



Shire of
Collie

MINUTES

of the

ORDINARY MEETING OF COUNCIL

held on

Tuesday, 9 March 2021

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Minutes of the Ordinary Meeting of the Collie Shire Council held in Council Chambers, 87 Throssell Street Collie, on Tuesday, 9 March 2021 commencing at 7:05pm.

1. OPENING/ATTENDANCE/APOLOGIES & LEAVE OF ABSENCE

PRESENT:	Sarah Stanley	Councillor (Presiding Member)
	Ian Miffing OAM JP	Councillor (Deputy Member)
	Gary Faries	Councillor
	Brett Hansen	Councillor
	Joe Italiano	Councillor
	Rebecca Woods	Councillor
	Leonie Scoffern	Councillor
	John Kearney	Councillor
	Brent White	Councillor
	Elysia Harverson	Councillor
	Michelle Smith	Councillor
	Stuart Devenish	Chief Executive Officer
	Allison Fergie	Director Corporate Services
	Brett Lowcock	Director Technical Services
	Katya Tripp	Shire Project Officer
	Hasreen Mandry	Finance Manager
	Belinda Dent	CEO PA

APOLOGIES:

GALLERY: Nola Green – Press (Left Chambers at 8.23pm)
Matt Smargiassi (Left Chambers at 7.14pm)
David Churches (Left Chambers at 7.14pm)
Tristan Gulvin (Left Chambers at 7.26pm)
Julian Martin (Left Chambers at 7.26pm)

- 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.

2. PUBLIC QUESTION TIME

Mr Churches asked if Council could give consideration to zoning Lot 51 Patstone Road Industrial whilst addressing the Local Planning Scheme No. 6.

Mr Devenish advised that the Shire and the WA Planning Commission has supported the introduction of industrial zone land at this location. This support is set out in the adopted Local Planning Scheme.

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The next step is to zone the land for industry under the Local Planning Scheme. The statutory process for this involves an environmental assessment. This must be undertaken before the industry zone is applied. As this work has not been undertaken, the property should not be shown as industry zone in the proposed scheme.

It is noted that grant funding has been made available to assist the owners in undertaking the work necessary to allow industrial zoning. The owners are encouraged to proceed with this work.

3. RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. DISCLOSURE OF FINANCIAL INTEREST

The 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	Items 11.2 – Proposed Project Coordination Group – Renergi Project	Impartial
	Item 13.2 -Draft Bunbury Geographe Sub Regional Strategy	Impartial
	Item 13.3 – Draft Local Planning Scheme No. 6	Impartial
	Item 14.1 – Collie Wayfinding Signage Strategy	Impartial
	Item 20.1 – Minninup Pool Tourism Accomodation	Impartial
Cr Smith	Item 13.3 Draft Local Planning Scheme No. 6	Financial
	Item 14.1 – Collie Wayfinding Signage Strategy	Proximity

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

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

- There will be two Items of a Commercial nature to be discussed.

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7. ITEMS BROUGHT FORWARD DUE TO INTEREST BY ATTENDING PERSONS

Item 13.3 brought forward due to interest by attending persons.

Cr Kearney declared an Impartial interest and Cr Smith declared a Financial interest in Item 13.3.

Cr Smith left the room at 7.14pm.

Mr Smargiassi and Mr Churches left Chambers at 7.14pm.

13.3 Draft Local Planning Scheme No.6

Reporting Department:	Development Services
Reporting Officer:	Katya Tripp – Project Officer
Accountable Manager:	Stuart Devenish – Chief Executive Officer
Legislation	<i>Planning and Development Act 2005</i> <i>Local Government Act 1995</i> <i>Planning & Development (Local Planning Schemes) Regulations 2015</i>
File Number:	LUP/033
Appendices:	Appendix 13 - Schedule of submissions
Voting Requirement	Simple Majority

Report Purpose:

For Council to consider submissions received on draft Local Planning Scheme No. 6 (LPS) and to seek Council's support for the recommended modifications to the draft LPS for presentation to the Western Australian Planning Commission and subsequent approval by the Minister for Planning.

8677

Officer's Recommendation/Council Decision:

Moved: Cr Faries

Seconded: Cr Woods

That Council, pursuant to Regulation 25(3) of the Planning and Development (Local Planning Schemes) Regulations, resolve to:

- 1. Support Draft Local Planning Scheme No. 6 with proposed modifications to address issues raised in the submissions, as set out in Appendice 13 – Draft Local Planning Scheme No. 5 Schedule of Submissions;**
- 2. Note that the recommended modifications to draft LPS 6 address issues raised in submissions and the modifications are not considered to be significant;**
- 3. Delegate authority to the CEO to undertake the modifications to Draft Local Planning Scheme No. 6 in accordance with the Schedule of Submission (Appendice 13).**
- 4. Pursuant to Regulation 28(1) of the Planning and Development (Local**

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Planning Schemes) Regulations 2015, forward the advertised Local Planning Scheme No. 6 to the Western Australian Planning Commission together with the schedule of submissions, the proposed modifications, and other information required by the Regulations.

CARRIED 11/0

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Background:

On 1 October 2019 Council resolved to proceed to advertise the draft Local Planning Scheme No. 6 (LPS) subject to environmental review not being required. Environmental review was not required by the EPA. Following minor modifications by the Western Australian Planning Commission (the Commission), consent to advertise was granted in August 2020 and public consultation ran from September to December 2020. Draft LPS 6 is now presented to Council for final consideration.

Following consideration of the issues raised in submissions, Council is required to decide whether to support Draft LPS 6, not support Draft LPS 6, or support Draft LPS 6 with modifications to address issues raised in submissions.

A total of 24 external submissions were received during the advertising period. Officers have considered all submissions and recommends modifications based on these. Officers have also reviewed the draft scheme again and recommend a number of modifications. A summary of these submissions and recommendations for modification to the Scheme can be found in the comments section of this report below.

If Council supports the Draft Local Planning Scheme No. 6 with proposed modifications it will be forwarded to the Commission for consideration in line with *Regulation 29* of the *Planning and Development (Local Planning Schemes) Regulations 2015 (The Regulations)*. The Commission has 120 days to consider the documents and make a recommendation to the Minister for Planning for approval.

Statutory and Policy Implications:

Local Planning Strategy 2015

The Local Planning Strategy was supported by Council for endorsement by the Commission in May 2019 and endorsed by the Commission in April 2020. The Local Planning Strategy sets out the longer term strategic planning framework and it guides the provisions in the scheme text along with the zones and residential densities on the scheme map.

Planning and Development (Local Planning Schemes) Regulations 2015

The Regulations set out legislative requirements for the preparation, consultation and adoption of a Local Planning Scheme. Council has proceeded through the various regulatory steps to the point where it is now considering submissions and under *Regulation 25* and must pass a resolution to -

- (a) To support the draft scheme without modification: or
- (b) To support the draft scheme with proposed modifications to address issues raised in the submissions; or
- (c) Not to support the draft scheme.

Following a Council resolution, the local government must provide the Scheme documents as well as other documents as set out under *Regulation 25* to the Commission.

These documents must be provided to the Commission with 21 days of passing the resolution under *Regulation 25 (3)* unless the local government believes the proposed modifications are significant and decides to advertise a proposed modification to the draft local planning scheme (*Regulation 26 (1)*).

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Under *Regulation 29*, the Commission then has 120 days (or a longer period approved by the Minister) after receiving the documents to consider them and make recommendations to the Minister.

Planning and Development Act 2005 (The Act)

The Minister is the final decision maker, and under *Section 87 of The Act*, may:

- a) approve the local planning scheme; or
- b) require the local government to modify the local planning scheme in such manner as the Minister specifies before the local planning scheme is resubmitted for the Minister's approval; or
- c) refuse to approve the local planning scheme.

Local Planning Policies (LPPs)

Local Planning Scheme No. 6 will result in additional local planning policies required to be created or for existing local planning policies to be reviewed.

Three policies have recently been amended or prepared and are have completed the advertising process in accordance with *Regulation 4 of the Deemed Provisions for Local Planning Schemes*.

