



Shire of
Collie

AGENDA

for the

ORDINARY MEETING OF COUNCIL

to be held on

Tuesday, 21 April 2020

**PLEASE READ THE FOLLOWING DISCLAIMER BEFORE
PROCEEDING**

Members of the public are cautioned against taking any action on Council decisions, on items on this evening's Agenda in which they may have an interest, until such time as they have been advised in writing by Council staff.

Council's Vision

A connected community that is as rich
and diverse as its heritage and landscape.

Values

The core values at the heart of the Council's commitment to the community are:

- Acting with integrity, transparency and accountability
 - Leading the delivery of the community's vision
- Enabling community-led endeavours to make the Shire of Collie a better place
 - Respectful progress

NOTICE OF MEETING

Please be advised that meeting of the

Ordinary Meeting of Council

commencing at **7:00pm**

will be held on

Tuesday, 21 April 2020

On-line via Zoom (COVID-19)



David Blurton
Chief Executive Officer

17 April 2020

DISCLAIMER

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

Please note this agenda contains recommendations, which have not yet been adopted by Council.

MEETING SCHEDULE

April 2020 – May 2020

Councillors are reminded of the following meetings. Please note that other meetings may be planned that are not shown here. Councillors are advised to contact the Committee's Presiding Member/Chairperson if in doubt.

Tuesday 21 April 2020

Ordinary Meeting of Council

7.00pm in Council Chambers

Local Government Act 1995 - SECT 5.23

Meetings generally open to the public

- 5.23. (1) Subject to subsection (2), the following are to be open to members of the public
- (a) all Council meetings; and
 - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a Council or by a committee referred to in subsection (1) (b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following --
- (a) a matter affecting an employee or employees;
 - (b) the personal affairs of any person;
 - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
 - (e) a matter that if disclosed, would reveal --
 - (i) a trade secret;
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;
 - (f) a matter that if disclosed, could be reasonably expected to --
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
 - (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
 - (g) information which is the subject of a direction given under section 23 (1a) of the Parliamentary Commissioner Act 1971; and
 - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

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AGENDA - ORDINARY MEETING OF COUNCIL
Tuesday, 21 April 2020

Agenda for the Ordinary Meeting of the Collie Shire Council to be held on-line via Zoom, on Tuesday, 21 April 2020 commencing at 7:00pm.

1. OPENING/ATTENDANCE/APOLOGIES & LEAVE OF ABSENCE

- 1.1 Councillors granted Leave of Absence at previous meeting/s.
- 1.2 Councillors requesting Leave of Absence for future Ordinary Meetings of Council.
- 1.3 Councillors who are applying for Leave of the Absence for this Ordinary Meeting of Council.

Cr Hansen has requested Leave of Absence for this Ordinary Meeting of Council.

2. PUBLIC QUESTION TIME

A 15 minute public question time is made available to allow members of the public the opportunity of questioning Council on matters concerning them.

Council Consideration towards the Public:

When public questions necessitate resolutions of Council, the matter is to be dealt with immediately to allow the public to observe the determination of the matter (obviates need for the public to wait an indeterminate period of time).

3. RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4. DISCLOSURE OF FINANCIAL INTEREST

Councillors in attendance at meetings must disclose to the meeting any Agenda items upon which they have a Financial Interest. Section 5.65 of the Local Government Act 1995 requires Councillors to: a) give written notification of a financial Interest before the meeting; or b) at the meeting immediately before the particular matter is discussed (notification can be given verbally).

A Disclosure of Financial Interest Form is attached to this Agenda (immediately behind the Index) and can be used by Councillors for disclosure purposes - simply tear out and hand to the Chief Executive Officer. Additional forms will always be available at Council/Committee meetings.

Should Councillors be unsure on Disclosure of Financial Interest matters, further clarification can be obtained by reading Sections 5.53 to 5.59 inclusive of the Act.

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Members of the public invited by the Chairperson may address the meeting after Standing Orders have been suspended.

- Mr Steve Smith to provide a presentation on the Goods Shed and Bill Weir Rolling Stock Shed.

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6. NOTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

Councillors may disclose at this point any matters which they wish to have discussed 'behind closed doors' ie the meeting is closed to members of the public. Section 5.23 of the Local Government Act 1995 applies and the meeting may only go behind closed doors for matters expressly prescribed in the Act - see section of the Act appended immediately after the Disclosure of Financial Interest form.

Any decision (of the meeting) to close the meeting or part of the meeting and the reasons for the decision are to be recorded in the Minutes of the meeting.

- There will be one item to be considered.

7. ITEMS BROUGHT FORWARD DUE TO INTEREST BY ATTENDING PERSONS

8. CONFIRMATION OF THE PREVIOUS MEETINGS OF COUNCIL MINUTES

Recommendation:

That Council confirms the Minutes of the Ordinary Meeting of Council held on 31 March 2020.

9. BUSINESS ARISING FROM THE PREVIOUS MINUTES

Only items that have been deferred from a previous Ordinary Council Meeting for either further consideration by Councillors or for additional background information may be dealt with under this item. Details of Business Arising items will always be listed on the Agenda.

10. RECEIPT OF MINUTES OF COMMITTEE MEETINGS HELD SINCE THE PREVIOUS MEETING OF COUNCIL

10.1 Receipt of the Minutes of the Local Emergency Management Committee

Recommendation:

That Council receives the minutes of the Local Emergency Management Committee held on 25 March 2020.

