Investigate options for vacant shops in the CBD and call for expressions of interest for land owners and potential tenants. 3. Advertise more broadly and investigate the possibility of real estate agents collaborating on a campaign to promote affordable housing.
Comment	Shotts meeting 6th May 2019		

Motion Report - Show All Open Motions

(Sorted by Officer, Motion No.)

Friday, 3 May 2019

8048	Open	DDS	Use of Fertilizer
<i>Item No</i>			That Council consider allocating up to an amount of \$3,000 in the 19/20 financial year draft budget to develop and implement an education campaign to persuade residents to reduce the amount of chemical fertilizer used on local lawns and gardens.
<i>Date Moved</i>	12-Feb-19		
<i>Date Completed</i>			
<i>Comment</i>	Refer to Budget process.		

8050	Open	DTS	Recommendations of the Minutes of the Townscape Advisory Committee
<i>Item No</i>	10.4		That Council adopts en block the recommendations contained within the minutes of the Townscape Advisory Committee held on 29 January 2019.
<i>Date Moved</i>	12-Feb-19		That Council transplant the plum trees to a more suitable area and investigate a more suitable evergreen tree for Forrest Street.
<i>Date Completed</i>			
<i>Comment</i>	Programmed for Winter 2019		

8061	Open	CEO	Cr Piavanini Motion 1
<i>Item No</i>	15		That the Shire of Collie seeks the support of the coal mining companies, Combined Mining Unions and Collie Chamber of Commerce to lobby the State Government, via the Member for Collie, Mick Murray to commit to retaining Coal Fired Power Stations until existing state government coal supply contracts expire in 2030 and 2040 at the earliest.
<i>Date Moved</i>	12-Feb-19		
<i>Date Completed</i>			
<i>Comment</i>	Refer to attachment for update of action and responses.		

Motion Report - Show All Open Motions

(Sorted by Officer, Motion No.)

Friday, 3 May 2019

8065	Open	DCS	Comment on Feasibility Study for Indoor Heated Swimming Pool
Item No	12.3		That Council:
Date Moved	05-Mar-19		1.Receive the comment on the Indoor Heated Pool Needs Assessment and Feasibility Study;
Date Completed			2.Do not proceed to develop an indoor heated pool at this point in time.
			3.Staff to develop a funding strategy and report back to Council.
			4.Request staff investigate options for the increased provision of service at the existing pool for the 2019/2020 pool season
			5.Continue discussions with the Minister for Sport and Recreation regarding holding the balance of the election promise.
Comment	12.3.1-2, no action required; 12.3.3-4 in progress; 12.3.5 discussion held.		
8073	Open	DCS	Lease to Collie Radio Control Club Inc
Item No	12.4		That Council:
Date Moved	05-Mar-19		Lease portion of Reserve 17723 to the Collie Radio Control Club Inc subject to the consent of the Minister for Lands with the following conditions:
Date Completed			1.Lease to be deemed Community Built and Operated Lease with a term of 5 years with a 5 year option;
			2.Annual lease amount payable be \$1 per annum incl GST; and
			3.Other conditions to be in accordance with Council policy DS 1.5.
Comment	To be progressed.		
8075	Open	DDS	Visitor Centre Rear Exit
Item No	13.2		That Council by Absolute Majority;
Date Moved	05-Mar-19		1.Increase the proposed loan amount \$9,000 for this project as shown in the 18/19 budget from \$130,000 to \$139,000; and
Date Completed			2.Subsequently install a rear exit door at the Collie Visitor Centre.
Comment	Contract has been awarded and work will commence shortly.		

Motion Report - Show All Open Motions

(Sorted by Officer, Motion No.)