Further review of LPPs is proposed to be commenced once the Scheme has been referred to the Commission.

Budget Implications:

Nil

Communications Requirements: (Policy No. CS 1.7)

The proposal has undergone public advertising in accordance with *Regulation 22 of the Planning and Development (Local Planning Schemes) Regulations 2015*.

The public advertising period ran from 17 September to 18 December 2020 and communications were made in the following ways:

- An advertisement in the SW Times Thursday 17 September 2020;
- An advertisement in the Collie River Valley Bulletin on Thursday 5 November 2020;
- Articles in the Collie River Valley Bulletin covering different changes proposed in the draft Scheme;
- Letters mailed to effected land owners;
- Letters mailed to relevant government agencies; and
- Advertised on Shire's Website, Your Say Page and FB page

A total of 24 submissions were received as a result of the public advertising period. Officers have also made internal recommendations. These are summarised in the comment section below.

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Strategic Community Plan/Corporate Business Plan Implications:

The Local Planning Scheme reflects and potentially impacts all aspects of the Strategic Community Plan 2017-2027.

Relevant Precedents:

Local Planning Scheme No. 5 was gazetted 2 October 2009.

Comment:

All submissions received have been reviewed and recommendations to support or not support including officer comments are provided in the schedule of submissions (Appendix 1).

The Scheme has also been reviewed again internally with officer recommendations to the draft also presented in the schedule of submissions (Appendix 1).

In summary of the 25 submissions (including internal recommendations):

Government Departments

Eleven submissions were received by Government departments or agencies. These submissions all support the draft Scheme in general with some minor modifications to the text requested. The majority of these submissions are supported except for two out of the eleven text changes requested by the Department of Water and Environmental Regulation.

Of note is the request from the National Trust to change the roundhouse reserve from heritage to a special purpose reserve – heritage and tourism and to expand this purpose to adjoining Shire and Public Transport Authority (PTA) reserves. The change of reserve supported as will allow the expected commercial enterprise uses such as café/small bar/accommodation etc to be accommodated within the reserve. The change to include the adjoining Shire and PTA reserve land is not supported. PTA have emailed advising they need this land to remain as railway purposes and that use of this reserve for the purpose of access and parking can still be negotiated and will not be prohibited under the current reserve purposes. Similarly, it is not recommended that the uses be extended to the Shire reserve at this point.

Community

Eleven submissions were received from the community. All of these submissions target specific aspects of the Scheme that personally impact the individual. Of these submissions:

1. Two were to say they supported a rezoning of their property and are noted;
2. One was a query which has been responded to and no further action is required;
3. Two landowners object to a rezoning of their property from R25 to R30 due to a fear of increased densities attracting more noise and unruly behaviour. These 2 submissions are noted however officers recommend that the coding still occur. These parcels of land were chosen to receive an increase in density to allow for more medium density housing, namely units, close to the town centre to cater that enable a recognised aging population to downsize yet remain living independently. Subdivision is required for the density increase to take effect on the ground and land owners are not required to

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subdivide.

4. Two community submissions object to the use of special control areas and had concerns over industry:
 - a) A meeting was held with Leanne Brockwell to discuss her concerns including the need for the special control area around the coal basin. Special Control Area 5 triggers a referral to the Department of Mines for their comment on planning applications and place a notice on title informing owners of the past and potential future mining activities in this area. This is to protect existing landowners so that they do not build over underground mines which has the risk of subsidence and to inform future landowners. that land may be mined in the future. This Special Control Area is a requirement of the State and replaces the existing more restrictive Rural 2 zone – the new Scheme allows more uses and development to take place in this area than the previous zone. Some of Leanne’s concern raised issues that are not relevant to the Scheme such as the uncovered coal trains and mine rehabilitation yet should be noted by Council as this may be of concern to a larger component of the community. Council may wish to consider writing to the Department of Water and Environmental Regulation on these particular issues.
 - b) Gretta raised a concern over noise, dust and light pollution from Muja power station which relates to the new special control area being introduced. This special control area was introduced to prevent further encroachment of sensitive land uses towards the power station. We cannot address the existing proximity of residents to the power station. Gretta also raised concerns not relevant to this scheme such as the location of McDonalds and clearing of the foreshore for bike trails.
5. One submission was made by a landowner on Prinsep Street to have his property increased in zoning to R40 in line with the church and camping shops located nearby. This request is not supported as the R40 coding only applies to residential components of mixed business developments. The property owners land is proposed to be rezoned from R25 to R30 to allow a triplex to be developed due to its close location to town and in line with other surrounding residential properties. Officers do not support this land being rezoned to higher residential densities or to mixed business.
6. Michelle Smith made a submission to have her property on 157-159 (Lots 56 & 57) Throssell street coded from R25 to R40 however was wanting to be able to potentially use the land for commercial purposes such as a café. I contacted Michelle and it was agreed that the submission should have made a request for the land to be rezoned to Mixed Use to allow opportunity for commercial enterprises such as a café to operate from the old bakery (lot 57) including the use of the historic ovens. Officers do not recommend that this land be rezoned to mixed business as would be a spot rezoning, for a use yet to be defined and could potentially detract from business in the town centre which has vacant shops. It is recommended that if a commercial enterprise wants to be operated from Lot 57 it could be considered as an additional use (to this lot only) if and when the use was defined.
7. On behalf of the owners, a submission was received from Planning Solutions for Lot 51 Patstone Road, Collie. The submission was a request to change the zoning of this property from rural to industrial development. The request is not supported as the land cannot be rezoned to industrial development until the necessary investigations have been undertaken to demonstrate this land is suitable for industrial purposes. The strategy

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identifies this land as potentially future industry subject to an accompanying structure plan and associated investigations. Planning Solutions have previously been advised that we cannot support a rezoning until the necessary investigations have been undertaken.

8. OP Properties made a submission to the draft scheme on behalf of Riverview Residence located at 2031 Pendleton St, Collie. The submission opposes the proposed change of zoning to R30 due to concerns the residential coding will provide less flexibility for the provision of aged care facility and/or a retirement village and/or related community uses. Riverview request that the zoning of the land remain Special Use - aged care facility and/or retirement village and associated /community uses. This submission is supported as a special use zone will allow this land to most appropriately cater to an aging population dependent upon the feasibility and master planning review currently being undertaken.

Industry

Two submissions were made by industry – Tecon Australia and BigStart Pty Ltd. The submission made by Big Start is supported. The submission by BigStart to have the unit 3 at 85-89 Steere Street Collie (former Target site) allocated an additional use – trade supplies is supported with an officer’s recommendation to restrict the additional use to the manufacture, assembly and sale of textiles, specifically PPE for the medical industry. Conditions restriction the use to this is recommended to prevent other trade supplies such as automotive, building and general industries establishing on this site in the future.

Internal

The recommendations made to the scheme from the officer’s review are also included in the schedule of submissions. Fourteen of these recommended changes are minor changes. The more significant recommended changes are extrapolated below.

There are two recommended changes to the zoning table. These are:

- Industry - cottage to be an A use in commercial zone. Currently listed as an X use in this zone, industry cottage such as arts and crafts is generally not seen to adversely affect the amenity of the commercial zone. Allowing this use in these zones would allow proponents to make and sell goods from the same premises/location. If a cottage industry proposal can be shown to not detrimentally affect the amenity of the area it should be able to be considered in these zones.
- Industry – light to be an A use in the mixed use zone. The objectives of the mixed use zone specifies “appropriate industrial activities which do not generate nuisances detrimental to the amenity of the district or to the health, welfare and safety of its residents”. If light industry proposals can be shown to address this objective they should be able to be considered in the mixed use zone.

The other notable recommended changes to the draft Scheme are:

1. A provision for design review panels has been added in. This provision was provided by the Office of Government Architect and is being included in response to the process underway to establish a south west design review panel that the Shire can draw on for significant development proposals if and when they occur. Inserting this clause does not commit the Council to this process yet if we do become a member of this panel or establish one of our own it saves us from amending the Scheme.