11. CEO REPORTS

Nil

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12. CORPORATE SERVICES REPORTS

12.1 Accounts Paid – February 2020

Reporting Department:	Corporate Services
Reporting Officer:	Hasreen Mandry – Finance Manager
Accountable Manager:	Allison Fergie – Director of Corporate Services
Legislation:	Local Government Act 1995 & Financial Management Regulations 1996
File Number:	FIN/024
Appendices:	Yes – Appendix 1
Voting Requirement	Simple Majority

Report Purpose:

To present the accounts paid during the month of February 2020.

Officer's Recommendation:

That Council accepts the Accounts as presented in Appendix 1 being vouchers 41716-41726 totalling \$18,378.04 and direct payments totalling \$531,573.67 authorised and paid in February 2020.

Background:

In accordance with clause 12 of the WA Local Government Financial Management Regulations (1996) the Council may delegate the authority to the Chief Executive Officer (CEO) to authorise payments from both the municipal, trust and reserve funds in accordance with the Annual Budget provisions. The CEO shall cause for section 13 of the WA Financial Management Regulations (1996) to be adhered to with a list of accounts for approval to be presented to the Council each month.

Month	2019/20		
	Cheques	Electronic Transfer	Total Payment
July	\$458.65	\$832,384.94	\$832,843.59
August	\$1,629.84	\$1,189,189.01	\$1,190,818.85
September	\$1,863.90	\$985,349.82	\$987,213.72
October	\$10,619.81	\$1,175,526.79	\$1,186,146.60
November	\$5,887.05	\$658,803.39	\$664,690.44
December	\$2,600.59	\$900,669.19	\$903,269.78
January	\$2,043.90	\$712,950.33	\$714,994.23
February	\$18,378.04	\$531,573.67	\$549,951.71
March			

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April			
May			
June			

Statutory and Policy Implications:

WA Local Government Act 1995
Financial Management Regulations 1996

Council has Policy number CS3.7 which relates to the payment of Creditors, and in particular item 5.0 which relates to the presentation of accounts paid.

A list of all accounts paid in the month prior shall be presented to the Council. The list shall comprise of details as prescribed in the Local Government Financial Management Regulations (1996).

Budget Implications:

All liabilities settled have been in accordance with the Annual Budget provisions.

Communications Requirements: (Policy No. CS1.7)

Nil

Strategic Community Plan/Corporate Business Plan Implications:

Nil

Relevant Precedents:

Comment:

For a detailed listing of payments see Appendix 1.

Any questions relating to the accounts please forward prior to the meeting for clarification.

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12.2 Financial Report – February 2020

Reporting Department:	Corporate Services
Reporting Officer:	Hasreen Mandry – Finance Manager
Accountable Manager:	Allison Fergie – Director of Corporate Services
Legislation:	Local Government Act 1995 & Financial Management Regulations 1996
File Number:	FIN/024
Appendices:	Yes – Appendix 2
Voting Requirement	Simple Majority

Report Purpose:

This report provides a summary of the Financial Position for the Shire of Collie for the month ending February 2020.

Officers Recommendation:

That Council accept the Financial Report for February 2020 as presented in Appendix 2.

Background:

In accordance with Council policy and the provisions of the Local Government Act 1995, the Financial Report for the end of the period is presented to Council for information. Refer to Appendix 2.

Statutory and Policy Implications:

WA Local Government Act 1995
Financial Management Regulations 1996

Budget Implications:

Nil

Communications Requirements: (Policy No. CS1.7)

Nil

Strategic Community Plan/Corporate Business Plan Implications:

Nil

Relevant Precedents:

N/A

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Comment:

The report provided to Council as Appendix 2 is inclusive of the information required by the Local Government Act 1995 and includes information as set out in Council Policy.

The report includes a summary of the financial position along with comments relating to the statements. If Councillors wish to discuss the report contents or any other matters relating to this, please contact Council Finance staff prior to the meeting.

Notes to the Financial Statements (items in bold represent new notes).

Operating Income by Program

1. **Transport is \$164,959 under budget mainly due to the timing of the Regional Road Group Grant.**

Operating Expenditure by Program

2. **Governance is \$54,530 under budget mainly due to admin allocation being under budget.**
3. Law, Order and Safety are \$119,027 over budget mainly due to the overspent in the Bushfire Brigade and SES expenditure (\$25,976) which is claimable from DFES, the Yourdamung Fire (\$44,124) and an unbudgeted grant expenditure for the Bushfire Mitigation (\$36,591).
4. Other Property and Services are \$97,760 this is due to the plant direct cost allocation which is currently being reviewed.

Operating Income by Nature and Type

5. Contribution and reimbursements are \$37,059 over budget mainly due to the timing of payments received for the heritage upgrade, private works revenue and the Community Emergency Services DFES contribution.

Operating Expenditure by Nature and Type

6. Labour Overheads are \$84,469 mainly due to overheads applied to road maintenance is under budget.
7. **Material and contracts are \$232,630 under budget mainly due to the timing of payment for several accounts such as Heritage upgrade scheme (\$40,864), verge maintenance waste contract (\$35,589) and economic development (\$17,872). A number of these accounts will be paid in the next reporting period.**

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12.3 Hydrotherapy Pool/Community Facility/Program Pool

Reporting Department:	Corporate Services
Reporting Officer:	Allison Fergie – Director Corporate Services
Accountable Manager:	Allison Fergie – Director Corporate Services
Legislation	N/A
File Number:	CRL/048
Appendices:	Yes – Appendices 3 and 4
Voting Requirement	Simple Majority

Report Purpose:

For Council to consider the options for a pool and/or community facility project at the Collie Mineworkers Memorial Swimming Pool.

