



Shire of
Collie

MINUTES

of the

ORDINARY MEETING OF COUNCIL

held on

Tuesday, 27 October 2020

INDEX

1.	OPENING/ATTENDANCE/APOLOGIES & LEAVE OF ABSENCE	1
2.	PUBLIC QUESTION TIME	1
3.	RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	2
4.	DISCLOSURE OF FINANCIAL INTEREST	2
5.	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS.....	2
6.	NOTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC.....	3
7.	ITEMS BROUGHT FORWARD DUE TO INTEREST BY ATTENDING PERSONS	3
8.	CONFIRMATION OF THE PREVIOUS MEETINGS OF COUNCIL MINUTES	3
9.	BUSINESS ARISING FROM THE PREVIOUS MINUTES.....	3
10.	RECEIPT OF MINUTES OF COMMITTEE MEETINGS HELD SINCE THE PREVIOUS MEETING OF COUNCIL.....	3
10.1	Receipt of the Minutes of the Tourism and Marketing Advisory Committee	3
10.2	Adopt the Recommendations of the Minutes of the Tourism and Marketing Advisory Committee.....	4
11.	CEO REPORTS.....	4
12.	CORPORATE SERVICES REPORTS	5
12.1	Accounts Paid – September 2020	5
12.2	Financial Report – September 2020	7
12.3	Write Off Rates Balance for A5194.....	9
13.	DEVELOPMENT SERVICES REPORTS	13
13.1	Scheme Amendment No. 7 – Shotts Industrial Area – EPA Modifications	13
13.2	Revised Building Capital Works Budget – New Reticulated Water Service at Collie River Valley Tourist Park.....	18
14.	TECHNICAL SERVICES REPORTS.....	21
15.	MOTIONS FOR WHICH PRIOR NOTICE HAS BEEN GIVEN.....	21
16.	QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN	21
17.	URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION	21
17.1	Better Bins Plus Program – Council acceptance of Agreement	21
18.	ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS.....	24
19.	STATUS REPORT ON COUNCIL RESOLUTIONS.....	25
20.	CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC	25
21.	CLOSE.....	26

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

Minutes of the Ordinary Meeting of the Collie Shire Council held in Council Chambers, 87 Throssell Street Collie, on Tuesday, 27 October 2020 commencing at 7:03pm.

1. OPENING/ATTENDANCE/APOLOGIES & LEAVE OF ABSENCE

PRESENT:

Sarah Stanley	Councillor (Presiding Member)
Ian Miffling OAM JP	Councillor (Deputy Member)
Gary Faries	Councillor
Elysia Harverson	Councillor
Joe Italiano	Councillor
Rebecca Woods	Councillor
Brent White	Councillor
Leonie Scoffern	Councillor
Michelle Smith	Councillor
Allison Fergie	Acting CEO
Andrew Dover	Director Development Services
Hasreen Mandry	Finance Manager
Belinda Dent	CEO PA

APOLOGIES: Cr Brett Hansen
Cr John Kearney
Cr Brent White
Brett Lowcock - Director Technical Services

GALLERY: Nola Green – Press (left Chambers at 8.38pm)
David Lanfear – Consultant (left Chambers at 7.45pm)

1.1 Councillors granted Leave of Absence at previous meeting/s.

Cr Hansen has been granted Leave of Absence for this Ordinary Meeting of Council at the meeting held on 6 October 2020.

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.

8588

Moved: Cr Faries

Seconded: Cr Woods

That Council grant Leave of Absence to Cr Kearney and Cr White for this Ordinary Meeting of Council.

CARRIED 8/0

2. PUBLIC QUESTION TIME

Nil

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

3. RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Questions taken on notice from the previous meeting:

- Cr Miffing requested data on the usage of the electric vehicle charger in Central Park.

Mr Lowcock: The electric vehicle charger has been used on 58 occasions in the last twelve months with vehicles registered to postcodes from throughout WA.

- Cr Italiano asked why are employee costs \$59,928 under budget?

(Mrs Fergie took the question on notice to confirm with Hasreen Mandry, Finance Manager, that this is due to timing of allocations.)

It is confirmed that the underbudget amount is due of timing of allocations.

4. DISCLOSURE OF FINANCIAL INTEREST

The Acting Chief Executive Officer advised that Disclosures of Financial Interests had been received from Councillors/staff as listed below:

Councillor/Staff	Agenda Item	Disclosure
Nil		

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

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

8589

Moved: Cr Woods	Seconded: Cr Italiano
That Council suspend Standing Orders.	
CARRIED 8/0	

- Consultant David Lanfear provided an update to Council on the Open Space Strategy.

Cr Stanley thanked Mr Lanfear for providing the update to Council.