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2. The wording for general development provision 33.2 is recommended to be amended to:

When considering a development application for the development and use of land for tourism related uses including - Tourist Development, Reception Centre, Winery, Brewery, Camping Ground, Restaurant/café, Shop, and Holiday Accommodation the Local Government may require, that a Local Development Plan be prepared in accordance with Part 4 cl. 48 of the Deemed Provisions.

This is in response to rural properties seeking to diversify yet doing so in an ad hoc manner. It allows the local government to request a local development plan (masterplan) at its discretion.

3. Clause 33.5 (b) – recommend this clause does not apply to mixed use developments as do not want to prevent grouped or multiple dwellings in this zone. The commercial zone will still be required to mix residential land uses in with commercial uses.
4. Add in the Collie A/Synergy land (lot 3001 Boys Home Road, Collie) into table 8 as this is being used for industry other than power and is also shown as industrial development and strategic industry in the draft scheme therefore it should have requirements similar to Coolengatta.
5. It is recommended that an additional clause be added to Schedule A Supplemental Provisions - Development for which Development Approval Not Required to enable uses such as dance or yoga classes to occur on local sporting reserves or halls without the requirement for a development application. The use would need to meet the reserve objectives plus the existing and predominant use of the reserve in order to not require approval.
6. Amendments to the Planning and Development (Local Planning Schemes) Regulations 2015 came into effect on 15 February 2021. These amendments have altered clause 61. of the Deemed provisions – development for which development approval not required. As a result some of the uses and works we had made exempt from requiring development approval in Schedule A – Supplemental provisions are now covered under this amended clause and therefore need to be edited out of our Scheme. Some definitions have also been modified and need to be updated in the new scheme.

Officers now request Council to consider the schedule of submissions presented to them and support the Draft Local Planning Scheme No. 6 with proposed modifications to address issues raised in the submissions and the officer's review. Officers also request delegation to the CEO to approve minor edits to the text and scheme maps.

Officers do not consider the proposed modifications to be so significant as to require re-advertising under *Regulation 26* and the Local Planning Scheme No. 6 be forwarded to the Western Australian Planning Commission for final approval

Cr Smith returned to the room at 7.19pm.

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10.3 Receipt of the Minutes of the Local Emergency Management Advisory Committee

8682

Recommendation/Council Decision:

Moved: Cr Woods **Seconded: Cr Harverson**

That Council receives the minutes of the Local Emergency Management Advisory Committee held on 24 February 2021.

CARRIED 11/0

10.4 Receipt of the Minutes and Recommendations of the Community Safety and Wellbeing Committee

8683

Recommendation/Council Decision:

Moved: CrFaries **Seconded: Cr Smith**

10.4.1 That Council receives the minutes of the Community Safety and Wellbeing Committee held on 25 February 2021.

10.4.2 That Council support the establishment of a partnership between the Shire of Collie and Act, Belong, Commit.

CARRIED 11/0

10.5 Receipt of the Minutes and Recommendations of the Audit Committee

8684

Recommendation/Council Decision:

Moved: Cr Miffling **Seconded: Cr Italiano**

10.5.1 That Council receives the minutes of the Audit Committee held on 26 February 2021.

10.5.2 That Council receives the 2020 Annual Compliance Audit Return as presented in Appendix 1 and authorize the return to be lodged to the Department of Local Government Sport and Cultural Industries.

CARRIED 11/0

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11. CEO REPORTS

11.1 Adoption of Code of Conduct – Councillors, Committee Members and Candidates

Reporting Department:	Chief Executive Office
Reporting Officer:	Stuart Devenish – Chief Executive Officer
Accountable Manager:	Stuart Devenish – Chief Executive Officer
Legislation	<i>Local Government Act 1995</i>
File Number:	GOV/031
Appendices:	Appendix 1 Shire of Collie Code of Conduct for Council Members, Committee Members and Candidates Appendix 2 Shire of Collie Code of Conduct Complaint Form
Voting Requirement	Simple Majority – Recommendation Parts 2, 3, and 5 Absolute Majority – Recommendation Parts 1 and 4

Report Purpose: To adopt a Code of Conduct as required by the *Local Government Act 1995*. The Code is applicable to Council Members, Committee Members and Candidates.

8685

Officer's Recommendation/Council Decision:

Moved: Cr Scoffern

Seconded: Cr Kearney

That Council resolve to:

- 1. Adopt the Model Code of Conduct as contained within the *Local Government (Model Code of Conduct) Regulations 2021* as the City model, applicable to Council Members, Committee Members and Candidates as included at Appendix 1;**
- 2. Request the CEO to publish the adopted Code of Conduct on the Shire of Collie website in accordance with section 5.104(7) of the *Local Government Act 1995*;**
- 3. Authorise the Chief Executive Officer for the purposes of receiving complaints and withdrawal of complaints in accordance with Clause 11(3) of the *Local Government (Model Code of Conduct) Regulations 2021*;**
- 4. Delegate to the Chief Executive Officer the power to appoint one or more persons to receive complaints and withdrawals of complaints in accordance with section 5.42 of the *Local Government Act 1995*;**
- 5. Approve the Complaint form as presented at Appendix 2 in accordance with Clause 11(2)(a) of the *Local Government (Model Code of Conduct) Regulations 2021*.**

CARRIED 11/0

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Background:

On 27 June 2019 the Local Government Legislation Amendment Act 2019 was passed by Parliament.

On Tuesday, 2 February 2021 the following regulations were gazetted to take effect on Wednesday, 3 February 2021:

- *Local Government (Administration) Amendment Regulations 2021*
- *Local Government (Model Code of Conduct) Regulations 2021*
- *Local Government Regulations Amendment (Employee Code of Conduct) Regulations 2021.*

New sections of the *Local Government Act 1995* that provided for the New Regulations were proclaimed concurrently and are also now in effect.

The Department of Local Government Sporting and Cultural Industries (DLGSC) recognises the speed with which these changes were made and has provided an implementation timeframe of up to three months for local governments to operationalise the new regulations.

It is expected that local governments will adopt the new regulations for implementation within three months from the regulations taking effect (by 3 May 2021).

Statutory and Policy Implications:

The Model Code of Conduct is to be adopted as required by section 5.104 of the *Local Government Act 1995*.

The adopted Code of Conduct must be published on the Shires official website as required by section 5.104(7)) *Local Government Act 1995*.

Budget Implications:

Nil

Communications Requirements: (Policy No. CS 1.7)

No consultation is required in relation to this report. The Code of Conduct will be published on the Shire website, and made available to all Councillors, Committee Members and Candidates.

Strategic Community Plan/Corporate Business Plan Implications:

GOAL 5 Our Business – Good governance through an effective, efficient and sustainable organisation.

Outcome 5.1: Good governance and leadership

Relevant Precedents:

N/A

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Comment:

The legislative amendments introduce a mandatory Code of Conduct by prescribing a Model Code. The Model Code provides for:

- overarching principles to guide behaviour
- behaviours which are managed by local governments
- rules of conduct breaches which are considered by the Standards Panel.

The purpose of the model is to guide decisions, actions and behaviours. It also recognises that there is a need for a separate code for council members, committee members and candidates to clearly reflect community expectations of behaviour and ensure consistency between local governments. It also provides for a process to deal with complaints to ensure a consistent approach across the sector.

If a council member does not comply with any action required by the local government following a breach of the model Code, the local government may refer the matter to the Standards Panel as an alleged contravention of a rule of conduct. The Standards Panel has the authority to make binding decisions to resolve minor breaches.

To implement the Code, the Council must:

- appoint a person to receive complaints by either affirming the current complaint officers or appoint a new or additional officer(s), and
- approve a form for complaints to be lodged as attached

While local governments may not amend Division 2 (Principles) or Division 4 (rules of Conduct), additional behaviour requirements can be included in Division 3 (Behaviours) if deemed appropriate by the local government. Any additions must be consistent with the model Code of Conduct (section 5.104(3) of the Act). The adoption of the model is recommended, providing consistency across the sector.