Friday, 3 May 2019

8076	Open	DDS	Collie Futures Industry Development Fund Grant Application - Trails
Item No	13.3	That Council:	
Date Moved	05-Mar-19	1. Apply to the Collie Futures Fund Grant for the development of trails in the region; and	
Date Completed		2. Allocate contributing funding for this grant of \$100,000 in each of the 19/20 and 20/21 financial years should this grant application be successful.	
Comment	Advised by the South West Development Commission to delay pending the State funding announcement. This will now proceed.		
8079	Open	DCS	Sale of Property
Item No	20.1	That Council:	
Date Moved	05-Mar-19	1. Receive the valuation report for 43 Elouera Road, Collie, at Confidential Appendix 1;	
Date Completed		2 .Undertake a public tender process for the disposal of 43 Elouera Road, Collie, in accordance with section 3.58 of the WA Local Government Act; and	
Comment	3. If no public tenders are received, list the property for sale with a local real estate agent at the revised market value.		
	Tender advertised 2 May 2019.		
8082	Open	DDS	Legal Matter
Item No	20.4	That Council:	
Date Moved	05-Mar-19	1. Provide a final opportunity for Smargiassi Nominees to cease the unlawful use of the land and remove all material from Lot 1 Scenic Drive within 2 weeks of notification; and	
Date Completed		2. Commence legal proceedings against Smargiassi Nominees for the use of in contravention of the Planning and Development Act 2005 should non-compliance continue following the receipt of the above correspondence.	
Comment	Letter issued 7 March 2019 and inspection taken place.		

Motion Report - Show All Open Motions

(Sorted by Officer, Motion No.)

Friday, 3 May 2019

8091	Open	DTS	Electric Vehicle Charger - Gifting to the Shire of Collie
<i>Item No</i>	14.1		That Council
<i>Date Moved</i>	26-Mar-19		1.accept the offer from Synergy to gift an Electric Vehicle Charging point installed at a location adjacent to the Central Park soundsell on Forrest St. 2.allocate an amount of \$1,000 from the 2018/19 Central Park budget to supply and install associated signage to promote the EV charger and recognise Synergy's contribution.
<i>Date Completed</i>			
<i>Comment</i>	Agreement signed.		

8094	Open	CESO	Adopt the Recommendation of the Minutes of the Bush Fires Advisory Committee
<i>Item No</i>	10.2		10.2.2defer the decision on the below motion until advice is sought from the Association of Volunteer Bush Fire Brigades of Western Australia and presented to Bush Fire Advisory Committee for assessment.
<i>Date Moved</i>	26-Mar-19		That Council refer the Shire of Collie Bushfire Brigades Guidelines to the Policy Review Committee to include provisions that: 1. Commences the use of a Medical Declaration Form, Medical Clearance Form and the requirement to obtain a National Police Certificate for new applicants to join the Shire of Collie Bush Fire Brigades; 2. Provides discretion to the Chief Executive Officer to refuse membership applications if a conviction of a serious nature is shown on the National Police Clearance; and 3. Allows persons who cannot obtain a medical clearance to become an auxiliary member of the Shire of Collie Bush Fire Brigades.
<i>Date Completed</i>			10.2.3That Council approve the Memorandum of Understanding (Attached Appendix) and become signatory to the document to establish mutual emergency response capability arrangements for bushfires within or near plantation estates and for bushfires where plantation resources may be used to support the local bushfire fighting response.
			10.2.4That Council; 1. Receive the draft Shire of Collie Bush Fire Brigades Social Media Policy; and 2. Refer the draft Shire of Collie Bush Fire Brigades Social Media Policy to the Policy Review Committee.
<i>Comment</i>			

Motion Report - Show All Open Motions

(Sorted by Officer, Motion No.)

Friday, 3 May 2019

8097	Open	DDS	Adopt the Recommendation of the Minutes of the Weeds and Waterways Advisory Committee
<i>Item No</i>	10.4		That Council adopts en bloc the recommendations contained within the minutes of the Weeds and Waterways Advisory Committee held on 7 March 2019.
<i>Date Moved</i>	26-Mar-19		That Council reinvestigate ways in which water levels in the South Branch of the Collie River can be kept at acceptable levels during the dry season on behalf of downstream ratepayers.
<i>Date Completed</i>			
<i>Comment</i>	To be commenced.		

8099	Open	DTS	Adopt the Recommendation fo the Minutes of the Townscape Advisory Committee
<i>Item No</i>	10.6		That Council;
<i>Date Moved</i>	26-Mar-19		10.6.1 ask staff to investigate the cost and potential funding to
<i>Date Completed</i>			- erect poles along Forrest Street to enable Christmas Decorations to be placed across Forrest Street
			- supply and install "light and sound" show equipment in the Sound Shell.
			- supply and install projection lighting on the Goods Shed.
			10.6.2That the Townscape Advisory Committee move the meetings to Mondays to accommodate members who cannot attend Tuesday meeting times.
			10.6.3That the Townscape Advisory Committee agree to change meeting dates to quarterly as outlined in the table and in line with the Committee's Terms of Reference.
<i>Comment</i>			

Motion Report - Show All Open Motions

(Sorted by Officer, Motion No.)