- The early payment of rates incentive draw for the Financial Year 2020/21 was conducted and the recipient is: A753.

Mr Lanfear left Chambers at 7.45pm.

8590

Moved: Cr Scoffern	Seconded: Cr Harverson
That Council resume standing orders.	
CARRIED 8/0	

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

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

- There is one item of a commercial nature for which the meeting will be closed to the public.

7. ITEMS BROUGHT FORWARD DUE TO INTEREST BY ATTENDING PERSONS
Nil

8. CONFIRMATION OF THE PREVIOUS MEETINGS OF COUNCIL MINUTES

8591

Recommendation/Council Decision:

Moved: Cr Faries

Seconded: Cr Italiano

That Council confirms the Minutes of the Ordinary Meeting of Council held on 6 October 2020.

CARRIED 8/0

9. BUSINESS ARISING FROM THE PREVIOUS MINUTES
Nil

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

10.1 Receipt of the Minutes of the Tourism and Marketing Advisory Committee

8592

Recommendation/Council Decision:

Moved: Cr Woods

Seconded: Cr Scoffer

That Council receives the minutes of the Tourism and Marketing Advisory Committee held on 15 October 2020.

CARRIED 8/0

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

10.2 Adopt the Recommendations of the Minutes of the Tourism and Marketing Advisory Committee

8593

Recommendation/Council Decision:

Moved: Cr Harverson

Seconded: Cr Woods

That Council adopts en bloc the recommendations contained within the minutes of the Tourism and Marketing Advisory Committee held on 15 October 2020.

That Council appoint Distinctly Tourism Management to develop a tourism destination marketing strategy for \$28,500 (Excl. GST) for the Shire of Collie.

CARRIED 8/0

11. CEO REPORTS
Nil

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

12. CORPORATE SERVICES REPORTS

12.1 Accounts Paid – September 2020

Reporting Department:	Corporate Services
Reporting Officer:	Hasreen Mandry – Finance Manager
Accountable Manager:	Allison Fergie – Acting CEO
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 September 2020.

8594

Officer's Recommendation/Council Decision:

Moved: Cr Faries

Seconded: Cr Woods

That Council accepts the Accounts as presented in Appendix 1 being vouchers 41750-41756 totalling \$2,731.65 and direct payments totalling \$1,427,307.11 authorised and paid in September 2020.

CARRIED 8/0

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	2020/21		
	Cheques	Electronic Transfer	Total Payment
July	\$592.30	\$1,064,546.86	\$1,065,139.16
August	\$818.20	\$557,587.21	\$558,405.41
September	\$2,731.65	\$1,427,307.11	\$1,430,038.76
October			
November			
December			

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

January			
February			
March			
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.

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

12.2 Financial Report – September 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 September 2020.

8595

Officers Recommendation/Council Decision:

Moved: Cr Scoffern

Seconded: Cr Harverson

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

CARRIED 8/0

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

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

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. Governance is \$21,845 over budget mainly due to sundry revenue being over budget (timing of invoice raised for the legal fees reimbursement for the Renergi lease agreement and insurance contribution by the Collie Eagles Football Club).
2. **Law, Order and Public Safety is \$12,973 under budget mainly due to dog registration fees being under budget.**
3. **Transport is \$24,099 over budget due to the Regional Road Group first claim being higher than expected.**

Operating Expenditure by Program

4. All the programs are under budget as admin allocation, plant allocation and depreciation have not been processed for July 2020, August 2020 and September 2020. These will remain outstanding until the 2019/20 Annual Report has been finalised.

Operating Income by Nature and Type

5. Contributions and reimbursements are \$17,339 over budget mainly due to sundry governance being over budget (refer item 1).

Operating Expenditure by Nature and Type

6. Employee cost is \$139,761 over budget as admin allocation is yet to be processed for July 2020, August 2020, and September 2020.
7. Labour Overheads is \$30,3491 under budget as plant allocation, depreciation and admin allocation have not been processed for July 2020, August 2020 and September 2020.
8. Materials and contracts is \$167,028 under budget as plant allocation is yet to be processed for July 2020, August 2020 and September 2020.
9. Plant Direct cost is \$43,062 under budget as plant allocation, depreciation and admin allocation have not been processed for July 2020, August 2020 and September 2020.
10. Depreciation is under budget as it is yet to be processed for July 2020, August 2020 and September 2020.

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

12.3 Write Off Rates Balance for A5194

Reporting Department:	Corporate Services
Reporting Officer:	Hasreen Mandry – Finance Manager
Accountable Manager:	Allison Fergie – Acting CEO
Legislation:	Local Government Act 1995 & Financial Management Regulations
File Number:	Finance
Appendices:	No
Voting Requirement	ABSOLUTE Majority

Report Purpose:

This report seeks the authority of the Council to write off outstanding rates and charges.