The model Code of Conduct supersedes the current Shire of Collie Code of Conduct for Councillors, Committee Members and Staff. New regulations also prescribe minimum requirements for an Employee Code of Conduct. The CEO will prepare and implement a Code of Conduct for employees accordingly.

Mr Gulvin and Mr Martin left Chambers at 7.26pm.

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Cr Kearney declared an Impartial interest in Item 11.2.

11.2 Proposed Project Coordination Group – Renergi Project

Reporting Department:	Chief Executive Office
Reporting Officer:	Stuart Devenish – Chief Executive Officer
Accountable Manager:	Stuart Devenish – Chief Executive Officer
Legislation	<i>Local Government Act 1995</i>
File Number:	A4792
Appendices:	Appendix 3 Proposed Working Group Terms of Reference
Voting Requirement	Simple Majority

Report Purpose:

To establish a Project Coordination Group to oversee the implementation and operation of the waste processing facility proposed by Renergi Pty Ltd, and to nominate an Elected Member to the Group.

8686

Officer’s Recommendation/Council Decision:

Moved: Cr Hansen

Seconded: Cr Scoffern

That Council resolve to:

- 1. Endorse the Terms of Reference for the ‘Renergi Project’ Project Coordination Group; and**
- 2. Nominate Councillor Cr Smith to represent Elected Members at the above group.**

CARRIED 11/0

Background:

In March 2019, the Shire first expressed its support for a waste processing facility developed by Renergi Pty Ltd to be situated at the Shire’s landfill facility.

The proposal, which seeks to convert combustible municipal solid waste into value-added products, has since progressed with grant funding of \$5.9M achieved to establish a pre-commercial scale demonstration plant. Funding has been made available through the Australian Renewable Energy Agency (ARENA) and the WA State Government’s Collie Futures Industry Development Fund. This will offset initial project costs to be met by Renergi.

Land tenure arrangements have now been resolved through the State Government. Agreement has been established with Renergi to lease land from the Shire, along with a waste agreement.

The success of the operation is dependent on coordination with the Shire of Collie.

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Importantly, a range of operational issues need to be negotiated including cost structures, contamination rates, waste volumes and other matters. A further report will be presented to Council to address a proposed operational agreement.

Once the plant is established, a high level of coordination will be necessary between the Shire and Renergi to ensure effective operations.

To assist both the development of an operational agreement and ongoing operational arrangements, a Project Coordination Group (PCG) is proposed. A recommended terms of reference including membership is attached to the agenda.

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:

The Strategic Community Plan and Corporate Business Plan seek to achieve the effective waste diversion and recovery.

Relevant Precedents:

N/A

Comment:

It is appropriate for the PCG to involve senior representatives, including an Elected Member. Nomination of a Councillor is recommended accordingly.

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11.3 FACET Conference Attendance

Reporting Department:	Chief Executive Office
Reporting Officer:	Stuart Devenish – Chief Executive Officer
Accountable Manager:	Stuart Devenish – Chief Executive Officer
Legislation	<i>Local Government Act 1995</i>
File Number:	GOV/002
Appendices:	Appendix 4 FACET Conference Program
Voting Requirement	Simple Majority

Report Purpose: To consider attendance of Elected Members at the FACET Conference 'The Spirit of Trails' to be held in Collie.

8687

Officer's Recommendation/Council Decision:

Moved: Cr Miffling

Seconded: Cr Smith

That Council resolve to register Councillor(s) Cr Faries & Cr Scoffern to attend the 2021 FACET 'The Spirit of Trails' conference.

CARRIED 11/0

Background:

FACET is a Western Australian based network and information resource for people with an interest in cultural, nature based and eco-tourism. The incorporate organisation has brought together a conference 'The Spirit of Trails' to be held in Collie 14-16 March 2021.

Shire President Cr Stanley is opening the conference with a program that focuses on how towns can benefit from investment in trail development. Importantly, the conference will showcase Collie's experiences. Further details, including costs are set out in the Appendix.

Details of event participation will be confirmed with Elected Member(s) who are nominated to attend.

Statutory and Policy Implications:

N/A

Budget Implications:

Conference attendance costs can be accommodated within existing budget allocations.

Communications Requirements: (Policy No. CS 1.7)

N/A

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Strategic Community Plan/Corporate Business Plan Implications:

The theme of the conference relates to multiple goals of the Strategic Community Plan:

Goal 1: Our Community

Goal 2: Our Economy

Goal 3: Our Natural Environment

Goal 4: Our Built Environment

Relevant Precedents:

N/A

Comment:

The conference will showcase Collie as the newest trail town in Western Australia and provide insights to the value-add benefits of trails. The conference is appropriately attended by Elected Members.

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12. CORPORATE SERVICES REPORTS

12.1 Accounts Paid – January 2021

Reporting Department:	Corporate Services
Reporting Officer:	Hasreen Mandry – Finance Manager
Accountable Manager:	Allison Fergie – Director of Corporate Services
Legislation:	<i>Local Government Act 1995 & Financial Management Regulations 1996</i>
File Number:	FIN/024
Appendices:	Appendix 5 Accounts Paid, January 2021
Voting Requirement	Simple Majority

Report Purpose:

To present the accounts paid during the months of January 2021.

8688

Officer's Recommendation/Council Decision:

Moved: Cr Faries

Seconded: Cr Scoffern

That Council resolve to accept the Accounts as presented in Appendix 5 being voucher 41777 totalling \$32.25 and direct payments totalling \$818,804.38 authorised and paid in January 2021.

CARRIED 11/0

Background:

In accordance with clause 12 of the *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 *Financial Management Regulations (1996)* to be adhered to with a list of accounts for approval to be presented to the Council each month.

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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	\$518.40	\$793,924.60	\$794,443.00
November	\$3,916.20	\$584,125.81	\$588,042.01
December	\$1,358.10	\$949,468.96	\$950,827.06
January	\$32.25	\$818,804.38	\$818,836.63
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 shall be presented to Council within two months. 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 5.

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

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12.2 Financial Report – January 2021

Reporting Department:	Corporate Services
Reporting Officer:	Hasreen Mandry – Finance Manager
Accountable Manager:	Allison Fergie – Director of Corporate Services
Legislation:	<i>Local Government Act 1995 & Financial Management Regulations 1996</i>
File Number:	FIN/024
Appendices:	Appendix 6 Financial Report, January 2021.
Voting Requirement	Simple Majority

Report Purpose:

This report provides a summary of the Financial Position for the Shire of Collie for the month ending January 2021.

8689

Officer's Recommendation/Council Decision:

Moved: Cr Hansen

Seconded: Cr Woods

That Council resolve to accept the Financial Report for January 2021 as presented in Appendix 6.

CARRIED 11/0

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 6.

Statutory and Policy Implications:

Local Government Act 1995
Financial Management Regulations 1996

Budget Implications:

Nil

Communications Requirements: (Policy No. CS1.7)

Nil

Strategic Community Plan/Corporate Business Plan Implications:

Nil

Relevant Precedents:

N/A

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Comment:

The report provided to Council at Appendix 6 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. The budget comparison figures used in this report are the estimated year to date (YTD) budget.

If Councillors wish to discuss the report contents or any other matters relating to this, please contact Council Finance staff prior to the meeting.

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12.3 Tender 07/2020 – CCTV Network for Collie CBD

Reporting Department:	Corporate Services
Reporting Officer:	Allison Fergie – Director Corporate Services
Accountable Manager:	Allison Fergie – Director Corporate Services
	<i>Local Government Act 1995 – Section 3.57</i>
Legislation	<i>Local Government Function (Function & General) Regulations 1996</i>
File Number:	CMG/268
Appendices:	No
Voting Requirement	Simple Majority

Report Purpose:

For Council to award Tender 07/2020 – Supply and Installation of a CCTV network for the Central Business District of Collie.