Officer's Recommendation:

That Council, in accordance with its previous decision # 8166:

- 1. Does not extend the community facility to include a hydrotherapy pool; and*
- 2. Request that the Minister approve funding from the balance of the election commitment to fund the construction of the community facility including the upgrade to the power supply if required.*

Background:

In 2018 Council received an amount of \$150,000 from the State election commitment of \$2million for an indoor heated pool for the undertaking of an Indoor Heated Swimming Pool Needs Assessment & Feasibility Study (Feasibility Study) for an indoor, heated swimming facility in Collie. The purpose of the study was for the Shire of Collie to understand the cost of developing an indoor, heated, swimming pool at the current site, and establish likely demand and ongoing costs in order to make an informed decision on whether or not to proceed with the project.

Concept designs, capital and ongoing costs for three options were provided within the report. On receipt of the Feasibility Study, at its meeting held 11 December 2018 Council resolved:

8006 – Officer's Recommendation/Council Decision:

Moved: Cr Faries

Seconded: Cr King

That Council:

- 1. Receive the Indoor Heated Pool Needs Assessment and Feasibility Study;*
- 2. Advertise the Indoor Heated Pool Needs Assessment and Feasibility Study for community and stakeholder comment, and report the results back to Council; and*
- 3. Authorise staff to call for tenders for the replacement of the electric heat pumps at the existing pool in 2019 and report back to Council.*

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The Feasibility Study was forwarded to stakeholders and advertised for community comment, with the comment received by Council at its meeting held 5 March 2019, with the following result:

8065 - That Council:

- 1. Receive the comment on the Indoor Heated Pool Needs Assessment and Feasibility Study;*
- 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.*

CARRIED 7/4

Cr King requested that his name be recorded as voting against the motion

Subsequently staff met with Hon Mick Murray, Minister for Seniors and Ageing; Volunteering; Sport and Recreation, to discuss the possibility of carrying forward the balance of the funding from the State election commitment. The outcome of the discussion was that the Minister was prepared to consider the carry forward only if the funding was to be used towards the construction of an indoor warm water pool and club rooms for the Collie Swimming Club.

At its meeting held 18 June 2019 the Council decision was:

8166 - That Council:

- 1. Do not proceed to develop an indoor warm water program pool at this time; and*
- 2. Request that the Minister for Sport and Recreation carry forward a portion of the balance of the funding from the election commitment to fund the construction of a community facility including club rooms at the Collie Swimming Pool.*

Following an approach to the Minister an amount of \$25,000 was made available from the original \$150,000 provided for the Feasibility Study for the purpose of designing and costing the community facility. The Minister requested that an accurate costing of the project be made prior to an amount being allocated for the project to ensure that sufficient funding was available for the project to be delivered. Staff worked with members of the Collie Swimming Club and an architect to develop a detailed design for the building which was then costed by a quantity surveyor. The combined architecture for the proposed community facility was presented to Council at the meeting held 31 March 2020. At that same meeting the Hon Mick Murray, Minister for Sport and Recreation, addressed Council and stated that the community facility needed to incorporate a hydrotherapy pool if it were to be funded from the election commitment. The Council decision was:

8410 – That this motion be deferred and bring back to Council with more detail on the project being extended to include a hydrotherapy pool and bring back to the next Council meeting.

Following the motion, staff have investigated the requirements of a hydrotherapy pool, and found that there are stringent requirements relating to issues such as lighting, water circulation, pool cleaning equipment, humidity control, ambient temperature, etc over and above those that apply to indoor pools in general.

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In discussion with the Minister, the intention was to have a warm water public access pool that could be used for rehabilitation, learn to swim, fitness and wellness programs throughout the year. In light of this discussion, the concept of an indoor warm water program pool aligned with the Minister's intention, and so the information from the feasibility study relating to this option is re-presented to Council at Appendix 3. An indoor warm water program pool was the highest priority for respondents to the community survey and the recommended option from the feasibility study.

Statutory and Policy Implications:

N/A

Budget Implications:

Community Facility: The Estimate of Costs for the completed community facility building including a recommended 15% contingency allowance is \$569,250. An upgrade of the power supply to the site would involve design in the vicinity of \$7,000 and a \$100,000 contingency for works – an allowance of \$107,000. **Total estimate \$676,250.**

Communications Requirements: (Policy No. CS 1.7)

Correspondence to the DLGSC, the Minister for Sport and Recreation and the Collie Swimming Club.

Strategic Community Plan/Corporate Business Plan Implications:

Goal 1 Our Community A thriving, supportive and safe community

Outcome 1.2: Participation in sport, recreation and leisure opportunities.

Strategy 1.2.1: Provide and promote sport, recreation and leisure facilities and programs.

Action 1.2.1.2 Revitalise Collie Mineworkers Memorial Pool precinct

Relevant Precedents:

N/A

Comment:

When providing the \$25,000 for the design the Regional Manager – Peel / South West, Department of Local Government, Sport and Cultural Industries advised that a thorough costing of the community facility project would need to occur to make sure that the project was fully funded and could be completed and delivered.

The design requirement was increased from concept design to detailed design so that an accurate costing could be determined, and as part of this process the power supply to the site was investigated as the power dome for the site is within the building footprint approved by Council.

When the new heat pumps were installed the power supply was assessed as being sufficient with very little spare capacity. The cost of the power supply design was quoted at \$7,000 with the advice that a contingency of \$100,000 be made for an upgrade to the power supply if required.

The result is that the cost estimate is now significantly above the early estimations.