Officers Recommendation:

That Council resolves by ABSOLUTE MAJORITY to;

- a. Write off the rates on assessment 5194 for 2008/09, 2009/10, 2010/11, 2011/12, 2012/13, 2013/14, 2014/15, 2015/16, 2016/17, 2017/18, 2018/19, 2019/20 financial years - totalling \$8,458.49
- b. Write off the rural waste levy on assessment 5194 for 2008/09, 2009/10, 2010/11, 2011/12, 2012/13, 2013/14, 2014/15, 2015/16, 2016/17, 2017/18, 2018/19, 2019/20 financial years - totalling \$1,440
- c. Write off outstanding interest and legal charges on assessment 5194 – totalling \$11,336.76
- d. Seek write off approval from Department of Fire and Emergency Services (DFES) for Emergency Service Levy on assessment 5194 for 2008/09, 2009/10, 2010/11, 2011/12, 2012/13, 2013/14, 2014/15, 2015/16, 2016/17, 2017/18, 2018/19, 2019/20 financial years - totalling \$787.00
- e. Seek write off approval from Department of Fire and Emergency Services (DFES) for Emergency Service Levy Penalty Interest on assessment 5194 for 2008/09, 2009/10, 2010/11, 2011/12, 2012/13, 2013/14, 2014/15, 2015/16, 2016/17, 2017/18, 2018/19, 2019/20 financial years - totalling \$508.30
- f. Fund the charges if item d and item e is unsuccessful.
- g. Grant the current lessee (People & Parking Pty Ltd) on assessment 5194, 35 days from 30 October 2020 to pay off the 2020/21 rates (\$817) and Emergency Services Levy (\$84) without incurring interest.

Council altered the Officer's recommendation by removing point (f) above.

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

8596

Officers Recommendation/Council Decision:

Moved: Cr Miffing

Seconded: Cr Italiano

That Council resolves by ABSOLUTE MAJORITY to;

- a. Write off the rates on assessment 5194 for 2008/09, 2009/10, 2010/11, 2011/12, 2012/13, 2013/14, 2014/15, 2015/16, 2016/17, 2017/18, 2018/19, 2019/20 financial years - totalling \$8,458.49**
- b. Write off the rural waste levy on assessment 5194 for 2008/09, 2009/10, 2010/11, 2011/12, 2012/13, 2013/14, 2014/15, 2015/16, 2016/17, 2017/18, 2018/19, 2019/20 financial years - totalling \$1,440**
- c. Write off outstanding interest and legal charges on assessment 5194 – totalling \$11,336.76**
- d. Seek write off approval from Department of Fire and Emergency Services (DFES) for Emergency Service Levy on assessment 5194 for 2008/09, 2009/10, 2010/11, 2011/12, 2012/13, 2013/14, 2014/15, 2015/16, 2016/17, 2017/18, 2018/19, 2019/20 financial years - totalling \$787.00**
- e. Seek write off approval from Department of Fire and Emergency Services (DFES) for Emergency Service Levy Penalty Interest on assessment 5194 for 2008/09, 2009/10, 2010/11, 2011/12, 2012/13, 2013/14, 2014/15, 2015/16, 2016/17, 2017/18, 2018/19, 2019/20 financial years - totalling \$508.30**
- f. Grant the current lessee (People & Parking Pty Ltd) on assessment 5194, 35 days from 30 October 2020 to pay off the 2020/21 rates (\$817) and Emergency Services Levy (\$84) without incurring interest.**

CARRIED 8/0

Background:

Assessment 5194 relates to property JFL2159/97 Wellington Collie WA 6225 (Wellington Dam Kiosk). The property is owned by Department of Biodiversity, Conservation and Attractions (DBCA) and the kiosk leased to a third party.

The property is classified as crown land which under the Local Government Act is not rateable unless it has been leased for a commercial purpose. As it is a commercial lease an exemption to rating under s.6.26 (2)(a) does not apply.

Legal action commenced in 2017 against the registered occupier Martinac and continued until December 2019 when debt recovery agency determined that Martinac had not been the lessee since 2016. Council were never informed by DBCA of the change of lease agreement. There is no obvious recourse to collection of debt as they are not the owners of the land.

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
 Tuesday, 27 October 2020

The current lessee, People & Parking have been contacted and have been advised of their obligation to pay Shire rates and Emergency Services Levy as the lease agreement between them and DBCA state that they are responsible for any outgoings and not DBCA.

The current outstanding charges for the property is \$23,431.55 and the breakdown as per below.