8690

Officer's Recommendation/Council Decision:

Moved: Cr Smith

Seconded: Cr Faries

That Council resolve to;

- 1. Receive the tenders submitted by Better Telco Solutions Pty Ltd and Spyker Technologies Pty Ltd; and**
- 2. Award the contract to Better Telco Solutions Pty Ltd for the supply and installation of a CCTV network for the Central Business District of Collie in the amount of \$212,322 Excl GST.**

CARRIED 11/0

Background

In 2019 the Shire of Collie engaged a consultant to prepare a design for a complete CCTV network. The plan considered methodology, surveillance distribution, core communication infrastructure, a video management system (VMS) and access plan and hosting infrastructure. The design was separated into zones so that project implementation could be staged, and the planning document has been used to successfully apply for grant funding.

The first grant received was a State CCTV grant in the amount of \$76,102 which was used to install a video management at the Shire administration office and the Collie Police Station; 5 cameras and the associated communications infrastructure including an aerial on the library building.

In 2020 the Shire then successfully applied for a Federal Safer Communities Fund grant from the Department of Industry, Science, Energy and Resources for a complete

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upgrade of the CCTV network in the Collie Central Business District (CBD). An amount of \$280,360 was provided, distributed over two financial years (\$112,114 this financial year and \$168,216 in the 2021/22 financial year) and requiring a 10% contribution from the Shire. The project is to be completed and acquitted by 2 March 2022.

The current project is to install approximately 40 cameras within the Collie CBD that link to the VMS at the Shire and the Collie Police Station. The tender specification required compliance with all relevant Australian Standards and legislation, provision of a complete Technical Reference Document and registration of cameras onto the State CCTV register. The design specifications included requirements for pedestrian and vehicle recognition, overview, day and night vision as appropriate to the locations.

When the tenders closed on Wednesday 6 January 2021, submissions were received from two (2) companies:

- | | |
|-----------------------------------|---|
| 1) Better Telco Solutions Pty Ltd | 21 Wilson Road
Davenport WA 6230 |
| 2) Spyker Technologies Pty Ltd | Unit 2/12 Kulin Way
Mandurah WA 6210 |

The tenders received were considered by a Shire staff member and the OIC of the Collie Police Station who recommended they be forwarded to a CCTV specialist within the WA Police for further advice regarding the technical specifications.

Statutory and Policy Implications:

Council is obliged to call tenders in accordance with the requirements of the *Local Government Act 1995* and *Local Government (Function & General) Regulations 1996* where the value of the tender exceeds \$250,000 unless related to an emergency or the WALGA preferred option is selected. However, Council has adopted its own policy to tender works valued at more than \$100,000.

Budget Implications:

The grant application was for full funding of the upgrade to the CCTV network. However, when approved it was a requirement that the Shire contribute an amount of 10%. The \$11,212 for this financial year will come from the \$17,000 for CCTV and Wireless Internet Maintenance with savings being made as no maintenance will be scheduled on the old network, and only the maintenance of the new cameras to come from this account.

The recommended tender is for less than the grant amount allowing for the Shire contribution to come from existing budget allocations in 2020/21. However, a further report will come to Council to consider if application for a variation to the grant agreement be submitted to allow for the remaining grant funds to be used for the next phase of the complete network, and if approved the Council contribution required in 2021/22 will need to be included in the annual budget. The increased number of cameras in the network means it won't be possible to meet this from the maintenance budget in the coming financial year.

Communications Requirements: (Policy No. CS 1.7)

Staff will notify the tenderers of the outcome of the process as per the recommendation which is adopted by Council.

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Strategic Community Plan/Corporate Business Plan Implications:

Goal 1 Our Community: A vibrant, supportive and safe community

Outcome 1.5 A safe community

Strategy 1.5.1 Work with the local Police Department and other relevant agencies to provide a safer community.

Relevant Precedents:

Nil

Comment:

The tender document outlines that the contract may be awarded the individual company whose tender is assessed as offering the best value for money outcome for the Shire of Collie. Each criterion is weighted to reflect its relative importance and then weighted scores are summed to yield the total score.

The Tenders were evaluated by the Director of Corporate Services in consultation with the Officer in Charge of the Collie Police Station and WAPOL officers experienced with CCTV systems and equipment.

The criteria and results on which the tender was assessed are as follows:

Criteria	Weighting	Better Telco Solutions Pty Ltd	Spyker Technologies Pty Ltd
Quoted Price		\$212,322	\$323,344
Price	50%	50	33
Demonstrated Experience	20%	20	20
Demonstrated Understanding	20%	16	20
Skills & Experience of Key Personnel	10%	10	10
Total Score	100%	96	83

Both companies are experienced and have provided excellent examples of similar projects to demonstrate their experience and skills. Spyker Technologies were the consultants who developed the design for the network, undertook the work funded by the State CCTV grant funding and maintain these components, so have achieved the maximum score for Demonstrated Understanding.

Referee checks have resulted in both companies being rated as having met or exceeded all project expectations.

The Officer Recommendation is therefore based on the lower cost of the Better Telco Solutions quoted price.

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12.4 Budget Review 2020/21

Reporting Department:	Corporate Services
Reporting Officer:	Hasreen Mandry – Finance Manager
Accountable Manager:	Allison Fergie – Director Corporate Services
Legislation	<i>Local Government Act (1995)</i>
File Number:	FIN/005
Appendices:	Appendix 7 Proposed Budget Amendments
Voting Requirement	Absolute Majority

Report Purpose:

To review the 2020/21 adopted budget.

8691

Officer's Recommendation/Council Decision:

Moved: Cr Italiano

Seconded: Cr Woods

That Council resolve to adopt the changes to the 2020/21 Annual Budget as identified in Appendix 7 of this Agenda.

CARRIED 11/0

Background:

A thorough review of the Council's financial performance against budget has been undertaken by the Executive Management team. From this review, several items of expenditure and income have been recommended as budget reallocations. These are summarised in Appendix 7.

The purpose of this process is twofold. Firstly, it provides the Council with the opportunity to address any budget items which are or will be significantly over or under budget and secondly it allows the Council the opportunity to re-allocate resources if appropriate.

Statutory and Policy Implications:

Section 33A of the *Local Government (Financial Management) Regulations 1996* reads as follows:

33A. Review of budget

- (1) *Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.*
- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) *A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

**Absolute majority required.*

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(4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*
[Regulation 33A inserted in Gazette 31 Mar 2005 p. 1048-9.]

Budget Implications:

The financial impact of the review is a deficit of \$513,795, which staff are recommending be carried into the 2021/22 budget process.

Communications Requirements: (Policy No. CS 1.7)

Nil

Strategic 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.

Relevant Precedents:

The 2019/20 Budget Review was adopted by the Council on 31 March 2020.

Comment:

Please refer to Appendix 7 for the budget amendments and revised statement for the 2020/21 budget. The amendments in Appendix 7 are required to ensure that the 2020/21 budget reflects the actual closing net current position on 30 June 2020 (as presented in the audit 2019/20 annual financial report.

Upon adoption of the 2020/21 budget, the predicted opening net current position for 2020/21 was \$2,344,461, however in the audited 2019/20 financial report this position was amended to \$91,489. The adjustment required to be made in this mid-year review of 2020/21 budget is a reduction of \$2,252,972 in the opening net current position.

Approximately \$1.44 million of the difference is attributed to the changes in the revenue recognition accounting standard (AASB 15 & AASB1058) where revenue received with a specified performance obligation is to be recognised as a contract liability until the performance obligation is met (i.e. expenditure is incurred). This is to ensure revenue and expenditure for such revenue are 'matched' in the same financial year.

The budget amendments in Appendix 7 notes 1 to 4 recognises the contract liability as revenue as it is anticipated that the performance obligation for the various grants will be met by 30 June 2021.

With the recognition of the contract liability as revenue in the 2020/21 budget and other budget amendments there is still a *negative* net position of \$513,975 (an increase deficit of \$368,702) in the budgeted deficit for the 2020/21 budget. This indicates that Council has been reliant on revenue other than rates to maintain a feasible cash flow and financial position over the years.

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This further highlights the need of a comprehensive review of the budgeting process to ensure that own-source revenue is sufficient to maintain the Shire's operating expenditure. Below is a simplified summary of the rate setting statement outlining the impact of the 2020/21 budget amendment and the actual financial position on 30 June 2020 (2019/20 financial year).

