



Shire of
Collie

MINUTES

of the

ORDINARY MEETING OF COUNCIL

held on

Tuesday, 15 December 2020

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Tuesday, 15 December 2020

Minutes of the Ordinary Meeting of the Collie Shire Council held in Council Chambers, 87 Throssell Street Collie, on Tuesday, 15 December 2020 commencing at 7:00pm.

1. OPENING/ATTENDANCE/APOLOGIES & LEAVE OF ABSENCE

PRESENT:	Sarah Stanley	Councillor (Presiding Member)
	Ian Miffling OAM JP	Councillor (Deputy Member)
	Gary Faries	Councillor
	Joe Italiano	Councillor
	Rebecca Woods	Councillor
	Brent White	Councillor
	Leonie Scoffern	Councillor
	Brett Hansen	Councillor
	John Kearney	Councillor
	Brent White	Councillor
	Elysia Harverson	Councillor
	Allison Fergie	Acting CEO
	Brett Lowcock	Director Technical Services
	Andrew Dover	Director Development Services
	Katya Tripp	Project Officer (Left Chambers at 10.02pm)
	Isabel Fry	Shire Planner
	Hasreen Mandry	Finance Manager
	Belinda Dent	CEO PA

APOLOGIES: Cr Michelle Smith

GALLERY: Nola Green – Press (Left Chambers at 10.16pm)
Cliff Winfield & Vicky Winfield (Left Chambers at 8.02pm)
Rod Annear – DBCA (Left Chambers at 8.02pm)
Heath Souter – Snr Sgt Collie Police (Left Chambers at 7.10pm)
David Churches (Left Chambers at 8.26pm)
Sam Piantadosi (Left Chambers at 10.16pm)

- 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.

8619

Moved: Cr Faries

Seconded: Cr Kearney

That Council grant Cr Smith leave of absence from this Ordinary Meeting of Council.

CARRIED 10/0

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2. PUBLIC QUESTION TIME

Nil

3. RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Questions taken on notice from the previous meeting:

- Cr Faries asked for the Financial Reports for the Bush Fire Brigades as they were not attached with the respective AGM minutes.

Mr Dover took this on notice and will provide the reports to Councillors.

These reports were provided to Councillors via email.

- Cr Stanley asked about the building owner contributions for the Throssell Street Façade project and if the owners would be making payments up front and, if not, had this been budgeted for Council to pay up front and then be reimbursed over time?

Mr Dover took the question on notice regarding the agreements for payments from shop owners regarding the Throssell Street Façade project.

Response provided by Mr Dover:

There will be a number of owner contributions who will make payments up front. For the remainder, the CEO can enter into a payment arrangement as per resolution number 8491 for this cost to be repaid to the Shire. An invoice will be created for these payments which will then reflect as income in the budget. As a result, this will not have an impact upon the annual budget.

- Cr Faries asked for clarification on the location of the Eco Cabins to be developed at Minninup Pool?

Mr Lowcock took the question on notice to confirm the location of the Eco Cabins.

Response provided by Ms Katya Tripp:

The eco cabins were included as part of the demand and prefeasibility report for the development at the old hockey grounds. There were 50 camp sites and 20 self-contained two-bedroom eco cabins plus up to 8 motel style rooms used in the study.

The development considered suitable for the Kings Park area was not detailed financially in the prefeasibility report but the concept plan showed 6 off the grid boutique accommodation (solar cabins) that would attract a different clientele and a higher overnight tariff than the family style eco cabins proposed to be a part of the campground development.

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Expressions of interest are currently out for development of accommodation at both of these sites/areas with submissions closing 24 December.

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
Cr Kearney	Item 11.1 – Black Diamond Report Item 13.1 – Minninup Pool Day Use Item 13.3 – 87-89 Steere Street Industry Service PPE Item 15 – Notice of Motion – Collie Just Transition Plan	Impartial – Employed by Dept of Premier & Cabinet (Impartiality relates to all four items.)
Cr Harverson	Item 13.3 – 87-89 Steere Street Industry Service PPE	Financial & Proximity – Director of CRV Bulletin
Cr Italiano	Item 13.3 - 87-89 Steere Street Industry Service PPE	Financial – Director of CRV Bulletin

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

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

8620

Moved: Cr Hansen	Seconded: Cr Faries
That Council suspend Standing Orders.	
CARRIED 10/0	

- Snr Sgt Heath Soutar addressed Council thanking everyone for their support whilst here in Collie.

Cr Stanley thanked Snr Sgt Souter for his attendance and service to Collie.

Snr Sgt Souter left Council Chambers at 7.10pm.

- Rod Annear from DBCA provided a presentation/update to Council on Trails Way Finding and Lake Kepwari.

Cr Stanley thanked Rod Annear for his presentation.

- Vicki Winfield – provided a presentation/update on the Minninup Pool Day use Plan.

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Mr Dover left the room at 7.43pm and returned at 7.45pm.

Cr Stanley thanked Vicky Winfield for the presentation and update on the Minninup Pool Day Use.

8621

Moved: Cr Faries	Seconded: Cr Scoffern
That Council resume standing orders.	
CARRIED 10/0	

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

- There will be one Item of a Commercial nature to be discussed.

7. ITEMS BROUGHT FORWARD DUE TO INTEREST BY ATTENDING PERSONS

Item 13.1 brought forward.

Cr Kearney has declared an Impartial Interest at Item 13.1.

13.1 Minninup Pool – Final Day use Plans

Reporting Department:	Development Services
Reporting Officer:	Katya Tripp – Project Officer
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:	CMG/251
Appendices:	Yes – Appendix 2 (Final Masterplans), Appendix 3 (Draft Report Summary) and Appendix 4
Voting Requirement	Simple Majority

Report Purpose:

To seek Council approval of the final masterplan for the design of the day use areas at R34343 Minninup Pool, Collie.

8622

Officer's Recommendation/Council Decision:	
Moved: Cr Faries	Seconded: Cr Miffing
That Council hereby resolves to:	

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1. Endorse the Minninup Pool Day Use Area Masterplans, concepts and indicative costs;
2. Approve the advertising of the Minninup Pool Day Use Area Masterplans and photomontages;
3. Endorse the implementation of the day use area masterplans including the provision of services as a priority project for the Shire of Collie; and
4. Request Council staff to investigate funding based on the masterplans, indicative costing and draft executive summary report.

CARRIED 10/0

Background:

Reserve 34343 is vested in the Shire of Collie for the purpose of parklands and recreation with power to lease for any term not exceeding 21 years. The reserve consists of two land parcels totalling 198.54Ha in size with the main parcel being formally identified as Lot 5220 On Deposited Plan 240066.

In mid-2018 funding was received to “undertake planning and environmental assessments for a nature-based tourism facility, including low key overnight accommodation, at Minninup Pool, Collie” (Financial Assistance Agreement, Royalties for Regions).