Lessee	Rates	ESL	Rural Waste Levy
People & Parking lease term (20 Feb 2016 – 19 Feb 2026) Rates and charges to June 2019	\$3,909	\$396	\$539
No Commercial Lease (24 Dec 2011- 19 Feb 2016) Note: invoices were raised as no advice was received regarding the lease expiry.	\$2,640	\$249	\$429
Martinac (30 June 2006- 23 Dec 2011)	\$2,120	\$188	\$382
Gillespie (Prior to 29 June 2006)	\$606.49	\$38	\$90
	\$9,275.49	\$871	\$1,440

Total Legal Charges: \$4,995.75

Total Interest Charges: \$6,341.01

ESL Penalty Interest: \$508.30

Statutory and Policy Implications:

Section 6.12(1)(c) of the Local Government Act states:-

- (1) Subject to subsection (2) and any other written law, a local government may -
 (c) Write off any amount of money, which is owed to the local government.
 (An absolute majority is required)

Budget Implications:

A total of \$22,530.55 will be written off the rates general ledger account.

Communications Requirements: (Policy No. CS 1.7)

To contact People & Parking Pty Ltd regarding Council's decision.

Strategic Community Plan/Corporate Business Plan Implications:

KEY OBJECTIVE 5.0

Our Business

Good governance and an effective, efficient and sustainable organisation.

Outcome 5.3:

Financial sustainability and accountability, with emphases on the below strategy;

5.3.5, provide corporate financial services that support the Shires operations and meet planning, reporting and accountability requirements

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

Relevant Precedent:

Nil

Comment:

It is unreasonable to expect People and Parking Pty Ltd should be liable for debts incurred by previous lessees or debts issued in previous lessees' name.

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

13. DEVELOPMENT SERVICES REPORTS

13.1 Scheme Amendment No. 7 – Shotts Industrial Area – EPA Modifications

Reporting Department:	Development Services
Reporting Officer:	Katya Tripp – Shire Planner
Accountable Manager:	Andrew Dover – Director Development Services
Legislation	Planning and Development Act 2005 WA Local Government Act 1995 Planning & Development (Local Planning Schemes) Regulations 2015
File Number:	LUP/054
Appendices:	Yes – Appendix 3 – Modified scheme amendment
Voting Requirement	Simple Majority

Report Purpose:

For Council to endorse the changes, as requested by the EPA, to amendment No. 7 to Local Planning Scheme No. 5 so that the amendment can be publicly advertised.

8597

Officer’s Recommendation/Council Decision:

Moved: Cr Miffing

Seconded: Cr Smith

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

1. Endorse the following modifications to Scheme amendment no. 7:

a) The inclusion of conditions 1,2 & 3 from table 8, ASR 4 as found in the draft local planning scheme no. 6.

b) The modification of condition 3 ii to read as follows: The identification and management of environmentally sensitive locations, including possible contaminated sites, underground mine workings, wetlands, and significant flora, vegetation, fauna habitat and habitat corridors;

c) The modification of condition 3 to read as follows: All applications for development approval shall be referred to the Department of Water and Environmental Regulation for comment assessment unless:

2. Authorise that the modified amendment documentation (Appendix 3) be signed and sealed by the Shire President and the Chief Executive Officer;

3. Return the amendment to the Environmental Protection Authority for a formal decision on environmental review.

4. Following a formal decision by the EPA that an environmental review is not required, proceed to advertise the amendment in accordance with Regulation 47 of the Regulations; and

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

- 5. Advertise the Structure Plan in conjunction with the amendment referred to in resolution 1 and in accordance with Regulation 18 of the Regulations.**
CARRIED 8/0

Background:

In July Council resolved to:

8506 - Officer's Recommendation/Council Decision:

Moved: Cr Miffing

Seconded: Cr Woods

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

6. *Require the following modifications to amendment No. 7 (Appendix 4):*

- a) Modify the zoning table to include the new land uses being introduced and their permissibility for the zones in accordance with Appendix 5;*
- b) Update the definitions to define the land use definitions being introduced or modified in accordance with Appendix 5;*
- c) Amend Table 3 Local Planning Framework in proposed scheme amendment) to reflect the recently endorsed Local Planning Strategy and:*
- d) Ensure formatting is correct.*

7. *Subject to recommendation (1) above, in accordance with Section 75 of the Planning and Development Act 2005 ('Act'), resolves to ADOPT (initiate) amendment No.7 to the Shire of Collie Local Planning Scheme No. 5 ('Scheme') as shown in Appendix 4;*

8. *In accordance with Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 ('Regulations'), determines that the amendment referred to in resolution 1. above is a standard amendment for the following reasons:*

- a) It is consistent with the intent of the Local Planning Strategy;*
- b) It is considered to have minimal impact on land in the Scheme area that is not the subject of the amendment; and*
- c) It is not considered a complex or basic amendment;*