Operating	2020/21 Proposed Budget \$
Total Operating Revenue	11,558,932 ¹
Total Operating Expenditure	15,000,166
Net Operating Activities	(3,441,235)
Adjusted Net Operating Activities (non-cash items adjustment- i.e., depreciation)	(356,718)

1. Budgeted rates revenue is \$6,188,125

Investing (Capital)	2020/21 Proposed Budget \$
Total Capital Revenue	4,640,269
Total Capital Expenditure	5,444,106
Net Capital Activities	(803,837)

Financing (Reserve & Loan)	2020/21 Proposed Budget \$
Total Financing Revenue	1,187,465
Total Financing Expenditure	632,375
Net Financing Activities	555,090

	2020/21 Proposed Budget \$
Total adjusted net operating, capital & financing activities	(605,464)
Opening Surplus/Deficit- 1 July	91,489
Closing Surplus/Deficit- 30 June	(513,975)

The mid year budgeted deficit of \$513,975 for 2020/21 represents 8.31% of rates revenue, which is within the allowable maximum deficit of 10%. To improve the financial position going forward, the parameters for the 2021/22 require careful consideration to avoid a deficit and to make provision for reserve funds.

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12.5 Implementation of Child Safety Officers

Reporting Department:	Corporate Services
Reporting Officer:	Allison Fergie – Director Corporate Services
Accountable Manager:	Allison Fergie – Director Corporate Services
Legislation	N/A
File Number:	GVR/049
Appendices:	Appendix 8 Discussion Paper
Voting Requirement	Simple Majority

Report Purpose:

For Council to receive the discussion paper on the role of local governments in Western Australia relating to the implementation of Child Safety Officer positions and the response to the consultation questions contained within the discussion paper.

8692

Officer's Recommendation/Council Decision:

Moved: Cr Kearney

Seconded: Cr Smith

That Council resolve to:

- 1. Receive the Discussion Paper on the Implementation of Child Safety Officers in Local Government; and**
- 2. Authorise staff to provide responses to the Consultation Questions presented in the Discussion Paper to the Department of Local Government, Sport and Cultural Industries consistent with Council's previous responses during the consultation phase of the Royal Commission into Institutional Responses to Child Sexual Abuse as contained within the body of this report.**

CARRIED 11/0

Background:

The Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) was established in January 2013, to investigate systemic failures of public and private institutions to protect children from child sexual abuse, report abuse, and respond to child sexual abuse.

The Royal Commission's key recommendation for local government was:

- With support from governments at the national, state and territory levels, **local governments should designate child safety officer positions from existing staff profiles** to carry out the following functions:
 - a. developing child safe messages in local government venues, grounds and facilities;
 - b. assisting local institutions to access online child safe resources;

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- c. providing child safety information and support to local institutions on a needs basis;
- d. supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds.

The discussion paper expands on the functions of a Child Safety Officer as outlined in the Royal Commission's recommendations – see Appendix 8.

During the consultation phase Council considered a report that informed Council of the recommendations arising from the Royal Commission that have implications for Local Government, and council endorsed responses to the key discussion points for consultation as follows:

1. What impact would the designation of child safety officers have within a local government's workforce?

Response: There is currently no officer within the Shire's workforce who has the capacity to take on the role of child safety officer as an additional responsibility.

2. What areas of the local government do you believe this designation would occur and how might it benefit and / or be effective in supporting the community to create child safe environments?

Response: The designation would fit within the Corporate Services area, and implementation of the recommendation would benefit the community by giving confidence to participants and organisers/clubs that activities offered within the community were child safe. The Shire would support groups occupying or operating within Shire owned facilities to provide child safe environments.

3. What training, resources and support would be required by the local government to successfully implement designated child safety officers?

Response: Funding for a child safety officer, including training, would be required to successfully implement the recommendation.

4. What would be the most effective method(s) of supporting local government with the implementation of child safety officers?

Response: As well as providing funding and training, a community education program should be undertaken to raise awareness of Child Safe Standards and legislative requirements.

Statutory and Policy Implications:

N/A

Budget Implications:

The designation of a child safety officer and the provision of child safe messages and resources would be additional to current staffing allocations. An estimate of costs would be approximately \$5,000 for wages, training and on-costs plus an allowance for

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materials (resources) of \$1,000 per annum.

Communications Requirements: (Policy No. CS 1.7)

Responses to Consultation Questions forwarded to the DLGSC.

Strategic Community/Corporate Business Plan Implications:

Goal 1 *Our Community: A vibrant, supportive and safe community*

1.5 A safe community

1.5.1 Work with the local Police Department and other relevant agencies to provide a safer community

Relevant Precedents:

At its meeting held 11 September 2018 Council resolved:

7927 – That Council:

- 1. Receive the Royal Commission into Institutional Responses to Child Sexual Abuse Information and Discussion Paper; and*
- 2. Provide responses to the key discussion points as outlined in the body of this report to the Department of Local Government, Sport and Cultural Industries during the consultation process.*

Council also resolved to participate in the National Redress Scheme at its meeting held 23 June 2020:

8469 – That Council:

- 1. Note the background information and the WA Government's decision in relation to the National Redress Scheme;*
- 2. Note the key considerations and administrative arrangements for the Shire of Collie to participate in the National Redress Scheme;*
- 3. Formally endorse the Shire of Collie's participation as part of the WA Government's declaration in the National Redress Scheme; and*
- 4. Grant authority to the Chief Executive Officer to execute a service agreement with the State if a Redress application is received.*

Comment:

The intent of the Royal Commission is for local governments to identify where they already have existing staff who could fulfil the role of Child Safety Officer, with the suggestion that existing community safety positions within local government could be expanded to include this role. However, the Shire of Collie does not have a community safety position so this is not an option.

Managers of the various Shire facilities have measures in place to ensure child safety such as requiring Working With Children checks and appropriate supervision, and these measures will form the basis of the responses to the consultation questions relating to existing roles and portfolios. However, there is no current employee position that would provide the full range of functions outlined in the discussion paper across all venues and to external institutions.

For the consultation questions relating to the supports or training that may be needed to achieve full implementation, the Officer's Recommendation is to reinforce Council's previous position that the role of Child Safety Officer within local government needs to be resourced in order to be implemented fully.

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13. DEVELOPMENT SERVICES REPORTS

13.1 Application for Industrial Dome Shelter – Lot 2790 Troutman Road, Collie

Reporting Department:	Development Services
Reporting Officer:	Isabel Fry- Town Planner
Accountable Manager:	Stuart Devenish- Chief Executive Officer
Legislation	<i>Planning and Development Act 2005 Planning & Development (Local Planning Schemes) Regulations 2015</i>
File Number:	A5067
Appendices:	Appendix 9 & 10
Voting Requirement	Simple Majority

Report Purpose:

To seek Council Approval for an Industrial Dome Shelter (reduced setback) at Lot 2790 Troutman Road, Collie.

8693

Officer's Recommendation/Council Decision:

Moved: Cr Faries

Seconded: Cr Woods

That Council pursuant to the provisions of the Planning and Development Act 2005, resolve to grant approval to (applicant) for the development of/ use of land for an industrial dome shelter at Lot 2790 Troutman Road, Collie subject to the following conditions:

- (a) All development shall be in accordance with the approved development plans (attached) which form part of this planning approval.**
- (b) This planning approval will expire if the approved development has not substantially commenced within two (2) years from the date of issue of the approval, or, within any extended period for which the Shire of Collie has granted prior written consent.**
- (c) All storm water and water run-off from the hereby approved development shall be disposed of on-site to the satisfaction of the Shire of Collie.**
- (d) The sea containers included as part of this development are required to be finished to an adequate standard to the satisfaction of the Shire of Collie.**
- (e) All works required to satisfy a condition of this approval are required to be installed/ constructed and maintained in accordance with the approved plans and conditions of approval for the life of the development.**
- (f) This approval does not supersede the previously granted Development Approval.**

CARRIED 11/0

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Background:

An application for Development Approval has been lodged by Jeff Riley on behalf of Simon Piavanini for an industrial dome shelter at Lot 2790 Troutman Road, Collie (refer Appendix 9). The application is being referred to Council for determination as the proposal seeks to vary minimum setbacks in the Light and Service Industry zone.