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The Minister has indicated that if the facility were to include a hydrotherapy pool then more funding might be available, but there has not been time available for this option to be costed. However, in the Feasibility Study the construction of an indoor warm water pool was costed at \$956,800 for the changeroom, toilet amenities and pool hall/building, and \$432,000 for the 16.6m x 10m reinforced concrete swimming pool and spa with ramp pool access complete including filtration and pool equipment – a total of \$1,388,800. Additional costs would be incurred for demolition of the former infant health centre, design, inclusion of a clubrooms, contingency and site costs.

Discussions with the Minister indicate that a hydrotherapy pool did not align with his vision for the facility. A hydrotherapy pool is normally associated with a medical or physiotherapy practice, is generally relatively small in size, not open to the public and comes with a higher level of construction and ongoing operational requirements such as a complete change of water every hour, brighter lighting, heating to maintain the ambient temperature no less than 10 degrees below the water temperature (minimum 34 degrees). The requirements for a hydrotherapy pool compared to a warm water program pool under the building code can be found at Appendix 4.

Due to the short time frame an estimate of costs for a hydrotherapy pool have been taken from a report obtained from the Shire of Irwin that cited the construction costs for a 10m x 6m Multi-Purpose Hydrotherapy Pool to be \$1.74 million with annual life cycle costs of \$100,867. Operating costs for similar pools cited in the study show a utilities and chemicals cost in the order of \$35-42,000 for a revenue of \$10-15,000. Staffing costs would be additional. While referred to as hydrotherapy pools, the examples more closely resemble small warm water pools, which complicates the issue when undertaking research on Hydrotherapy pools as it appears to be used generically.

There are a number of options available for Council:

Option 1: Maintain the position expressed by Council in Motion #8166: Request that the Minister for Sport and Recreation carry forward a portion of the balance of the funding from the election commitment to fund the construction of a community facility including club rooms at the Collie Swimming Pool.

This was the Officer's Recommendation for the meeting held 31 March 2020 as this option was consistent with a previous decision of Council and is a shovel ready project that has the potential to provide local employment during a period of difficult economic circumstances, with minimal ongoing costs to Council. The Collie Swimming Club has been involved in consultation with the architects and Shire staff and support the project. However, the Minister has indicated that without the inclusion of an indoor warm water program pool or hydrotherapy pool a community facility alone may not be funded.

Option 2: Consider the construction of an indoor warm water program pool as described at Option 2 of the feasibility study, with the addition of an office and storage space for the Collie Swimming Club on the eastern side (adjacent to the service yard) provided that the cost is fully covered by the available funds from the balance of the election commitment.

A program pool was the highest priority for the community and was the recommendation from the feasibility study as the most viable option. The community consultation, concept design and feasibility studies have been completed so the project

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is ready to progress. This option also provides for the Collie Swimming Club requirements for an office and storage of their equipment. It does not require the demolition of the community radio station building.

However, in the Feasibility Study the construction of an indoor warm water pool was costed at \$956,800 for the changeroom, toilet amenities and pool hall/building, and \$432,000 for the 16.6m x 10m reinforced concrete swimming pool and spa with ramp pool access complete including filtration and pool equipment. Additional costs would be incurred for the power supply upgrade (\$107,000), detailed design and site works. In addition, if the swimming club were to be accommodated, an office and storage area on the eastern edge of the building as shown on the site plan would add to the building cost. Possible savings through a design and construct contract could reduce the costs for design contingency and professional fees (\$310,084) and disbursements, while use of local contractors wherever possible could reduce the location allowance of \$256,157. Savings made in these areas could reduce the cost to within the balance of the election commitment of \$2million, but this could not be certain until the additions for the Collie Swimming Club were costed.

The feasibility study also found that the ongoing deficit in operating costs of a warm water program pool would be \$53-55,000 over six months, or \$102-106,000 over 12 months excluding depreciation and interest. This would start to impact rates in the 2021/2022 financial year by an increase of approximately 1.5% for the 12 month option.

The cost implications and impact on rates mean this is not the Officer's Recommendation furthermore, this option was not previously supported by the Council in June 2019.

Option 3: Do nothing and return the balance of the funding provided for the feasibility study.

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12.4 Lease – Collie Eagles Football Club Inc

Reporting Department:	Corporate Services
Reporting Officer:	Allison Fergie – Director Corporate Services
Accountable Manager:	Allison Fergie – Director Corporate Services
Legislation	WA Local Government Act 1995
File Number:	
Appendices:	No
Voting Requirement	Simple Majority

Report Purpose:

To seek Council authorisation to enter into a lease agreement with the Collie Eagles Football Club for the lease of Part Reserve 6684, Collie.

Officer's Recommendation:

That Council lease the football clubroom buildings and the playground area located on Part Reserve 6684 to the Collie Eagles Football Club Inc. subject to the consent of the Minister for Lands with the following conditions:

- A) Lease to be deemed a 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;*
- C) The Collie Eagles to pay a proportion of the building insurance premium for the two-storey building calculated on floor area; and*
- D) Other conditions to be in accordance with Council policy DS 1.3*

Background:

Reserve 6684 is vested in the Council for the purposes of recreation and allows for leasing for any term not exceeding 21 years, subject to the consent of the Minister for Lands. Council leases portions of Reserve 6684 to various sporting and recreation clubs including the Tennis Club, Bowling Club, Veteran Car Club and Cycle Club.

The Collie Eagles currently lease the single-story football clubrooms, the area on which they have installed a playground, and most of the former two-story building that was the former Collie Football clubrooms. The part of the two-storey building not currently in the lease area includes the public toilets, the commentator's box and the canteen area on the southern end of the building, which remain the responsibility of the Shire.