9. *Authorise that the amendment documentation, once modified, be signed and sealed by the Shire President and the Chief Executive Officer;*

10. *Refer the amendment to the Environmental Protection Authority for assessment in accordance with the requirements of section 81 of the Planning and Development Act 2005;*

11. *Subject to the EPA determining that an environmental review is not required, resolve, to proceed to advertise the amendment in accordance with Regulation 47 of the Regulations. In the event that the EPA determines that the Amendment requires formal environmental assessment, this assessment is to be prepared by the proponent prior to advertising of the Amendment;*

12. *Require the following modification to the proposed Structure Plan;*

- a) Amend Table 5 Local Planning Framework in proposed Structure Plan document to reflect the recently endorsed Local Planning Strategy; and*
- b) Ensure the proposed Structure Plan document aligns with the proposed Scheme amendment document;*

13. *Subject to recommendation (7) above, in accordance with Regulation 16(1) of the Planning and Development (Local Planning Schemes) Regulations 2015 determine that the proposed Structure Plan is suitable for advertising; and*

14. *Advertise the Structure Plan in conjunction with the amendment referred to in resolution 1 and in accordance with Regulation 18 of the Regulations.*

CARRIED 11/0

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

Officers then proceeded to implement this decision by referral of the Scheme amendment to the EPA.

The EPA has requested some minor modifications to the amendment before they make their formal decision on the need for environmental review or not.

The requested modifications are presented in the comment section below for Council endorsement.

Statutory and Policy Implications:

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 including the need to refer the amendment to the EPA prior to advertising.

Planning and Development (Local Planning Schemes) Regulations 2015

The Regulations identify three different levels of Scheme amendment – basic, standard and complex. Regulation 35(2) requires the resolution of the local government 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 consistent with the intent of the Local Planning Strategy;
- b. It is considered to have minimal impact on land in the Scheme area that is not the subject of the amendment; and
- c. It is not considered a complex or basic amendment.

Regulations 16(1) outlines the information required to be included and addressed in a Structure Plan. Officers consider that the material provided complies with this clause, yet request modifications to the proposed amendment.

The regulations also specify the manner and form in which the amendment and the Structure Plan must be advertised.

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)

The proposal will undergo 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.*

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL

Tuesday, 27 October 2020

Following a formal decision from the EPA, the amendment and the Structure Plan will be advertised concurrently in the local newspaper to seek comment for a minimum of 42 days. Letters will be sent to service authorities, relevant government agencies and adjacent land holders seeking comment with a minimum 42 day submission period.

Strategic Community Plan/Corporate Business Plan Implications:

Goal 4: Our Built Environment

Outcome 4.1 Appropriate Land Use, Development and Heritage Conservation;

Strategy 4.1.1: Support and promote the conservation and maintenance of heritage buildings, sites and places of interest.

Relevant Precedents:

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

Comment:

Following adoption of the Scheme amendment by Council, officers referred the documentation to the EPA for assessment.

The EPA has requested the Shire modify the scheme text proposed for Amendment 7 by modifying LPS 5 Schedule 4 Special Use Zone No. 11, Condition 2 Structure Plan and Condition 3 EPA Approval, and include the draft LPS 6 Table 8 ASR4 Requirements 1, 2 and 3.

These additional requirements are taken from draft Local Planning Scheme No. 6. and are presented below along with the EPAs additions to 2. ii and minor change to 3. They can also be seen on pages 3 & 4 of Appendix 3 as modified by the applicant's consultant.

1. Subdivision and development are to be in accordance with a Structure Plan approved by the Western Australian Planning Commission, in accordance with Part 4 of the Deemed Provisions.

2. A Structure Plan is to contain such details as, in the opinion of the local government and Western Australian Planning Commission, is required to satisfy the planning requirements for the proposed development, and shall include, but not be limited to, the following details:

- i. Identification and proposed management of any likely environmental impacts or emissions generated from the envisaged industrial development, including cumulative impacts, to ensure that these impacts are appropriately managed and contained within the Shotts Strategic Buffer (SCA);*
- ii. The **identification and** management of environmentally sensitive locations, including possible contaminated sites, underground mine workings, wetlands, **and significant flora**, vegetation, **fauna habitat** and habitat corridors;*
- iii. Establishment of appropriate separation between strategic and general industrial land uses, if applicable.*

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

- iv. The apportionment of land suitable for general and strategic land uses, and typical lot sizes;*
 - v. The indicative lot pattern and staging;*
 - vi. The provision of major infrastructure, including main drainage, power, sewerage, water supply and other key infrastructure services.*
 - vii. The proposed major road network and other transport and movement systems.*
 - viii. Bushfire management, including consideration of hazard separation, water supply, and emergency access.*
- 3. All applications for development approval shall be referred to the Department of Water and Environmental Regulation for **comment** ~~assessment~~ unless:*
- i. The Department of Water and Environmental Regulation has agreed that a specific class of industry will not have any additional environmental impacts in the area; or*
 - ii. The application is for minor or ancillary development with no significant environmental impacts.*

Officers seek endorsement of these modifications so that the modified documentation can be provided to the EPA for a formal decision on the scheme amendment. Once officers have this decision the scheme amendment, and accompanying structure plan, can be advertised to the public and the required referrals made.