In accordance with the funding agreement the Shire has undertaken the following:

1. Community engagement (including aboriginal)
2. Demand analysis
3. Concept master planning
4. Prefeasibility (including financial analysis)
5. Aboriginal heritage report
6. Headworks related infrastructure investigation
7. Geotechnical investigation
8. Flora and fauna survey

The Brighthouse Demand and Prefeasibility Report and the recommended next steps for the project was endorsed by Council on 10 December 2019. Part of that decision (8336) was that Council:

Supports the campground and day use areas of the project proceeding to detail design and development of indicative costings.

This current item addresses the above previous decision by presenting the final masterplan, concept designs and indicative costings for endorsement (Appendix 2 & 3).

A draft detailed report summary (Appendix 3) has been provided to inform Council on the process, outcomes and recommendations including details on design layout, infrastructure, planting, services, signage and interpretation.

The final report including a benefits analysis is expected to be delivered to Council for endorsement in the new year.

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Statutory and Policy Implications:

The foreshore of reserve 34343 is a registered Aboriginal site and any works will require a section 18 application and approval. The already completed Noongar visioning report and heritage report will be used for this application.

The proposed formalisation and upgrades to the day use areas is in line with the purpose and management order for the reserve being parklands and recreation.

Budget Implications:

The indicative costings for the upgrades to the foreshore are shown in the draft executive summary document (Appendix 3). As a total project this is \$5,998,300.00.

It is recommended that the masterplan, costings and associated details are used to seek funding.

If full funding cannot be obtained it is recommended that officers target funding for the headworks to provide services as this will also provide services to the proposed camp ground. The funding for roads, parking and paths is also recommended to be targeted as these are a large part of the total costs and it is most economical to complete these as a whole rather than in stages.

The expected funding required for all the services is \$2,018,000. Most of this is to get the services to the campground as only \$550,000 is the expected costs to extend it to the day use area.

The expected funding required for the roads, parking and paths including drainage and other associated works is \$1,115,000.

If you add on project management (10%), contractor overheads (10%) and contingency (20%) a total of \$4,386,200 is required for all services, roads, parking and paths.

Communications Requirements: (Policy No. CS 1.7)

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

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

Council supported the advertising of the draft day use designs at a presentation and workshop on 4 August.

The public advertising period officially ran from 13 August – 14 September 2020 and communications were made in the following ways:

- An advertisement in the SW Times
- Press release
- Letters mailed to those on the aboriginal mailing list
- Referrals to relevant government agencies
- Information posted on the Shire's facebook page, website and the YourSay

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Collie page

- Displays in the library, front office and recreation centre
- Emails to all community groups and other relevant stakeholders

Over 20 submissions were received as a result of the public advertising period. This feedback has been considered and additional consultation on the details of the plans, especially on ground, occurred with Shire officers and Aboriginal elder Joe Northover.

Strategic Community Plan/Corporate Business Plan Implications:

Goal 2: Our Economy

Outcome 2.3. A growing tourism industry.

Strategy 2.3.2 Support local and regional tourism destination management and marketing initiatives that provide local tourism growth.

Goal 3: Our natural environment

Outcome 3.1: A protected natural environment.

Strategy 3.1.1: Sustainably managed bushland.

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:

Nil

Comment:

The masterplans and associated costings and details will be used to provide detailed designs for road, hard and soft landscaping which is covered under the existing project contract.

Significant structures such as the toilets and shelters have requested to be a specific local design (not off the shelf designs) and therefore need further design development including architectural design and qualification by a structural engineer. Foreshore structures will also require structural engineering and the proposed irrigation areas need further detailed design development. Concepts for these are included in the current project contract however this additional work will need to be included into the funding proposal for construction.

The detailed designs for road, hard and soft landscaping, the concepts for other structures as discussed above and a final project report will be presented to Council for endorsement in the new year.

Once endorsed, the final masterplans will be advertised and distributed to community and stakeholders.

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The endorsement of the final masterplans, concepts, indicative costings and draft executive summary will allow officers to seek funding for the construction including the provision of headworks and connection to services.

With an upcoming State Government election, it is timely for the Shire to nominate priority projects and begin to seek funding for them. These documents plus Council's support for the project will help enable this.

It is recommended that the project be promoted, and funding sought as a whole, however, the project can be broken into stages. Total expected funding for the project is estimated at \$6 million however an extra \$1.5 million is required to get the services to the campground which must occur before they can be extended to the foreshore. This brings total project funding to \$7.5 million.

The draft executive summary suggests priority of order noting that the provision of headworks and the construction of roads and parking should be provided first followed by other works. Funding required to complete these things is expected to be \$3 million.

The report also lists some actions that can occur independent of connection to services, road and parking that will enable immediate benefits to the community.

It is hoped that the State or Federal Government could be approached to fund the services (approx. \$2 million) with the majority of the remainder sought from the whomever doesn't fund the services (State or Federal Government). Small funding amounts for aspects such as BBQs and interpretive signage could be sought in addition once the services and engineering infrastructure have been funded.

Officers seek endorsement of the Minninup Pool day use area masterplans, concepts and indicative costs for implementation as well as support for the upgrades to be recognised as a priority project that Shire officers are authorised to seek funding for.

Officers welcome other recommendations from Council that will enable progress on achieving services to the campground and foreshore areas as well as implementation of the foreshore day use upgrades as per the presented masterplans.

The final report including a benefits analysis which should assist with funding applications is expected to be delivered to Council for endorsement in the new year.

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Item 13.2 brought forward.

Mr Annear, Mr & Mrs Winfield left Chambers at 8.02pm.

Mrs Tripp left the room at 8.11pm and returned at 8.11pm.

13.2 Industry – General (Wood and Timber Product Processing, Manufacturing, Storage and Sales)

Reporting Department:	Development Services
Reporting Officer:	Isabel Fry – Town 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:	A5130
Appendices:	Yes- Appendix 5, 6 & 7
Voting Requirement	Simple Majority

Report Purpose:

To seek Council Approval for an Industry - General (wood and timber product processing, manufacturing, storage and sales). The proposal has been referred to Council for determination due to objections received during the advertising period.

8623

Officer's Recommendation/Council Decision:

Moved: Cr Italiano

Seconded: Cr Kearney

That Council pursuant to the provisions of the Planning and Development Act 2005, hereby resolves to refuse the development of/ use of land for an Industry-General at Lot 1, No. 650 Collie River Scenic Drive, Collie for the following reasons:

- 1. The use class 'Industry- General' is an 'X' use in the 'Rural 1' Zone and is therefore not permitted under Shire of Collie Local Planning Scheme No.5.**
- 2. The use class 'Industry General' is not considered to be compatible with the objectives of the 'Rural 1' Zone.**
- 3. It has been determined that there would be detrimental impacts on the amenity and rural character of the surrounding area.**
- 4. The local government must refuse to approve any 'X' use of land. Approval to an 'X' use of land may only proceed by way of an amendment to the Scheme.**

CARRIED 9/1

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Background:

An application for Development Approval has been received for an 'Industry- General' at Lot 1, No. 650 Collie River Scenic Drive, Collie (refer Appendix 5). The Applicant has indicated on the application that the use classification for the development is 'Woodyard'. The classification of the use as 'Woodyard' is not supported by Shire Officers due to the nature of the proposed operations on the site.