The property is located at the corner of Troutman and Morrison Road in the Light Industrial Area (refer Appendix 10). There are two existing structures on the property which consist of an approved office building and an approved storage shed, used for the purpose of a wrecking yard. These existing structures were also approved with a reduction to the minimum setbacks required by *Local Planning Scheme No.5*.

The application proposes a 32.09 metre x 12.8 metre structure which is 8.8 metres in height, consisting of six sea containers and two dome shelter rooves. The application seeks to vary the minimum rear setback of the Light Industrial zone under *Local Planning Scheme No.5 (Scheme)*, proposing a setback of 4 metres from the rear (west) boundary. The required setback rear under the *Scheme* is 7.5 metres. The structures are open on two sides and are significantly setback from the street.

The justification provided by the Applicant for the positioning of the structure is that it will facilitate the best use of the property as commercial premises. The existing structures on the site are also located closer to the boundaries than the required setbacks.

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

Local Planning Scheme No. 5

Pursuant to clause 5.7 of the *Scheme*, variations to development standards may be considered where in the opinion of the local government, the development will not cause detriment to adjoining properties.

Budget Implications:

Nil

Communications Requirements:

Adjoining property owners were given the opportunity to comment on the proposal from 27 January to 1 February 2021. No submissions were received as a result of the public advertising period,

Strategic Community Plan/Corporate Business Plan Implications:

Goal 4: Our Built Environment

Outcome 4.1 Appropriate Land Use, Development and Heritage Conservation;

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

Relevant Precedents:

The Shire as consistently considered variations to development standards where it has been determined that there will be no adverse impacts to adjoining properties.

Comment:

Following the conclusion of the submission period for adjoining landowners to provide comment, with no submissions being received it is considered that it is unlikely the development will have detrimental impacts to adjoining properties or the streetscape in the area. The structures are consistent in appearance with those expected in a Light Industrial Area and are not out of harmony with surrounding buildings.

Having regard for no submissions being received during the submission period, conditional approval of the application is recommended. It is also recommended that a condition of approval be included to ensure that the sea containers proposed to be used in the development are of good quality and condition.

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Cr Kearney has declared an Impartial interest in Item 13.2.

13.2 Draft Bunbury Geographe Sub Regional Strategy

Reporting Department:	Development Services
Reporting Officer:	Katya Tripp – Project Officer
Accountable Manager:	Stuart Devenish – Chief Executive Officer
Legislation	<i>Planning and Development Act 2005</i>
File Number:	LUP/056
Appendices:	Appendix 11 - Draft Bunbury Geographe Sub Regional Strategy Executive Summary and Appendix 12 - Draft Submission
Voting Requirement	Simple Majority

Report Purpose:

For Council to consider the draft Bunbury Geographe Sub Regional Strategy and endorse a submission to be made to the West Australian Planning Commission.

8694

Officer's Recommendation/Council Decision:

Moved: Cr Miffling

Seconded: Cr Scoffern

That Council, hereby resolves to:

- (a) Acknowledge receipt of the draft Bunbury Geographe Sub Regional Strategy (Appendix 11); and**
- (b) Endorse the draft submission (Appendix 12) on the draft Bunbury Geographe Sub Regional Strategy.**

CARRIED 11/0

Background:

In March 2019 the West Australian Planning Commission (the Commission) invited the Shire of Collie to participate in the development of a land use planning strategy for the Bunbury-Wellington sub-region.

A steering group was created to guide the Department of Planning, Land and Heritage and to provide advice to the Commission. Shire President Sarah Stanley was nominated and represented the Council on this group.

Several working groups were also created to provide background information and identify issues on the themes of environment, economy, transport, urban settlement and utilities and services. Shire planning officers represented the Shire of Collie on these groups.

The Bunbury Geographe Sub Regional Strategy (the Strategy) covers the land within the local governments of Bunbury, Dardanup, Donnybrook-Balingup, capel, Harvey and Collie. Previously this sub region was referred to as Bunbury-Wellington.

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The primary purpose of the Bunbury Geographe Sub Regional Strategy is to plan for and manage growth in the sub region. It does this by:

- Establishing a vision to 2050 to guide land use planning;
- Identifying strategic directions and actions required to implement the vision;
- Reaffirming the status of Bunbury as the State's second city;
- Defining the sub-region's settlement hierarchy;
- Identifying future land requirements for urban, industrial, commercial and other purposes;
- Directing the sequencing of future development to inform and support the preparation of amendments to the Greater Bunbury Region Scheme and local planning schemes;
- Providing a strategic context for local governments in preparing, reviewing and implementing local planning frameworks; and
- Profiling the sub-region's urban settlements, transport networks, economy, environment and utilities/services.

The aspirational vision stated in the draft strategy is:

In 2050 Bunbury-Geographe is a diverse, dynamic, creative, vibrant and connected region, that is recognised for its quality of life, environmental values and sustainability. The sub-region has a robust and diverse economy that is adaptive and offers enviable liveability.

The document comprises of three main sections being the introduction (what/where, why and how), the strategy itself (what should be done - set out as principles and strategic directions) and the sub regional profile (background and analysis of the sub region).

Statutory and Policy Implications:

The Strategy is intended to provide direction to local governments on issues of State and regional significance and local planning strategies' and schemes' are expected to be consistent with the sub regional strategy.

Budget Implications:

Nil

Communications Requirements:

The draft Strategy was released by the state government and open for public submissions from 9 November 2020 to 12 February 2021.

Local Governments have been granted an extended submission period until 12 March 2021.

Strategic Community Plan/Corporate Business Plan Implications:

Goal 4 Our Built Environment: Infrastructure, amenities and development that supports the needs and aspirations of the community.

Outcome 4.1: Appropriate land use, development and heritage conservation.

Strategy 4.1.1: Ensure appropriate planning controls for land use and development.

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Goal 5: Goal 5 Our Business: Good governance through an effective, efficient and sustainable organisation.

Outcome 5.1: Good Governance and Leadership.

Strategy 5.1.3: Represent and promote the Shire at a local, regional, state and national level.

Relevant Precedents:

The previous sub regional plan was the Bunbury Wellington Regional Plan 1995. A portion of this plan covering Harvey, Capel, Dardanup and Bunbury was superseded by the Greater Bunbury Strategy 2013. The Bunbury Geographe Sub Regional Strategy was initiated as a review of the Greater Bunbury Strategy and now incorporates the other local governments of Collie, Harvey and Donnybrook- Balingup as previously included in the Bunbury Wellington Regional Plan.

Comment:

The draft Strategy is an important document for Collie and has several positive principles and strategic directions that relate to the growth and diversification of Collie. In particular:

Urban Settlement Principle – Establish an agreed and achievable pattern of growth across the subregion.

Strategic direction # 7 – Promote the growth of **Collie** as a **Sub-regional Centre** by facilitating planning proposals that will help to diversify the employment base and provide for a smooth economic transition.

Urban Settlement Principle – Promote a diverse urban form to cater for a range of lifestyle options and affordable housing choices:

Strategic direction # 14 – Support the identification of new **Rural Living areas** contiguous or proximate to **Collie**, Major Towns and Towns, subject to criteria contained in State Planning Policy 2.5: Rural Planning. New Rural Living areas are to be identified by local governments in local planning strategies and/or townsite strategies.

Economic Principle – Strengthen and diversify our economy:

Strategic direction # 25 – Support **investment** in Kemerton and **Shotts** strategic industrial areas and facilitate proposals in accordance with relevant planning instruments.

In addition, other positive Strategies, support targeted government intervention to grow the subregion as a whole. Such growth is supported and would have flow on effects for Collie.

Strategic direction # 2 – Support a multi-government agreement such as a “City Deal” or Regional Deal for Bunbury-Geographe and potentially other parts of the South West Region.

Strategic direction # 21 – Ensure adequate supply of industrial and commercial land across the sub region to facilitate local employment.