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

13.2 Revised Building Capital Works Budget – New Reticulated Water Service at Collie River Valley Tourist Park

Reporting Department:	Development Services
Reporting Officer:	Scott Geere – Manager Building Services
Accountable Manager:	Andrew Dover – Director Development Services
Legislation	Local Government Act 1995
File Number:	
Appendices:	N/A
Voting Requirement	Simple Majority

Report Purpose:

To advise Council that the current budgeted amount of \$80,000 which has been allocated towards a new reticulated water service at Collie River Valley Tourist Park is insufficient, and to recommend a revised funding strategy for the project.

8598

Officer's Recommendation/Council Decision:

Moved: Cr Faries

Seconded: Cr Woods

That Council:

1. **Notes that the current budgeted amount of \$80,000.00 (excl. GST) for a new reticulated water service at Collie River Valley Tourist Park (account BAP031) is insufficient for the project; and**
2. **Adopts the following as a revised funding strategy for the new reticulated water service at Collie River Valley Tourist Park:**
 - a) **Revise the current allocation towards 'Fit-out of office space beneath Library (Old DDA Tenant Office), including new internal passage' (account BAP007) from \$45,000 to \$37,000;**
 - b) **Revise the current allocation towards 'Railway Institute – Demolition & Removal' (account BAP020) from \$35,000 to \$27,000; and**
 - c) **Re-allocate the monies deducted from BAP007 and BAP020 to the Collie River Valley Tourist Park project (BAP031) to give a total budget allocation to this project of \$96,000.00, with a total balance to account BAP031 of \$102,000.00.**

CARRIED 8/0

Background:

A budget amount of \$80,000 (excl. GST) was adopted by Council for a new water service at Collie River Valley Tourist Park for this financial year based on advice given by the Manager of Building Services.

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL

Tuesday, 27 October 2020

The figure of \$80,000 was derived based on a report obtained from McGarry Associates Quantity Surveying Consultants, who based their final QS estimate for the project of \$55,000 on the following:

- Full suite of 'Issued for Construction' documentation the Shire of Collie obtained for the project in the 19/20; and
- first principals estimate for each of the items documented and then benchmarked these items against the supply and lay rates from recent water corporation projects.

The Shire of Collie then added an additional margin to their \$55,000 quantity surveying estimate for contingency, to bring about the final figure of \$80,000.

A formal Request for Quote package for the new water service at Collie River Valley Tourist Park (RFQ 05/2020) was advertised in a number of publications, including the West Australian Newspaper, on the 26th August 2020 in accordance with the Shire's Purchasing Policy CS3.23.

Whilst nine (9) packages were requested and sent out, only one (1) contractor attended the mandatory site briefing and inspection. Subsequently theirs was the only submission received, with a fee of close to \$250,000.00

The Building Department has most recently directly approached four (4) Plumbing Contractors. Of these, only two (2) quotes have been received back, however the best quote, received on the 22/10/2020 still exceeds the \$80,000 budgeted at \$95,670 (excl. GST).

The Collie River Tourist Park currently has two (2) capital works projects budgeted for this year under its account BAP031, being:

1. New reticulated water service at \$80,000; and
2. Repair of cracking brickwork to changeroom building at \$6,000.

Statutory and Policy Implications:

N/A

Budget Implications:

- *Revise the current allocation towards 'Fit-out of office space beneath Library (Old DDA Tenant Office), including new internal passage' (account BAP007) from \$45,000 to \$37,000;*
- *Revise the current allocation towards 'Railway Institute – Demolition & Removal' (account BAP020) from \$35,000 to \$27,000; and*
- *Re-allocate the monies deducted from BAP007 and BAP020 to the Collie River Valley Tourist Park – New Water Supply project (BAP031) to give a total budget allocation to this project of \$96,000.00, with a total balance to account BAP031 of \$102,000.00.*

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

Communications Requirements: (Policy No. CS 1.7)
N/A

Strategic Community Plan/Corporate Business Plan Implications:
Strategy 4.5.1: Manage and maintain public buildings, facilities and public amenities.