The subject site is a 3.5427ha property in the Rural 1 Zone (refer Appendix 6). There has previously been an approval for Industry-Light activities to be undertaken on the site. This approval and any non-conforming use rights associated with the property to be used for Industry-Light activity has since expired. At present, there is a Caretaker's Dwelling on the site, as well as a number of structures and improvements used for the purpose of storage and ongoing industrial uses.

The application seeks to gain approval for the sale and distribution of wood and timber products, as well as the required manufacturing, processing and treatment of wood products. The application also proposes a storage component for timber products pending processing and sale.

It is proposed that products manufactured and sold from the subject site will include trusses, beams, picture frames (made from reclaimed timber), tables, kit form cubby houses, recycled palett products, furniture and toys. Orders are proposed to be taken on a case-by-case basis so the available products may vary and extend beyond the provided list. If there is demand for recycled timber fibre, the applicant has also advised that any unused palett material can be ground down the make such product.

The timber brought on site for processing and sale will be predominantly recycled material which has been used previously. This timber will usually require some form of preparation or manufacturing to be made into the desired products. Paletts which arrive in poor condition may be dismantled and used to provide repairs for other paletts. Preparation of timber products will entail the use of machinery such as general woodworking/joinery shop equipment, air driven tools/ compressors, overhead crane, forklifts, mini excavator and delivery vehicles. A tub grinder may also be used if the demand for recycled timber fibre is present.

The proposal includes the use of the existing joinery/ workshop building on the property, as well as the construction of a 24m x 12m, 10m high steel shelter which will be open on one side. The proposed new structure will be used for the processing of timber.

Statutory and Policy Implications:

Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2 cl. 60 Requirements for Development Approval

Schedule 2 cl. 66 Matters to be Considered by Local Government

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes)

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Regulations 2015 or an other proposed planning instrument that the local government is seriously considering adopting or approving;

- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
- (n) the amenity of the locality including the following —
 - (i) environmental impacts of the development;
 - (ii) the character of the locality;
 - (iii) social impacts of the development;
- (p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- (q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;
- (s) the adequacy of —
 - (i) the proposed means of access to and egress from the site; and
 - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (w) the history of the site where the development is to be located;
- (y) any submissions received on the application;
- (za) the comments or submissions received from any authority consulted under clause 66;
- (zb) any other planning consideration the local government considers appropriate.

Local Planning Scheme No. 5

The subject lot is zoned Rural 1. The proposal has been assessed in accordance with the following clause(s) *of the Scheme*:

Part 4 Zones and the Use of Land:

4.2- Rural 1 Zone-

- To provide for the sustainable use of land for a range of rural pursuits which compatible with the capability of the land and retain the rural character and amenity of the locality.
- To provide that subdivision and development activities that generate/ propose alternative and incompatible land use should not be permitted.

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

4.3 Zoning Table

4.3.3- Note 4: The local government must refuse to approve any 'X' use of land. Approval to an 'X' use of land may only proceed by way of an amendment to the Scheme.

Table 1- Zoning Table

- Industry- General: (X) Not Permitted in the Rural 1 Zone.
- Woodyard: (A) Not Permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with Clause 9.4 (advertising).

Schedule 1- Interpretations

Industry: Means premises used for the manufacture, dismantling, processing, assembly, treating, testing, servicing, maintenance or repairing of goods, products, articles, materials or substances and includes premises on the same land used for:

- the storage of goods;
- the work of administration or accounting;
- the selling of goods by wholesale or retail; or
- the provision of amenities for employees, incidental to any of those industrial operations;

Industry- General: Means an industry other than a cottage, extractive, light, mining, rural or service industry.

Woodyard: Means a premises used for the sale or distribution of wood and timber products including fire wood.

Budget Implications:

Nil

Communications Requirements: (Policy No. CS 1.7)

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

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

The public advertising period ran from 21 July 2020 to 10 August 2020 (adjoining land owners) and 14 August 2020 to 15 October 2020 (DBCA) and communications were made in the following ways:

- Letters mailed to adjoining land-owners in the locality;
- Letters mailed to relevant government agencies.

A total of (three) (3) submissions were received as a result of the public advertising period, the submissions have been summarised in Appendix 7.

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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:

Nil

Comment:

The Applicant has applied the land use classification of 'Woodyard' to the proposal. Shire Officer's have determined that the proposed activities associated with the proposal are not accommodated for within the 'Woodyard' definition under Local Planning Scheme No. 5.

A Woodyard is defined as "a premises used for the sale or distribution of wood and timber products including firewood". This land use classification does not allow for the processing and treatment of timber products, which is a significant component of the proposal. The processing, treatment and manufacturing components of the business are best considered under the land use classification of Industry- General due to the impacts of the processes on the amenity of the area. As such, the proposal has been assessed as Industry- General, which is not a permitted use in the Rural 1 zone. Shire Officer's are unable to consider a not permitted (X) use under Local Planning Scheme No.5.

Submissions received during the advertising period for the proposal have raised concerns regarding noise, dust, loss of amenity, possible pollution and significant visual impacts should the proposal be approved. The Applicant has indicated that there will be no adverse impacts on the amenity of the area and no detail has been provided to advise how these issues would be appropriately managed. Shire Officer's have determined that the proposal is likely to have adverse impacts on the amenity of the area and shares the concerns of submitters regarding the emission of noise, dust, pollution and significant visual impacts upon the surrounding area.

The Application indicates that landscaping on the site will remain as existing on the site, as well as additional screening on the western boundary. Existing vegetation and landscaping are ineffective in adequately screening the site from the road and neighbouring properties, further contributing to the detrimental impacts on the amenity of the area. There has been very little detail provided for the proposed additional landscaping with the application.

As detailed in the proposal, there is a significant number of machines and woodworking tools which will be used throughout operations of the business. These machines and tools have the potential to produce noise which would not ordinarily be present within a rural zone. The frequency of which the tools and machines are likely to be used further contribute to noise impacts to the surrounding area. There has been no detail provided in the application to address the management of potential noise issues at the site.

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Consideration must be made for the intent of the Collie River Scenic Drive and the Bibbulmun Track as tourist routes within the Shire. Visual impacts from all developments within this area should be considered, with the objective of avoiding obvious alien visual impacts to users of the Bibbulmun Track and Collie river Scenic Drive as per the advice provided by Department of Biodiversity, Conservation and Attractions (DBCA).