The Collie Eagles Football Club has now indicated that it would like to extend its lease area to include the canteen area as their need for space has increased with the introduction of the women's competition.

Statutory and Policy Implications:

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WA Local Government Act (1995)

Section 3.58 of the Local Government Act refers to the disposal of property and includes lease arrangements. Under this section, local public notice and a submission period is normally required to be undertaken by Council's when entering lease arrangements, however there is a specific exemption for the requirement to advertise under section 30 of the associated Functions and General Regulations where the intended lease is with certain organisations;

- 30 (2) (b) (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and
 (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;

Under policy DS1.3 (Buildings on Council Reserves), the lease will have the following implications for Council moving forward in relation to the responsibility of each party.

Issue	Community built and operated – Responsible Party
Building insurance	Lessee
Vandalism damage to building (assuming no negligence on lessee's part)	Building insurance excess Lessee
Contents insurance	Lessee
Public liability insurance of \$10m	Lessee
Compliance with <i>Health (Public Building) Regulations 1992</i>	Lessee
Upgrades required by legislative changes	Lessee
Building additions and alterations	Lessee must obtain Shire approval and comply with Building Code of Australia.
Major maintenance	Lessee
Minor maintenance and cleaning	Lessee
Security system and response	Lessee
Payment of utility charges (power, water etc)	Lessee
Payment of Emergency Services Levy	Shire
Painting upgrade (internal and external)	By Lessee every 5 years to satisfaction of Shire
Asbestos removal (if required)	Lessee
Sub letting	With Shire approval
Use by others	Casual hire with Shire approval

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Budget Implications:

Annual lease fee is proposed to be \$1 per annum.

The building insurance would be pro-rata based on floor area. Based on the total floor area of the two storey clubrooms of 586.9 square metres, and the area that will remain the responsibility of the Shire of 60.65 square metres the Collie Eagles will be invoiced for 89.7% of the building insurance costs. The premium for 2019/20 was \$2,327 so the building insurance invoice to the club would be approximately \$2,090 for 2020/21. The Collie Eagles would be required to continue to insure the single-storey building as per Council Policy.

Communications Requirements: Policy No. CS 1.7

Request for consent to Minister for Lands; Correspondence to proponent.

Strategic Community Plan/Corporate Business Plan Implications:

GOAL 1 Our Community – A vibrant, supportive and safe community.

Outcome 1.2: Participation in sport, recreation and leisure opportunities.

Strategy 1.2.2: Provide support to local sport and recreation clubs and groups to increase participation

Relevant Precedents:

Recent lease agreements have been renewed in-house with the use of a lease template which was developed for use by the Council.

Comment:

The Collie Eagles have successfully operated from these buildings on the Recreation Ground for many years.

The club has discussed the inclusion of the canteen area with the Shire's Building Services Manager and they are keen to progress plans to repurpose this space.

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12.5 Renewal of License to Go Life Fitness

Reporting Department:	Corporate Services
Reporting Officer:	Allison Fergie – Director Corporate Services
Accountable Manager:	Allison Fergie – Director Corporate Services
Legislation	WA Local Government Act 1995
File Number:	L6684E
Appendices:	No
Voting Requirement	Simple Majority

Report Purpose: For Council to consider approval of the renewal of the licence to Go Life Fitness for use of the Collie Eagles Football Club premises.

Officer's Recommendation:

That Council approve the renewal of the licence for portion of the property known as the Collie Eagles Football Club to Go Life Fitness for a term of 5 years, subject to

- 1. approval from the Minister for Lands;*
- 2. the licensee providing certificates of currency for appropriate insurances; and*
- 3. compliance with the Health and Public Building Regulations 1992 and the conditions of planning approval.*

Background:

Since 2014 Go Life Fitness have operated successfully from the Collie Eagles Football Club and with appropriate planning approvals in place.

The initial approval was for one year, and this approval has been extended on two occasions at the request of the Collie Eagles Football Club and Go Life Fitness.

Reserve R6684 is reserved for the purpose of parks and recreation. The activity of fitness classes is consistent with this purpose and compatible with the setting.

Statutory and Policy Implications:

The activity has previously been granted planning approval under Local Planning Scheme No. 5

Budget Implications:

Nil

Communications Requirements: Policy No. CS 1.7

Request for consent to Minister for Lands; Correspondence to proponent.

Strategic Community Plan/Corporate Business Plan Implications:

GOAL 1 Our Community – A vibrant, supportive and safe community.

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Strategy 1.2.2: Provide support to local sport and recreation clubs and groups to increase participation.

Relevant Precedents:

Council previously approved a licence to Go Life Fitness on 18 April 2017:

7396 – That Council approve the renewal of the licence for portion of the property known as the Collie Eagles Football Club to Go Life Fitness for a term of 3 years, subject to:

- 1. approval from the Minister for Lands,*
- 2. the licensee providing certificates of currency for appropriate insurances, and*
- 3. compliance with the Health and Public Building Regulations 1992 and the conditions of planning approval.*

Comment:

Go Life Fitness has operated from the premises for more than five years, and during that time no problems have been reported to staff. Both the Collie Eagles Football Club and Go Life Fitness have expressed the wish to continue the arrangement.

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12.6 Lease of Goods Shed to Collie Rail Heritage Group

Reporting Department:	Corporate Services
Reporting Officer:	Allison Fergie - Director Corporate Services
Accountable Manager:	Allison Fergie - Director Corporate Services
Legislation	WA Local Government Act 1995
File Number:	L47297
Appendices:	No
Voting Requirement	Simple Majority

Report Purpose:

For Council to consider leasing the Goods Shed to the Collie Rail Heritage Group Inc.