Relevant Precedents:
N/A

Comment:

The reporting officer is seeking an additional \$16,000 for BAP031, and proposes the reallocation of an amount of \$8,000 from two other budgeted Capital Works projects, being:

1. BAP007 *'Fit-out of office space beneath Library (Old DDA Tenant Office), including new internal passage'*; and
2. BAP020 *'Railway Institute – Demolition & Removal'*.

The decrease of budget allowance from \$45,000 to \$37,000 for the *'Fit-out of office space beneath Library (Old DDA Tenant Office), including new internal passage'* is not seen to have an adverse impact on this prospective project.

This was a provisional amount only for a fit-out to accommodate Shire staff due to the current Shire Administration building being at capacity.

However, going into this financial year no scheme or strategy had yet been decided on for re-location of staff or revised layout to this premises, so it was seen that a provisional amount of \$45,000 was appropriate to be set aside as a contingency. The subsequent leasing of the premises to IPS has now effectively curtailed this project.

The decrease of budget allowance from \$35,000 to \$27,000 for the demolition and removal of the Railway Institute Building is not seen to have an adverse impact as an indicative quote has been received from a demolition contractor to be able to carry out the works for less than \$27,000.

A significant amount of time and money has been invested to date by Shire staff, consultants and contractors to get the new reticulated water service for the Collie River Valley Tourist Park off the ground and within a reasonable price margin and it is seen that this is a high priority project for the 2020/21 Financial Year given the poor state of existing onsite hydraulic infrastructure.

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

14. TECHNICAL SERVICES REPORTS

Nil

15. MOTIONS FOR WHICH PRIOR NOTICE HAS BEEN GIVEN

Nil

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

Nil

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

17.1 Better Bins Plus Program – Council acceptance of Agreement

Reporting Department:	Technical Services Department
Reporting Officer:	Brett Lowcock- Director of Technical Services
Accountable Manager:	Brett Lowcock- Director of Technical Services
Legislation	Local Government Act 1995 – Section 3.57 Local Government Function (Function & General) Regulations 1996
File Number:	
Appendices:	Yes – Letter from Waste Authority
Voting Requirement	Simple Majority

Report Purpose:

For Council to consider the offer from the Waste Authority to join the Better Bins Plus scheme.

8599

Officer's Recommendation/Council Decision:

Moved: Cr Faries

Seconded: Cr Italiano

That Council;

- 1. accept the offer from the Waste Authority to join the Better Bins Plus program with total funding of \$58,500 spread over 2020/21 and 2021/2.**
- 2. request staff to deliver the requirements of the Shire's submission which includes implementation of a waste app, conduct audit and bin tagging of up to 3,900 properties, administration of bin tagging data, purchase of bin stickers for audit purposes, provision of kitchen caddies for distribution at events & schools and the additional purchase of compostable bags to promote the increased use of the FOGO bin.**

CARRIED 8/0

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

Background:

The Better Bins Plus : Go FOGO Kerbside collection Program is a scheme funded from the Western Australian State Government; s Waste Avoidance and Resource Recovery Account, which under section 80(1)(a) of the Waste Avoidance and Resource Recovery Act 2007 (WA) may be used to fund programs relating to the management, reduction, reuse, recycling, monitoring or measurement of waste.

The Program has been developed by the Waste Authority to provide financial incentives for local governments to implement the Better Bins Plus: Go FOGO Kerbside Collection Guidelines.

Statutory and Policy Implications:

Nil

Budget Implications:

The funding available under the Agreements is additional revenue that can be applied against some of the existing waste education efforts of Council. Therefore, the Agreement represents a cost saving to Council.

Communications Requirements: (Policy No. CS 1.7)

There will be ongoing communication over the next 2 years using a variety of methods to support the aims of the Program.

Strategic Plan Implications:

The item has the following links with the Strategic Community Plan 2013-2022.

OUTCOME 3.3 – Effective waste diversion and recovery

Strategy 3.3.2: Promote recycling, reuse and minimisation of waste in the community.

Relevant Precedents:

Nil

Comment:

The Waste Authority to join the Better Bins Plus program is aimed at reducing waste to landfill and encouraging reuse and recycling in the community which aligns with Council's Strategic Plan for waste diversion and recovery.

The Better Bins Plus program includes two (2) conditions that Council will need to consider. These conditions are to

1. consider reducing our general waste bin to a smaller bin with a capacity not greater than 70lites per week (ie a maximum of 140litre bin for the Shire of Collie due to our fortnightly pickup), and
2. ensure all bins comply with the Better Practice: FOGO Kerbside Collection Guidelines, which for the Shire of Collie means replacing all general waste lids with reds lids.