The objectives of the Rural 1 zone is to provide for the sustainable use of land for a range of rural pursuits which are compatible with the capability of the land and retain the rural character and amenity of the locality. This proposal is not consistent with this objective as there is a likely impact to the rural character and amenity of the locality.

Regardless of previously approved Light Industrial uses on the site, this proposal seeks approval for a significant intensification of the use of the site, which has been subject to previous issues with compliance. Under the current Local Planning Scheme No. 5, the use is not able to be considered and a recommendation to approve the application is not considered appropriate.

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Item 13.3 brought forward.

Cr Italiano and Cr Harverson have declared a Financial & Proximity Interest in Item 13.3 and left the room at 8.26pm.

Mr Churches left the room at 8.26pm.

8624

Moved Cr Faries	Seconded: Cr White
That Council suspend standing orders.	
CARRIED 8/0	

Sam Piantadosi answered questions asked by Council.

Cr White left the room at 9.14pm and returned at 9.15pm.

Ms Tripp left the room at 9.25pm and returned at 9.27pm.

Ms Dent left the room at 9.34pm and returned at 9.35pm.

Cr Hansen left the room at 9.42pm and returned at 9.42pm.

8625

Moved Cr Faries	Seconded: Cr Woods
That Council resume standing orders.	
CARRIED 8/0	

13.3 87 – 89 Steere Street – Industry Service (PPE)

Reporting Department:	Development Services
Reporting Officer:	Isabel Fry – Town 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:	A4802
Appendices:	Yes – Appendix 8 & 9
Voting Requirement	Simple Majority

Report Purpose:

To seek Council Approval for Proposed 'Industry- Service' (Personal Protective Equipment (PPE) assembly facility and retail shopfront). This proposal is being referred to Council due to a high level of public interest.

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Officer's Recommendation:

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

1. Refuse the application for the development of/use of the land for a 'Industry-Service' (Personal Protective Equipment (PPE) Assembly Facility and Retail Shopfront) at 85-89 Steere Street, Collie as the use class 'Industry- Service' is an 'X' Use in the 'Town Centre' zone and is therefore not permitted under Shire of Collie Local Planning Scheme No.5. and note that Council does not have power to approve an 'X' use; and
2. Advise the proponent that Council is not in a position to identify if this proposal is necessary as a response to the COVID-19 Pandemic under Clause 78H Notice of Exemption and that the Department of Health is the appropriate agency to identify this need.

Council amended the motion.

8626

Council Decision:

Moved Cr Kearney

Seconded: Cr Faries

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

- 1. Defer consideration of the application for the development of/use of the land for a 'Industry- Service' (Personal Protective Equipment (PPE) Assembly Facility and Retail Shopfront) at 85-89 Steere Street, Collie.**
- 2. Authorise the Acting CEO to work with the proponent to apply to the relevant government agencies to operate within the premises under the Emergency Provision Clause 78H of the Deemed Provisions (COVID).**
- 3. Investigate long term solutions to allow the business to operate.**

CARRIED 8/0

Background:

An application for Development Approval has been received for a Proposed 'Industry-Service' (Personal Protective Equipment (PPE) assembly facility and retail shopfront, See Appendix 8) at 85-89 Steere Street, Collie (See Appendix 9). The property is zoned 'Town Centre' under the Shire of Collie Local Planning Scheme No.5.

The proposal includes a retail outlet and mask assembly facility within an existing 1415m² retail premises. Required works will include the fit out for the retail outlet and the assembly area, consisting of stud-walls and joinery, as well as power and compressed air lines for mask assembly machines. The proposal intends to utilise the existing centre and on-street parking bays for staff, with a total of 44 bays, plus two disabled bays.

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The Applicant is proposing to initially set up one machine to commission the facility, with the intention of producing 500,000 to 1 million masks per month. This stage is expected to generate approximately 20-30 jobs. As demand increases, the facility has the capacity to increase to up to 12 machines in total if required. At this level of operation, the facility expects to produce approximately 4 Million Level 2, 4 Million Level 3 and 4 Million N95/N99 Surgical masks per month from the proposed site. At full capacity it is estimated that the total workforce would be 150-200 people. The intention would then be to have finished goods and feedstock warehouses off-site with truck movements limited as appropriate or investigate other dedicated facility.

Hours of operation are expected to initially be around standard business hours, which would be increased with demand. At full capacity, the facility could operate on two eight hours shifts from 5:00am- 9:00pm. Deliveries are proposed to be limited to one per day, limited to standard business hours between 9:00am- 5:00pm, in line with the previous use of the site.

The Applicant has advised that it is not anticipated that any dangerous goods be stored on site. The materials used in production are a synthetic fabric. As part of the development of the facility, the Applicant has expressed there is investigation into more environmentally friendly materials for the masks.

Existing water and electricity supplies to the site are sufficient, with current electrical infrastructure being a key component in the selection of this site. It is expected that waste will be minimal and general commercial waste services will be sufficient.

The Applicant has advised that noise levels from the facility are expected to be low and will not impact the local amenity of the area. Machine specifications indicate a noise level of 60 decibels for each machine. At present, there are no windows on exterior walls of the building and the assembly facility will not be visible to the public.

The subject site has previously received Development Approval for the development of the Collie Park Shopping Centre in 2007. An amended proposal for the re-development of the Collie Park Shopping Centre received Development Approval in 2010. The 2010 Development Approval was then amended in 2011, through the removal of a condition. In 2018 a Development Application was issued with a refusal for the modification of the emergency exit. The site was previously utilised by Target which recently vacated the premises.

Statutory and Policy Implications:

Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2 cl. 60 Requirements for Development Approval

Schedule 2 cl. 66 Matters to be Considered by Local Government

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning

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- Schemes) Regulations 2015 or another proposed planning instrument that the local government is seriously considering adopting or approving;
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;
 - (s) the adequacy of —
 - (i) the proposed means of access to and egress from the site; and
 - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;
 - (zb) any other planning consideration the local government considers appropriate.

Local Planning Scheme No. 5

The subject lot is zoned Town Centre. The proposal has been assessed in accordance with the following clause(s) of the Scheme:

Part 4- Zones and Use of Land: Town Centre Zone

- *“To provide for retail shopping, office and commercial development, and social, recreational and community activities servicing the town as a whole”*

Table 1- Zoning Table: Town Centre Zone

- Industry- Service is not permitted (X) in the Town Centre Zone.

Note 4. at Clause 4.3.3 states that:

- The local government must refuse to approve any “X” use of land. Approval to an “X” use of land may only proceed by way of an amendment to the Scheme.