Officer's Recommendation:

That Council:

1. *Approve a short term lease of the Goods Shed to the Collie Rail Heritage Group Inc, subject to the approval of the Minister for Lands, under the following conditions:
 - a. *Lease to be for a term of 12 months;*
 - b. *The Heritage Skills proposal for the Goods Shed building be accommodated by the Collie Rail Heritage Group Inc with a formal MOU if funding applications are successful;*
 - c. *Casual hire to be permitted; and*
 - d. *Other conditions to be in accordance with Council Policy DS1.3.**
2. *Investigate and advertise for expressions of interest for alternative and/or additional uses for the Goods Shed building during the 12 months lease term in order to optimise activation of the CBD for the benefit of the community of Collie*

Background:

At its last meeting held 10 March 2020 Council considered leases on the three buildings located on Reserve 47297 – the Men's Shed building, the Bill Weir Rolling Stock Shed and the Goods Shed to the Collie Men's Shed Inc and the Collie Rail Heritage Group Inc. The Council Decisions at that meeting were:

8381 – That Council:

1. *Lease the Men's Shed building to the Collie Men's Shed Inc, subject to the approval of the Minister for Lands, under the following conditions
 - a. *Lease to be deemed a Community Built and Operated Lease with a term of 5 years with a 5 year option;*
 - b. *Annual lease amount payable to be \$1 per annum incl. GST; and*
 - c. *Other conditions to be in accordance with Council Policy DS1.3.**
2. *Lease the Bill Weir Rolling Stock Shed to the Collie Rail Heritage Group Inc, subject to the approval of the Minister for Lands, under the following conditions*

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- a. Lease to be deemed a Community Built and Operated Lease with a term of 5 years with a 5 year option;*
b. Annual lease amount payable to be \$1 per annum incl. GST; and
c. Other conditions to be in accordance with Council Policy DS1.3.

and

8382 – That Council defers Items 3 & 4 from the officer's recommendation to the next meeting of Council.

The consideration of the lease of the Goods Shed to the Collie Rail Heritage Group was deferred following a request from the Collie Rail Heritage Group in order to allow the group to:

1. Consult with its members,
2. Arrange for Councillors to tour the sheds to see the amount of work the group has done and what they have achieved, and to get ideas, and
3. Allow the group the opportunity to make a presentation to Council at the next meeting.

These requests from the Collie Rail Heritage Group Inc were considered favourably by Council.

The lease areas on Reserve 47297 consist of the buildings outlined in red on the diagram below, and the common area for both the Collie Rail Heritage Group and the Collie Men's Shed outlined in yellow.



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Statutory and Policy Implications:

The Council has Policy DS 1.3 – Buildings on Council Land in place which sets a framework for the renewal of leases on Council land. The policy outlines the responsibility of each party for issues such as repairs, insurance, outgoings, etc.

Issue	Short Term Lease – Responsible party
Building insurance	Shire
Vandalism damage to building (assuming no negligence on lessee's part)	Building insurance excess shared equally between Lessee and Shire.
Contents insurance	Lessee
Public liability insurance of \$10m	Lessee
Compliance with <i>Health (Public Building) Regulations 1992</i>	Shire
Upgrades required by legislative changes	Shire
Building additions and alterations	Lessee must obtain Shire approval and comply with Building Code of Australia.
Major maintenance	Shire
Minor maintenance and cleaning	Lessee
Security system and response	Lessee or Shire
Payment of utility charges (power, water etc)	Lessee
Payment of Emergency Services Levy	Shire
Painting upgrade (internal and external)	Shire
Asbestos removal (if required)	Shire
Sub letting	Not permitted
Use by others	Not permitted

Budget Implications:

As per the previous lease agreement, annual fees payable under the leases are \$1.

Communications Requirements: (Policy No. CS 1.7)

Request for consent to the Minister for Lands.

Correspondence to proponent.

Strategic Community Plan/Corporate Business Plan Implications:

GOAL 1 Our Community – A vibrant, supportive and safe community.

Outcome 1.2: Participation in sport, recreation and leisure opportunities.

Strategy 1.2.2: Provide support to local sport and recreation clubs and groups to increase participation

Relevant Precedents:

Council regularly considers leasing to community groups.

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Comment:

The recommendation to approve a short term lease of the Goods Shed to the Collie Rail Heritage Group is based on Council's strategy to activate the Collie CBD and develop tourism product in Collie, as well as being in a position to take advantage of the opportunity for the Heritage Skills project should funding applications be successful.

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13. DEVELOPMENT SERVICES REPORTS

13.1 Proclamation of Changes to Coalfields Highway

Reporting Department:	Development Services
Reporting Officer:	Robert Quinn – Shire Planner
Accountable Manager:	Andrew Dover – Director Development Services
Legislation	Main Roads Act 1930
File Number:	RDS045
Appendices:	Yes – Appendix 5
Voting Requirement	Simple Majority

Report Purpose: To seek Council formal agreement for the proclamation of the changes to the Coalfields Highway as “Highway”.

Officer’s Recommendation:

That Council endorse the Main Roads WA proclamation drawings 201721-0027-00 and 201721 to 201721-0036-00 inclusive relating to the alignment of Coalfields Highway as attached at Appendix 5

Background:

A request has been made by Main Roads WA (MRWA) for Council to formally agree to the proclamations drawings as a result of the changes made to the Coalfields Highway realignment. A series of proclamation drawings depicting the realignments have been provided. Appendix 5

Statutory and Policy Implications:

In accordance with section 13 of the Main Roads Act 1930

Budget Implications:

No impact on the 2019/20 budget.