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

With regards to the second condition, the Shire of Collie have already replaced almost half the lids around town with red lids and we have agreed to replace broken lids with red lids as they arise. In fact, replacing lids just for the sake of it would be counterproductive in reducing waste and the Waste Authority have agreed with our approach.

With regards to the first condition above, the emphasis is that Council must consider moving to smaller general waste bins at least twice before 30th June 2026. If Council decides not to move to smaller general waste bin, then a reason will need to be provided to the Waste Authority. Staff at the Waste Authority have indicated that additional funds may be available under the Agreement if Council decides to move to smaller general waste bins.

This item is presented as urgent business as the letter of offer states:

*It would be appreciated if the Shire of Collie formal decision on the funding agreement, and a copy of the signed agreement is provided to Ms Boyes by **Tuesday, 3 November 2020.***

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

18. ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS

Cr Faries

- 11 October – Attended the Collie Suicide Prevention network (CSP) BBQ that was held in Central Park.

Cr Smith

- 11 October – Attended the Collie Suicide Prevention network (CSP) BBQ that was held in Central Park.
- 26 October – Attended the Department of Mines presentation on the department's activities.

Cr Scoffern

- 26 October – Attended the Department of Mines presentation on the department's activities.

Mr Dover

- Advised that the Shire is a finalist in the Planning Institute Awards to be held in November for the Throssell Street Upgrade.

Cr Miffling

- 7 October - I provided input to the Council's 'Public Open Space Strategy' attending on behalf of the Collie Lawn Tennis Club.
- 19 October - I deputised for the Shire President at the Ronald McDonald 'Thank You' reception at the Dolphin Centre in Bunbury. I was accompanied to the event by the Acting CEO Mrs Fergie.
- 23 & 26 October - I participated along with the Shire President, Cr Harverson and Cr Italiano in interviews for the Chief Executive Officers position.

Cr Stanley

- 12 October - Attended a meeting of Bunbury Geographe Presidents and CEOs along with representatives from the South West Development Commission and the Department of Planning to discuss proposed City Plan developments as well as other regional issues.
- 21 October - Met with Andrew Frazer to discuss the state governments mural trail roll-out plans.
- 22 October - Capital Raising and Investment masterclass held as part of the six-month CONNECT incubator program. Representatives from Federal and State government funding bodies attended a lunch in the break to advise participants of funding opportunities and support available.

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

- 26 October - Senior executives from the Department of Mines, Industry Regulation and Safety provided a presentation on the department's activities and provided an opportunity to raise local issues.
- 27 October - Attended Collie Futures Economic Advisory Group meeting.

Upcoming events:

- 28 October - Business Connections workshop featuring Small Business Development Corporation local representative Julie Broad.
- 5 November - Just Transition Working Group meeting
- 20 November - CONNECT Collie Community Pitch Event
- 26 November - South West & Murrumbidgee Country Fleet Electric Vehicle Drive and Information Day being held at the Collie Motorplex

19. STATUS REPORT ON COUNCIL RESOLUTIONS

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

- 'Closed Since Last Meeting' at Appendix 4
- 'All Open' at Appendix 5

Mrs Green left chambers at 8.38pm.

20. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

8600

Moved: Cr Woods	Seconded: Cr Harveson
That Council moves Into Committee to deal with a commercial matter that is closed to the public.	
CARRIED 8/0	

20.1 Expression of Interest - Lots 2872 and 27 Throssell St Collie

8601

Officer's Recommendation/Council Decision:	
Moved: Cr Faries	Seconded: Cr Miffling
That Council:	
1. Obtain a current valuation for the Lots 2872 and 27 Throssell Street, Collie;	
2. Give in-principle approval for the expression of interest as presented at Confidential Appendix 1;	

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 27 October 2020

3. Request staff to continue to work with the proponent to develop a detailed proposal for Lots 2872 and 27 Throssell Street, Collie; and
4. Bring back a report to Council with the current valuation and a detailed proposal for the development of the Lots in order to make a decision on the disposition of the property.

CARRIED 7/1

Mrs Fergie provided an update on a commercial matter proposed for the CBD.

Mrs Mandry left the room at 9.03pm and returned at 9.04pm.

8602

Moved: Cr Italiano

Seconded: Cr Scoffern

That Council write to the Minister of Health to provide in principal support to the proposal as outlined.

CARRIED 8/0

Cr Miffing asked about non-payment of rates and this was taken on notice.

8603

Moved: Cr Faries

Seconded: Cr Scoffern

That Council moves Out of Committee.

CARRIED 8/0

21. CLOSE

The Shire President thanked Council and Staff for their attendance. The Presiding Member declared the meeting closed at 9.15pm.

I certify that these Minutes were confirmed at the Ordinary Meeting of Council held on Tuesday, 17 November 2020.

.....
Presiding Member

.....
Date