Schedule 1- Interpretations: Industry- Service

- *Industry- Service means:*
 - a) *an industry- light carried out from a premises that may have a retail shop front and from which goods are manufactured on the premises may be sold; or*
 - b) *premises having retail shop front and used as a depot for receiving goods to be serviced.*

Schedule 11- Site Development and Carparking Requirements

- Carparking requirements for Industry- Service: 1 space per 50m² GFA.

Planning and Development (Local Planning Schemes) Regulations 2015, Schedule 2, Clause 78H Notice of Exemption – COVID19 Exemptions

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SCHEDULES

Column 1 - Requirements	Column 2 - Schemes	Column 3 - Direct Conditions	Column 4 - Discretion To
Schedule 1 – Exemption from requirement to obtain approval			
1.1 Proponents are exempted from the requirement to obtain development approval for the use of, or undertaking of works on, land, where such use or works relate to medical or health related activities associated with a response to the COVID-19 Pandemic.	All local planning schemes.	1. Provided that a Public Authority or local government advises or identifies the medical or health related activities as necessary in response to the COVID-19 Pandemic. 2. An exemption under this clause will expire 90 days after the date upon which the State of Emergency Declaration ceases to have effect, or is revoked.	Proponents

Budget Implications:

Nil

Communications Requirements:

Nil

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.

Comment:

Shire officers are unable to support the proposal due to 'Industry- Service' being a Not Permitted (X) use under Shire of Collie District Planning Scheme No.5. To recommend approval for the application would be in contravention of the provisions of the Scheme. The purpose of the Town Centre zone is to provide for retail shopping, office and commercial development, and social recreational and community activities servicing the town as a whole.

This development is not of a scale or nature that can be considered to align with the objectives of the zone and is an inappropriate use in a predominantly retail centre. Recommending approval for this proposal would set an undesirable precedent for the Collie Town Centre in allowing for inappropriate industrial uses to operate within this zone, resulting in likely land use conflict into the future.

A resolution to refuse the application will provide certainty for the proponent to either pursue other sites or to appeal the decision to the State Administrative Tribunal, with the potential for the decision to be determined by the Minister for Planning under Section 247 of the Planning and Development Act 2005.

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With regard to the request for the COVID-19 exemption requested, the Public Authority or local government is to determine that a proposal is required for the response to the pandemic. The Department of Health is the relevant Public Authority to determine this matter in relation to the manufacture of face masks as a necessary response to COVID-19.

Shire officers are generally supportive of the proposal operating within the Shire and acknowledge the economic, trade, social and health benefits that the development would facilitate within the area. The locating of this facility on a suitably zoned and appropriate site for an Industry- Service use would be strongly supported.

Cr Italiano and Cr Harverson returned to the room at 9.53pm.

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10.3 Receipt of the Minutes of the Policy Review Committee

8630

Recommendation/Council Decision:

Moved: Cr Miffling

Seconded: Cr Woods

That Council receives the minutes of the Policy Review Committee held on 26 November 2020.

CARRIED 10/0

10.4 Adopt the Recommendations of the Minutes of the Policy Review Committee

8631

Recommendation/Council Decision:

Moved: Cr Italiano

Seconded: Cr Faries

That Council adopts en bloc the recommendations contained within the minutes of the Policy Review Committee held on 26 November 2020.

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

1. Prepare Local Planning Policies: LPP 2.9 - Shipping Containers for Storage and LPP 2.10 – Second-hand Dwellings and Buildings in accordance with Schedule 2, Part 2, Clause 4, Planning and Development (Local Planning Schemes) Regulations 2015;

2. Grant approval to advertise the new draft Local Planning Policies: LPP 2.9 - Shipping Containers for Storage and LPP 2.10 – Second-hand Dwellings and Buildings in accordance with Schedule 2, Part 2, Clause 4, Planning and Development (Local Planning Schemes) Regulations 2015;

3. Subject to no objections being received during the advertising process, proceed with the new Local Planning Policies: LPP 2.9 - Shipping Containers for Storage and LPP 2.10 – Second-hand Dwellings and Buildings without modification and proceed to publishing of the policies in the local newspaper;

4. Grant approval to advertise revised Local Planning Policies: LPP 2.1 - Outbuilding Control; and LPP 2.3 - Onsite Temporary Accommodation during Construction of a Dwelling in accordance with Schedule 2, Part 2, Clause 4 & 5, Planning and Development (Local Planning Schemes) Regulations 2015;

5. Subject to no objections being received during the advertising process, proceed with the revised Local Planning Policies: LPP 2.1 - Outbuilding Control; and LPP 2.3 - Onsite Temporary Accommodation during Construction of a Dwelling without modification and proceed to publishing of the policies in the local newspaper;

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6. On the achievement of 4 & 5 above, revokes Local Planning Policy 2.2 – Relocated Shire of Collie Minutes - Policy Review Committee 26 November 2020

Dwellings in accordance with Schedule 2, Part 2, Clause 6, Planning and Development (Local Planning Schemes) Regulations 2015; and

7. Give notice to the WAPC of the proposed new and amended policies.

10.4.2 That Council:

1. Adopt the updated and retitled Development Services Policy DS 1.3 ‘Community Leases’ with minor amendments, to replace current Policy DS 1.3 ‘Buildings on Council Land’;

2. Adopt the new Development Services Policy DS 1.4 ‘Access Standards for Buildings and Facilities’; and

3. Identify a review date for the above policies as November 2023.

CARRIED 10/0

Ms Tripp left Chambers at 10.02pm.

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

8632

Recommendation/Council Decision:

Moved: Cr White

Seconded: Cr Italiano

That Council receives the minutes of the Tourism and Marketing Advisory Committee held on 3 December 2020.

CARRIED 10/0

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

8633

Recommendation/Council Decision:

Moved: Cr Faries

Seconded: Cr Harverson

That Council adopts en bloc the recommendations contained within the minutes of the Tourism and Marketing Advisory Committee held on 3 December 2020.

10.6.1 That Council invite the Collie Visitor Centre and the Collie River Valley Marketing to nominate a representative to join the Tourism and Marketing Advisory Committee.

CARRIED 10/0

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10.7 Receipt of the Minutes of the Audit Committee

8634

Recommendation/Council Decision:

Moved: Cr Woods

Seconded: Cr Harverson

That Council receives the minutes of the Audit Committee held on 11 December 2020.

CARRIED 10/0

10.8 Adopt the Recommendations of the Minutes of the Audit Committee

8635

Recommendation/Council Decision:

Moved: Cr Hansen

Seconded: Cr Italiano

That Council adopts en bloc the recommendations contained within the minutes of the Audit Committee held on 11 December 2020.

10.8.1 That Council accepts the Management Report and Audit Recommendations from AMD Chartered Accountants for the year ended 30 June 2020 as presented in Appendix 1.