Friday, 3 May 2019

8105	Open	CESO	Bush Fire Brigade Matter
Item No	20.1	That Mr Crescenzi be suspended as per suspension clause 2.8 Bushfire Brigades Local Law from the Collieburn Cardiff Bush Fire Brigade pending investigation and professional advice on termination as recommended by the Council Panel and the matter be reported back to Council.	
Date Moved	26-Mar-19		
Date Completed			
Comment	Action taken, investigation underway.		
8112	Open	DTS	Adoption of Recommendations fo the minutes of the Policy Review Committee
Item No	10.2	That Council adopts en bloc the recommendations contained within the minutes of the Policy Review Committee held on 1 April 2019.	
Date Moved	16-Apr-19	That Council;	
Date Completed		10.2.1 1 Adopt the following new policy - TS 1.22 Re-Use Shop Policy 2 Commence a 12-month trial of a Re-Use Shop at the Transfer Station using existing Shire staff and report back to Council. 3 Notes that the operating hours of the Re-Use Shop may be limited depending on staff availability and other operational needs. 10.2.2 1 Adopt the following new policy - TS 1.22 Single Use Plastics Policy 10.2.3 1 Adopt the following revised policies as presented at Appendix 3 with modifications identified by deleting text with strikethrough and including underlined text; - DS Alfresco Dining in Public Thoroughfares - DS Directional Signage - DS Management of Banner Poles - DS Road Construction Provisions for Rural Residential Subdivision - DS Town Centre and Mixed Zone Frontage Upgrade Incentives - DS Vehicles Stored on Private Property - DS Permits Issued Under Local Law to be Displayed by Vendor 2 Adopt the DS Bush Fire Brigades Social Media Policy as presented as Appendix 4 and; 3 Rescind Development Services Central Railway Precinct Policy and incorporate Development Services Policy into Local Heritage Survey as guidelines.	
Comment			

Motion Report - Show All Open Motions

(Sorted by Officer, Motion No.)

Friday, 3 May 2019

8117	Open	DTS	Waste Authority Grant Funding - Community and Industry Engagement Program
<i>Item No</i>	14.1		That Council;
<i>Date Moved</i>	16-Apr-19		1. apply for a \$45,000 grant from the Waste Authority- Community and Industry Engagement Program.
<i>Date Completed</i>			2. allocate a co-contribution amount of \$10,000 from waste reserves account in the 2019/20 budget to cover the cost of site preparation, power connection and concrete slab.
<i>Comment</i>			

Belinda Dent

From: Belinda Dent
Sent: Thursday, 2 May 2019 4:42 PM
To: Belinda Dent
Subject: FW: motion 8061

Hi,
I thought I'd give an update on the actions from the motion below.

That the Shire of Collie seeks the support of the coal mining companies, Combined Mining Unions and Collie Chamber of Commerce to lobby the State Government, via the Member for Collie, Mick Murray to commit to retaining Coal Fired Power Stations until existing state government coal supply contracts expire in 2030 and 2040 at the earliest.

Organisation	Action Taken	Response
Premier Coal	Letter sent and emailed 1/3/19	Commitment provided at meeting 12/3/19
Griffin Coal	Letter sent and emailed 1/3/19 Copy of Email resent 18/4/19 Phone call to Steve Pitts 30/4/19	Commitment to provide response in writing given by Steve Pitts 30/4/19
AMWU	Letter sent and emailed 1/3/19 Copy of Email resent 18/4/19 Phone message left with Steve McCartney to return call to CEO 30/4/19. Steve McCartney returned call 1/5/19	Commitment to provide letter of support in writing given by Steve McCartney and CC State Government. 1/5/19
ASU	Letter sent and emailed 1/3/19 Copy of Email resent 18/4/19 Phone message left with Wayne Wood to return call 30/4/19. Wayne Wood returned call 1/5/19.	Commitment to provide letter of support in writing given by Wayne Wood. 1/5/19
CCI	Letter sent and emailed 1/3/19	Response received in writing by email confirming commitment 28/3/19
CFMEU	Letter sent and emailed 1/3/19 Copy of Email resent 18/4/19	Greg Busson emailed to advise that he is on leave, however meeting has been arranged on 8 th May with CEO

Kind regards,
David Blurton
Chief Executive Officer



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