Communications Requirements: (Policy No. CS 1.7)

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.

Strategic Community Plan/Corporate Business Plan Implications:

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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:

None known

Comment:

This proclamation request is a formality required by the Main Roads Act 1930 to ensure the recent Coalfields Highway realignments are incorporated into the Coalfields Highway as "Highway". Council agreement of the drawings is required before the Commissioner of Main Roads recommends the Minister to proclaim the realignments.

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13.2 Oversize Outbuilding with Reduced Setback – 80 Ewing Road Allanson

Reporting Department:	Development Services
Reporting Officer:	Robert Quinn – Shire Planner
Accountable Manager:	Andrew Dover – Director Development Services
Legislation	Planning and Development Act 2005
File Number:	A3761
Appendices:	Yes – Appendix 6
Voting Requirement	Simple Majority

Report Purpose:

To seek Council Approval for an

1. Outbuilding (Shed) pursuant to clause 5.7.1 of the Local Planning Scheme in the Rural Residential zone for an oversize floor area under Local Planning Policy: Outbuilding Control.
2. To seek approval for a reduced side setback of 3.1 m from the required 10m side setback.

Officer's Recommendation:

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

1. *Grant approval to John Bylund for the development of an Outbuilding (Shed) at 80 Ewing Road Allanson subject to the following conditions:*
 - a) *At all times, the development the subject of this planning approval must comply with the definition of 'outbuilding' as contained in State Planning Policy 3.1 Residential Design Codes.*
 - b) *All development shall be in accordance with the approved development plans (attached) which form part of this planning approval.*
 - c) *This planning approval will expire if the approved development has not substantially commenced within two (2) years from the date of issue of the approval, or, within any extended period of time for which the Shire of Collie has granted prior written consent.*

Background:

The application is to construct a 56.3m² shed on 80 Ewing Road. 80 Ewing Road is zoned Rural Residential and slightly undulating, rising from Ewing Road and approximately 4.2 hectares in area. There is approximately 255m² of collective shed floor area currently on the site spread over four sheds along with a dwelling. The proposed outbuilding is setback approximately 65 metres from Palmer Road.

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A decision of Council is required for this application as the proposal seeks to vary the collective Outbuilding floor area requirements for a lot zoned Rural Residential as this proposal is not consistent with the Local Planning Policy 2.1 clause 6.1 which has a limit of 250m² on collective shed floor area. Further to this, Council need to grant consent for a reduced side boundary setback for this proposal. See Appendix 6 Plans



Site plan of 80 Ewing Road showing location of proposed shed.

Statutory and Policy Implications:

Local Planning Scheme No. 5

10.2 Matters to be Considered

(f) any Local Planning Policy adopted by local government under clause 2.4;

(i) the compatibility of a use or development with its setting;

(o) the relationship of the proposed 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 proposal;

(y) any relevant submissions received on the application;

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Based on the location of the shed and setbacks from the boundaries, it's envisaged that the shed will have minimal, if any impact on neighbouring properties.

Local Planning Policy: Outbuilding Control

6.1 Maximum Floor Area

Rural Residential zoned land has a maximum total collective outbuilding floor area of 250m².

6.6

No maximum wall height as the lot is greater than 2020m² in area

Budget Implications:

Nil

Communications Requirements: (Policy No. CS 1.7)

The proposal meets 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 adjacent property owner to the west was consulted about the proposal and has no objections.

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:

A similar oversize outbuilding application was approved by Council at its meeting in December 2018 at 60 Ogden Street and in August 2019 at 44 Palmer Road.

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Comment:

The proposed additional outbuilding is 56.3m² in floor area with wall heights of 3.5 metres. The 3.5 metre wall heights of the proposed shed are within policy guidelines. The policy has no maximum wall heights where the site area is greater than 2,020m².

The proposal does not materially detract from the streetscape or the visual amenity of residents or neighbouring properties due to its location and approximately 65 metres setback from Ewing Road. It is considered there are no nearby neighbours to the west of the proposal which will be materially affected by the Outbuilding.

The maximum floor area for outbuildings in the Rural Residential zone with lots of this area is 250m² with a discretionary allowance for 10% above that. If approved the total collective floor area on this lot will be approximately 22% greater than permitted under policy. The proposal is approximately 22% larger, than the policy permits, however, is not considered to detract from the function or amenity of the block.

In regard to the reduced setback there is an existing outbuilding with a setback of 4 metres which will be joined onto this outbuilding. This proposal will effectively create a collective wall length of 21.7 metres long the western boundary of 80 Ewing Road with a reduced side setback. The adjacent property to the west also has an outbuilding in this location and this wall length should not materially affect the amenity of the adjacent landowner.

It is recommended that Council support the officer's recommendation and conditionally approve the Outbuilding.

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13.2 Amendment No. 6 to Local Planning Scheme No. 5 – Reclassifying lot 2667 (14 Clifton Street) from “Public Purpose – Civic” Reserve to “Residential” zone with a “R25” density coding.