10.8.2 That Council accepts the Annual Financial Report for the year ended 30 June 2020 presented in Appendix 2.

10.8.3 That the Shire of Collie Annual Electors Meeting for 2019/20 be held on Tuesday, 19 January 2021 at the Council Chambers at 6.30pm.

CARRIED 10/0

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11. CEO REPORTS

Cr Kearney has declared an Impartial Interest in Item 11.1.

11.1 Black Diamond Lake Feasibility and Master Planning Report

Reporting Department:	CEO Office
Reporting Officer:	Allison Fergie – Acting CEO
Accountable Manager:	Allison Fergie – Acting CEO
Legislation	WA Local Government Act 1995
File Number:	N/A
Appendices:	No
Voting Requirement	Simple Majority

Report Purpose:

For Council to consider its position on the Black Diamond Lake Feasibility Study and Master Planning report.

8636

Officer's Recommendation/Council Decision:

Moved: Cr Scoffern

Seconded: Cr Italiano

That Council;

- 1. Identify the preferred option from the Black Diamond Lake Feasibility Study and Master Planning report as Option 1: Complete ownership and management by the Department of Biodiversity, Conservation and Attractions;**
- 2. Advocate for State development of Black Diamond Lake through an Expression of Interest process for a commercial operator to lease and develop a day use area and high-end camping/eco-accommodation options; and**
- 3. Request staff to investigate wayfinding options that would encourage visitors to Black Diamond to come into the town of Collie.**

CARRIED 10/0

Background:

The Black Diamond Lake Feasibility Study and Master Planning report was commissioned by the Collie River Valley Marketing Inc. group with grant funding and entailed a feasibility study and master planning in relation to the development and upgrade of the Black Diamond mine area, Allanson. Harley Dykstra completed the report in May 2020 and it was presented to Council for feedback and consideration at the meeting of Council held 15 September 2020, when Council resolved:

8565 – That Council

- 1. Receive the Black Diamond Feasibility Study and Master Planning Report;*
- 2. Acknowledge the efforts of Rosanne Pimm from CRV Marketing in overseeing the report.*
- 3. Undertake an internal workshop of Council to be facilitated by Council Staff to*

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further discuss summary of actions and priorities, land tenure and ownership, management and risk issues and develop a funding strategy for the project.

The Council workshop was held on 27 November at which Council explored issues relating to the report and its recommendations.

These issues included:

- roads, traffic and parking
- emergency access/exit routes
- water contamination and health issues
- land tenure
- cost of headworks
- safety risks

While there were a variety of views expressed at the workshop the preferred option identified was the preferred Option 1 from the report – ownership and management by the Department of Biodiversity, Conservation and Attractions (DBCA) made particularly on the basis that this agency is experienced in this type of facility management. However, preliminary discussions between the consultants and DBCA they have indicated that they may be unlikely to be in a position to take on the management due to resourcing issues, hence the advocacy for the State to undertake an Expression of Interest Process for a commercial operator to lease and develop the site with ownership by DBCA.

The development of Black Diamond Lake would achieve the desirable outcomes for the Shire of minimising risk and costs of asset maintenance and also provide economic benefit for the community.

Statutory and Policy Implications:

N/A

Budget Implications:

Nil

Communications Requirements: (Policy No. CS 1.7)

N/A

Strategic Community Plan/Corporate Business Plan Implications:

Goal 2 Our Economy: A strong diversified economic base driven by a range of business and employment opportunities

2.3 A growing tourism industry

2.3.2 Support local and regional tourism destination management and marketing initiatives that provide local tourism growth.

Relevant Precedents:

N/A

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Comment:

Despite limited facilities and amenities at present, Black Diamond is a significant destination for tourists. Its development would represent a significant tourist attraction for Collie and resolve some long-standing issues for the Shire and the community.

Collie River Valley Marketing have indicated that a workshop will be held in early 2021 with external stakeholders at which Council would have an opportunity to advocate for its preferred option.

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12. CORPORATE SERVICES REPORTS

12.1 Southern Aboriginal Corporation Rating Exemption

Reporting Department:	Corporate Services
Reporting Officer:	Hasreen Mandry– Finance Manager
Accountable Manager:	Allison Fergie – Acting Chief Executive Officer
Legislation:	Local Government Act 1995 & Financial Management Regulations
File Numbers:	A1761, A1877, A1181, A2769 & A1600
Appendices:	Yes – Appendix 1
Voting Requirement	Absolute Majority

Report Purpose:

For Council to consider a request from Southern Aboriginal Corporation for ongoing charitable status rating exemption from financial year 2020/21 for the following properties: A1761, A1877, A1181, A2769 and A1600.

8637

Officer's Recommendation/Council Decision:

Moved: Cr Faries

Seconded: Cr Harverson

That Council, by ABSOLUTE MAJORITY approve the request to grant ongoing charitable status rating exemption to the properties: A1761, A1877, A1181, A2769 and A1600 owned by Southern Aboriginal Corporation from financial year 2020/21.

CARRIED 10/0

Background:

On 22 October 2019, Council granted rating exemption for financial year 2019/20 to Southern Aboriginal Corporation for the above-mentioned properties.

On 6 November 2020, Council received an application for ongoing rates exemption from Southern Aboriginal Corporation requesting rating exemption. Southern Aboriginal Corporation is an incorporated not-for-profit community housing organisation with Charitable Organisation Status. Under section 6.26(2)(g) of the Local Government Act 1995, land that is used exclusively for charitable purposes and owned by a not for profit entity can be granted non-rateable (charitable) status.

Statutory and Policy Implications:

Under section 6.26(2)(g) of the *Local Government Act 1995* land that is used exclusively for charitable purposes and owned by a not for profit entity can be granted non-rateable (charitable) status.

If the land use is not charitable, the following sections of the *Local Government Act 1995* may apply:

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- Section 6.26(2) (k) states that the Local Government can apply to the Minister for the land to be exempt from rates;
- Section 6.47 Concessions states that the local government may waive or grant a concession to any rate or charge (absolute majority required).

Where an application is refused, the applicant may object under section 6.76 of the Local Government Act 1995 to the rate record, on the basis that the land or part of the land was not rateable land. The applicant has the right to appeal a decision made under Section 6.76 to the State Administrative Tribunal [SAT].

Budget Implications:

The applicant has requested an ongoing charitable status rating concession on rates for the period 1 July 2020 to 30 June 2021, broken down as follows:

Assessment	2020/21 Rates
A1761	\$1,206.06
A1877	\$1,082.99
A1181	\$1,132.22
A2769	\$984.54
A1600	\$1,156.83
	\$5,562.64

If rating exemptions were to apply, these properties would remain liable for ESL and service charges.

Communications Requirements: (Policy No. CS 1.7)

Letter sent to the Southern Aboriginal Corporation advising Council's decision

Strategic Community Plan/Corporate Business Plan Implications:

Goal 5: *Our Business - Good governance and an effective, efficient and sustainable organisation*

Outcome 5.3: Financial Sustainability and Accountability

Strategy 5.3.4: Ensure a rating system is in place which is transparent and promotes equity, timeliness, affordability and comparability.

Relevant Precedent:

At the meeting of Council held 22 October 2019, Council resolved:

Motion #8300

That Council, by ABSOLUTE MAJORITY approve the request to grant charitable status rating exemption to the properties A1761, A1877, A1181, A2769 and A1600 owned by Southern Aboriginal Corporation for the 2019/20 financial year.

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Comment:

Southern Aboriginal Corporation are registered with the Australian Charities and Not-for-profits Commission as a charitable organisation. All five properties are currently housing Aboriginal people who need affordable housing. The Local Government Act is currently under review and section 6.76 of the Act is one of the items recommended by WALGA to be amended.

This issue has been well tested in various courts and SAT jurisdictions and it is highly that, if challenged, either a court or SAT would overturn a Council decision to refuse granting charitable rating status based on precedent. For this reason, it is recommended that Council grant charitable rating status to the application and continue to lobby for the relevant section of the Local Government act to be changed.

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13. DEVELOPMENT SERVICES REPORTS

Item 13.1, Item 13.2 and Item 13.3 brought forward due to interest by attending persons.

13.4 Trail Town Accreditation Assessment

Reporting Department:	Development Services
Reporting Officer:	Andrew Dover – Director Development Services
Accountable Manager:	Andrew Dover – Director Development Services
Legislation	WA Local Government Act 1995
File Number:	Nil
Appendices:	Yes – Appendix 10
Voting Requirement	Simple Majority

Report Purpose:

For Council to consider providing funding for a Trail Town Accreditation Assessment.

8638

Officer's Recommendation/Council Decision:

Moved: Cr Faries

Seconded: Cr Scoffern

That Council allocate \$1,000 from the Economic Development budget for the Trail Town Accreditation Assessment and use of the Trail Town Logo and promotion on Trails WA website for 2 years.

CARRIED 10/0

Background:

The Shire of Collie has been supportive of the development of trails and Collie as a Trails Town through the organisation of the Trails Panel and the adoption of the Collie River Valley Trails Strategy 2018-2021 at the Council Meeting of 11 December 2018:

Motion # 8013

That Council adopts the Collie River Valley Trail Strategy 2018 – 2021 and sends it to the Minister for Environment and Disability Services and to the Minister for Seniors and Ageing; Volunteering; Sport and Recreation for endorsement.

This Strategy has the following recommendation:

Work with the Department of Local Government, Sport and Cultural Industries and Trails WA to ensure that Collie is accredited as the first Trail Town in Western Australia.

The Department of Local Government, Sport and Cultural Industries and Trails WA has been working to develop refined criteria and a process for the assessment and Accreditation of Trail Towns. This has now been launched at the Trails WA AGM 27 November 2020. The Shire has been working closely with this department and Trails WA to meet this objective of this Strategy.

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Statutory and Policy Implications:

Nil

Budget Implications:

- \$1000 to gain accreditation and be promoted as a Trail Town for first 2 years.
- \$700 to be renewed and continue to be promoted for each additional 2 years.

Communications Requirements:

Engage with the Department of Local Government, Sport and Cultural Industries, the Department of Biodiversity, Conservation and Attractions and Trails WA to complete an initial assessment to identify any gaps and ensure that Collie is accredited as the first Trail Town in Western Australia.

Strategic Community Plan/Corporate Business Plan Implications:

Medium Term Focus (4 years)

- *Provide new and upgraded infrastructure to support Collie as the region's Tracks and Trails hub*

Goal 1: Our Community

Outcome 1.4 A growing community

Strategy 1.4.1 Attract new residents through promoting and marketing the lifestyle, natural environment, facilities, services, and business opportunities in Collie

Comment:

Trails WA is a not-for-profit organisation which has been commissioned by the Department of Local Government, Sport and Cultural Industries as an independent organisation for the accreditation of Trail Towns and Trail Businesses. Trails WA provide other free of charge services such as the Trails WA website and mobile application containing information on official trails throughout the State.

This funding will allow the Shire to progress the Trail Town Accreditation assessment process.

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14. TECHNICAL SERVICES REPORTS

14.1 Roberts Rocks Weir - Refurbishment Works

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 – Appendix 11 & 12
Voting Requirement	Absolute Majority

Report Purpose:

To provide Council with an opportunity to carry out refurbishment works at Roberts Rocks to improve the structural integrity and also water retention performance of the river stop.

8639

Officer's Recommendation/Council Decision:

Moved: Cr Miffling

Seconded: Cr Kearney

That Council;

- 1. receive the design for the refurbishment of the water stop structure at the location commonly known as Roberts Rocks.**
- 2. request staff to apply for a Bed & Banks Permit from the Department of Water & Environmental Regulation (DWER) for the proposed works.**
- 3. reallocate an amount of \$45,000 from the Venn St Weir project in 2020/21 to the Roberts Rocks refurbishment works.**

CARRIED 10/0

Background:

The Roberts Rocks river stop was thought to have been built in the 1960s by the Public Works Department to create permanent water pools for several km upstream towards the Venn St river stop, including the Minnipool. There is some documentary evidence that the initial reason for the river stop was to create a permanent watercourse that could be used to establish a fishery to attract freshwater anglers to the Collie River. During the 1990s there were calls to remove the Roberts Rocks structure, but instead the care and maintenance was transferred to the Shire of Collie.

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The structure consists of a concrete weir wall with concrete uprights creating 19 openings with wooden boards to control the water level.

Statutory and Policy Implications:

Nil

Budget Implications:

The 2020/21 approved Council budget includes an amount of \$445,400 for the construction of the Venn St Weir. The anticipated expenditure on the Venn St Weir indicates that there will be \$45,000 available for the refurbishment of the Roberts Rocks river stop.

Communications Requirements: (Policy No. CS 1.7)

The community will be advised of the works via a media release to the CRV Bulletin and Radio station.

As there will a change in the purpose of borrowings, the Shire of Collie is required to advertise this change via a public notice for a period of one month as per the Local Government Act.

- evidence of **one month public notice** for the change of purpose of the original borrowing as per the LG Act s.6.20 (3)(b).

- (3) Where a local government has exercised a power to borrow and —
 - (a) it does not wish to proceed with the performance of the function or the exercise of the power for which the power to borrow was exercised; or
 - (b) after having completed the performance of the function or the exercise of the power for which the power to borrow was exercised, any part of the money borrowed, credit obtained or financial accommodation arranged has not been expended or utilized,

the local government may resolve* to expend the money or utilize the credit or financial accommodation for another purpose if one month's local public notice is given of the proposed change of purpose.