Reporting Department:	Development Services
Reporting Officer:	Robert Quinn-Shire Planner
Accountable Manager:	Andrew Dover – Director Development Services
Legislation	Planning and Development Act 2005
File Number:	LUP 056
Appendices:	Yes – Appendix 7
Voting Requirement	Simple Majority

Report Purpose:

1. To gain Council support to initiate an amendment to Local Planning Scheme No. 5 reclassifying lot 2767 (14 Clifton Street) from “Public Purpose – Civic” Reserve to the “Residential” zone with a “R25” density coding.
2. Resolve that this amendment is “standard” under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Officer’s Recommendation:

That Council:

1. *In pursuance of the Planning and Development (Local Planning Schemes) Regulations 2015 initiates Amendment No. 6 to the Shire of Collie Local Planning Scheme No. 5 for community consultation for the purposes of:*
 - a) *reclassifying lot 2767 (14 Clifton Street) from “Public Purpose – Civic” Reserve to the “Residential” zone with a “R25” density coding.*
 - b) *Amend the Local Planning Scheme No. 5 map accordingly.*
2. *Notes that, as the Amendment is in the opinion of the Council consistent with Part V of the Act and Regulations made pursuant to the Act, upon preparation of the necessary documentation, the Amendment be referred to the Environmental Protection Authority(EPA) as required by the Act, and on receipt of a response from the EPA indicating that the draft Amendment is not to be subject to formal environmental assessment, be advertised for a period of 42 days, in accordance with the Planning and Development(Local Planning Schemes) Regulations 2015. In the event that the EPA determines that the draft Amendment is to be subject to formal environmental assessment, this assessment is to be prepared by the proponent prior to advertising of the draft Amendment.*
3. *Advises the Western Australian Planning Commission that Amendment No. 6 is considered a ‘standard’ amendment pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015 for the following reasons:*

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- a) *It is an amendment relating to a zone or reserve that is consistent with the objectives identified in the Scheme for that zone or reserve.*

- b) *It is an amendment that would have minimal impact on land in the Scheme area that is not the subject of the amendment.*

- c) *It is an amendment that does not result in significant environmental, social, economic or governance impacts on land in the Scheme area.*

Background:

A request has been received from the Department of Lands Planning and Heritage (DPLH) to reclassify lot 2767 (14 Clifton Street) from “Public Purpose – Civic” Reserve to the “Residential” zone with a “R25” density coding. See Appendix 7

There are two structures on the property, one being a former Community Hall and the other a small shed. There are some scattered trees on the site with the lot having a south easterly aspect and an area of 4047m².

Currently lot 2767 is vacant and is not being used for any purpose. It was previously used as a Pre-Primary Centre and for various community activities involving the Apex Club, however, these uses no longer occur. The formal management of the site was transferred from the Apex Club to the Bunbury Diocesan Trustees in 2010. The use of the site by the Bunbury Diocesan Trustees ceased in circa 2015. The site has been effectively vacant and underutilised since approximately 2015.

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Site Plan: 14 Clifton Street

Statutory and Policy Implications:

The key elements of the statutory environment with respect to this proposal are set out in the relevant objectives, policies and provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 and the Scheme.

Planning and Development Act 2005

The Planning and Development Act 2005 outlines the relevant considerations when preparing and amending local planning schemes. The relevant provisions of the Act have been taken into account in preparing and processing this Amendment.

Planning and Development (Local Planning Schemes) Regulations 2015

The Planning and Development (Local Planning Schemes) Regulations 2015, which came into operational effect on 19 October 2015, identifies three different levels of amendments – basic, standard and complex. The resolution of the local government is to specify the level of the amendment and provide an explanation justifying this choice.

This Amendment is considered to be a ‘standard’ amendment for the following reasons:

- a) It is an amendment relating to a zone or reserve that is consistent with the objectives identified in the Scheme for that zone or reserve.

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b) It is an amendment that would have minimal impact on land in the Scheme area that is not the subject of the amendment.

c) It is an amendment that does not result in significant environmental, social, economic or governance impacts on land in the Scheme area.

Budget Implications:

There are no budget implications for this proposal. Prescribed fees were paid for the amendment to be processed.

Communications Requirements: (Policy No. CS 1.7)

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. Upon receiving approval for advertising from the EPA, the amendment will be advertised in the local newspaper to seek comment for a minimum of 42 days. Letters will be sent to service authorities and adjacent land holders seeking comment with a minimum of 42 day submission period.

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:

This proposed amendment is the sixth amendment to Local Planning Scheme No. 5.

Comment:

The current reservation of the lot as an unmanaged "Public Purpose – Civic" Reserve restricts future development and use of the lot. The land has also been deemed surplus to Government requirements. If the land were reclassified it would provide a wider range of opportunities for the land.

There are many residential type uses which could occur on this lot if it were coded R25 which would be a benefit to the town of Collie. The lot represents a large infill site for Grouped Dwellings (Unit development), it also provides an opportunity for an Aged Care Facility or Retirement Village Accommodation. The site location being approximately 250 metres south of the town centre is well placed for an Aged Care Facility.

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Effectively, if the current reservation continues, then the site will most probably lay dormant into the future. If the Re-Coding is supported, then it provides an opportunity for the site to be developed.

There do not appear to be any material issues which would prevent Council from supporting this proposal. It is considered that this Re-Coding has planning merit and should be supported. Further, based on the relatively minor nature of the amendment, Council should support the officer recommendation that the amendment is a standard amendment.

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14. **TECHNICAL SERVICES REPORTS**

Nil

15. **MOTIONS FOR WHICH PRIOR NOTICE HAS BEEN GIVEN**

Elected Members have the ability to submit notices of motion between meetings and up to a time prescribed in standing orders before a meeting.

16. **QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN**

Members have the ability to submit notices of questions between meetings and up to a time prescribed in standing orders before a meeting.

17. **URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION**

18. **ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS**

19. **STATUS REPORT ON COUNCIL RESOLUTIONS**

Summary reports on the status of Council's resolutions are;

- 'Closed Since Last Meeting' at Appendix 8
- 'All Open' at Appendix 9

20. **CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC**

20.1 Commercial matter.

21. **CLOSE**