** Absolute majority required.*

Strategic Community Plan Implications:

The item has the following links with the Strategic Community Plan 2017-2027.

OUTCOME 2.3 A growing tourism industry

Strategy 2.3.2: support local and regional tourism destination management including marketing initiatives that provide local tourism growth.

OUTCOME 3.2 – Water resources sustainability

Strategy 3.2.2: Continue the revitalisation of the Collie River environment in the town.

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Relevant Precedents:

Nil

Comment:

The structure at the Roberts Rocks weir is in poor condition and leaks badly during the summer months, therefore it is not effective at retaining water to a consistent level upstream over the summer months. Staff have investigated various options of refurbishing the structure so that it is more effective at retaining water during summer, but still allows for the river level to be adjusted as required by the operation of stop boards. This can be achieved by placing concrete infill in 15 of a total 19 openings across the weir which will also provide overall strengthening of the weir. The remaining 4 openings will retain a stop boards mechanism that can be completely removed if required. The 4 remaining stop boards mechanisms are also spread across the river to allow even flow across the river as the river splits into 2 rivers for approximately 400m downstream of the Roberts Rocks Weir.

The proposed works will increase the summer water level by approximately 800mm from Roberts Rocks weir upstream. This will allow for better control of the water level at Minnip Pool and will assist in the planning of features that are currently being planned for the water edge, such as swim platforms, steps and walkway etc.

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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.

Cr Kearney has declared an Impartial Interest at Item 15.

Notice of Motion

8640

Council Decision:

Moved: Cr Stanley

Seconded: Cr Miffing

That Council:

- 1. Receives the state government's Collie's Just Transition Plan. (Appendix 13)**
- 2. Supports the collaborative approach to the economic transformation and diversification of Collie and supporting workers impacted by change.**
- 3. Endorses the Shire of Collie's inclusion in the Just Transition Plan. (Appendix 14)**
- 4. Authorises the CEO to allocate resources to support relevant actions as appropriate.**

CARRIED 10/0

Background

The purpose of a Just Transition is to create a strong and sustainable future for Collie as it shifts away from a dependence on coal and coal-fired energy production.

While the commitment to a Just Transition will need to be long term, the Just Transition Plan provides the next step of this commitment and allows a focus on actions that will help provide for a successful transition.

The Just Transition Plan focusses on a five-year period from 2021-2025, with the primary goal of supporting affected workers and communities in the transition from emissions-intensive industries in a coordinated way.

The Just Transition Working Group is comprised of state and local government representatives, unions, major employer's and community members.

It has four strategic focus areas with working groups to drive actions, including:

- Committing to a Just Transition
- Maximising opportunities for affected workers
- Diversifying the local economy
- Celebrating Collie's History and Promoting its Future

The Shire President has represented the Shire of Collie by invitation on the Collie Futures Economic Advisory Group and the Just Transition Working Group since their inception.

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

Nil

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

Nil

18. ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS

Councillors and the Acting CEO attended the Opening of Lake Kepwari with the exception of Cr Italiano and Cr Hansen.

Mr Dover

- The Shire of Collie received an Award for Excellence for 2020 from the Planning Institute of Australia WA for the work on 115-117 Throssell Street in the 'Hard Won Victory' category.

The Judge's citation states:

The Collie Federation Façade Restoration demonstrates tenacity and commitment to the protection of important heritage values and revitalisation of the town. By providing assistance with elements easily delivered by the Shire, they de-risked the process for landowners and optimised the use of scarce resources. This project has been a catalyst for increased investment in the program which will lead to the restoration and activation of more buildings along the main street, thereby enhancing the town's economic viability.

This follows similar awards from PIA for the Collie River Valley Trails Strategy in 2019 and for the Collie CBD Redevelopment in 2017.

Cr Stanley

- 20 November: CONNECT Collie Community Pitch Event was held at Harris River Estate, with short pitches from a range of local proponents were presented to a range of stakeholders and judged by a small judging panel.
- 26 November: Collie Mural Trail Artist Talk held during the Collie Mural Festival with four of the main mural artists discussing their work, influences and interpretations of their stories.
- 27 November: WALGA South West Zone meeting held in Busselton. Presentations were received and feedback invited on the Regional Biosecurity Groups process and the proposed Direct Area Migration Agreement
- 28 November: Welcome function for the incoming Chief Executive Officer, Stuart Devenish and his wife Sandy. We also took the opportunity to introduce Stuart and Sandy to several community members at the Collie Mural Trail Opening.
- 28 November: Official opening for the Collie Mural Trails at the Collie Art Gallery

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- 30 November: CONNECT Regional Showcase was held in Perth, with a number of proponents from the Collie-based Innovation Hub presenting to government and industry stakeholders.
- 3 December: Collie Chamber of Commerce & Industry Annual General Meeting and Sundowner.
- 4 December: Venn St river stop tour and inspection of progress
- 8 December: Industry Road Safety Alliance Christmas Road Safety Launch, held in Dardanup. Many Collie children were presented with prizes by local member Mick Murray in the children's artwork competition.
- 9 December: Official launch of the state government's Just Transition plan and the official opening of Lake Kepwari
- 10 December: Collie Futures Economic Advisory Group meeting
- 11 December: Collie River Valley Marketing final meeting of the year
- 13 December: Official launch of the Wambenger Trails branding for Collie's trails with a free community event held at Central Park.
- 14 December: Met with Kelly Rourke, head of external affairs for South32.

Upcoming events:

- 16 December: Trail & Tourism Readiness workshop at Collie Golf Club at 5.30pm.
- 16 December, 4.30pm-6pm, Community Q&A session with Minister Johnston

19. STATUS REPORT ON COUNCIL RESOLUTIONS

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

- 'Closed Since Last Meeting' at Appendix 15
- 'All Open' at Appendix 16

Mr Piantadosi & Mrs Green left Chamber at 10.16pm.

Mr Dover left the room at 10.16pm and returned at 10.17pm.

20. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

8641

Moved: Cr Harverson

Seconded: Cr Scoffern

That Council moves Into Committee to deal with a commercial matter.

CARRIED 10/0

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20.1 Commercial Matter

8642

Council Recommendation:

Moved: Cr Hansen

Seconded: Cr Faries

That Council;

- 1. receive the quote and appoint Harmonic IT to upgrade the Shire of Collie server software and hardware.**
- 2. raise a loan of up to \$70,000.00 to fund the server software and hardware upgrade.**

CARRIED 10/0

8643

Moved: Cr Scoffern

Seconded: Cr Harverson

That Council moves Out of Committee.

CARRIED 10/0

21. CLOSE

The Shire President thanked Council and Staff for their attendance. The Presiding Member declared the meeting closed at 10.28pm.

I certify that these Minutes were confirmed at the Ordinary Meeting of Council held on Tuesday, 19 January 2021.

.....
Presiding Member

.....
Date