Strategic direction # 38 – Support initiatives to connect and link Bunbury to the hinterland towns to create an integrated network, including public transport and regional bike network connection.

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Strategic direction # 47 – Support the provision of catalyst infrastructure to stimulate economic investment and service the needs of Bunbury-Geographe communities.

Overall the Strategy is largely positive and should be supported, however, there seems to be a lack of detail in how the principles and strategic directions will be achieved.

There appears to be further work required to be able to provide a clear pathway to achieving the strategies, principles and indeed the overall vision. As a result, questions regarding achievement of the Strategy arise:

- How to achieve and not just aspire to a second city?
- What catalyst infrastructure is to be provided to stimulate economic investment and how will it be delivered without an infrastructure strategy?
- How will we connect Bunbury and the hinterland towns as well as connections between sub regions without an integrated regional transport strategy?
- How can we facilitate and support proposals in Shotts and other industrial areas without the provision of servicing headworks?
- How can we identify and deconstrain industrial land to create employment without an economic and employment lands strategy?
- How to facilitate the expansion and diversification of the tourism industry without a tourism strategy?

The Strategy appears to have a focus on the connection to Perth-Peel including the development of a fast rail between Bunbury and Perth potentially over and beyond necessary transport within the sub region that would result in greater benefits to the sub region. For regionalisation (not decentralisation) the Strategy should be looking at making the region more independent and sustainable through actions such as an integrated transport strategy that looks at rail between Busselton and Bunbury to capture tourist traffic as well as those living in the Busselton and Margaret River area, public transport across the region and road and rail freight. As a region we should be connecting to other regions such as the Leeuwin-Naturaliste subregion rather than constantly looking to Perth-Peel.

Although the Strategy focusses on an adequate supply of industrial and commercial land, plus focussed support for Shotts Strategic Industrial Estate, it does not ensure that this land is readily developable at a reasonable cost and within reasonable timeframes. Industrial land, especially that in Collie, needs to be able to be developed efficiently and affordably. Too often potential proponents have approached the Shire and the State to find that the land set aside for industrial purposes is not adequately serviced or readily developable with costs and timeframes outweighing the attractive location. Intervention is needed to deconstrain these sites. Identification of constraints and actions required for the Perth-Peel industrial lands is presented in an economic and employment land strategy. A similar strategy should be considered for industrial land in the Bunbury Geographe sub region.

Servicing headworks often limit growth in the sub regions hinterland towns including Collie. Not only industrial but development of residential and rural residential land can be limited by a lack of traditional servicing and headworks. Support would be given to mechanisms such as a subregional infrastructure fund, for the expansion and upgrading of servicing infrastructure including consideration of alternatives to the traditional state policy driven service establishment and provision.

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Finally, Strategic direction #14 is of particular note as we had an area of rural living removed from our draft strategy prior to advertising despite making representation to the statutory planning committee. Essentially this direction is now supporting something that was previously stifled resulting in 2 years of lost development time. The Shire should seek confirmation that an amendment to the Shires strategy to include this rural living area will now be seriously considered.

Item 13.3 brought forward due to attending persons.

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Cr Kearney has declared an Impartial interest in Item 14.1.

Cr Smith has declared a Proximity interest in Item 14.1 in points 1 & 3.

14. TECHNICAL SERVICES REPORTS

14.1 COLLIE WAYFINDING SIGNAGE STRATEGY

Reporting Department:	Technical Services Department
Reporting Officer:	Brett Lowcock- Director of Technical Services
Accountable Manager:	Brett Lowcock- Director of Technical Services
Legislation	<i>Local Government Act 1995 – Section 3.57 Local Government Function (Function & General) Regulations 1996</i>
File Number:	LUP/053
Appendices:	Appendix 14 Collie Wayfinding Signage Strategy, 15 Wambenger Trails Signage Style Guide & 16 Location Information
Voting Requirement	Simple Majority

Report Purpose:

To seek Council support of the Collie Wayfinding Signage Strategy including the Wambenger Trails Signage Style Guide as carried out by the Department of Biodiversity, Conservation and Attractions.

Council Recommendation/Council Decision:

That Council resolve to:

1. endorse the Collie Wayfinding Signage Strategy by Wayfound, Final Version dated February 2021 except for the location selected for the Wambenger Trails head.
2. endorse the Wambenger Trails Signage Style Guide, Version 1.1 dated February 2021.
3. request staff to liaise with Department of Biosecurity Conservation and Attractions regarding the location of the Wambenger Trails head and report back to Council; and
4. authorise staff to work with Department of Biosecurity Conservation and Attractions towards implementing the other elements of the Collie Wayfinding Signage Strategy within the budget provided.

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The Strategy has a number of objectives which are to:

1. Improve how visitors are made aware of, and guided to, the diverse trail experiences across the Collie - Wellington region.

2. Enhance the visitor experience and the amenity of the community.

3. Enhance the image of Collie - Wellington as a tourism destination by encouraging consistent themes and innovate and distinctive signage across the region.

In addition to the Collie Wayfinding Signage Strategy, DBCA, have also developed a Signage Style Guide for the Wambenger Trails. The purpose of the Wambenger Trails Signage Style Guide (attached) is to provide specific guidance to both DBCA Parks & Wildlife, Council staff and external suppliers (such as graphic designers and signage fabricators) on the use of the Wambenger Trails Signage. This includes its visual elements, the application and use of these elements, and the provided template and style which provides a distinct visual identity for all Wambenger Trails Signage. The style guide should act as a road map for future signage requirements for newly developed trails, shared paths and cycling routes within Wambenger Trails region.

Statutory and Policy Implications:

Nil

Budget Implications:

The Collie Wayfinding Signage Strategy is funded by the State Government to the amount of \$600,000. There is no direct financial contribution required from Council, however there will need to be some in-kind work carried out, such as relocating sprinklers etc. that can be funded from existing operational budgets.

Communications Requirements: (Policy No. CS 1.7)

The Collie Wayfinding Signage Strategy and *Wambenger Trails Signage Style Guide* were both presented and discussed at the Trails Panel meeting on the 24 February 2021.

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.

Relevant Precedents:

Nil

Comment:

The State governments recent tourism commitments for Collie aim to bring significant numbers of new tourists into Collie and the surrounding attractions. As such the wayfinding project aims to educate, inform and improve visitor navigation and wayfinding in and around Collie. In addition to wayfinding, increased amenities for the Collie township will make it easier for visitors to navigate and access nearby attractions

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and allow people to flow directly from trails into town to enjoy the restaurants and shops on offer and create a welcoming environment to trail users, while enhancing the trail town feel of Collie.

As a result of the project, it is hoped restaurants, shops and cafes will benefit from an increased flow of traffic due to the wayfinding and amenities provided. Improved wayfinding and amenity will make it easier for visitors to navigate the township and access nearby attractions. Clearly directing people to these nearby attractions from Collie builds the brand and strengthens the view that Collie is the gateway to visit some of the State's best natural attractions.

The main components of the project are:

- Accessible and distinctive bike facilities (bike racks/service area).
- Directional signage to main attractions for vehicles.
- Town signage for key attractions and amenities.
- Rebranding of existing Shire trails and incorporation into trail town head.
- Other wayfinding devices such as maps, brochures, mobile app, minor landscape or streetscape changes as deemed appropriate.

The Collie Wayfinding Signage Strategy includes an audit of existing signage around town and makes recommendations to simplify and improve some of these signs. The signage audit findings together with the newly proposed signs for the trails, form a list of actions items that were presented by DBCA to the Council's Trails Panel at its meeting on the 24 February 2021. These items have also been assigned a priority ranking ranging between low, medium and high in consultation with Shire staff with a copy attached to this report. Based on initial costings carried out by DBCA they believe that they should be able to complete most of the medium and high priority items contained in the list of actions with the budget provided. However, there will be some lower priority items that cannot be completed within the budget and these will be subject to further grant applications and/or funding by Council via its annual budget.

Cr Smith returned to the room at 8.11pm.

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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

Nil

18. ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS

Cr Faries

- Advised that there is a Healthway Grant and that Collie will be part of a Pilot Program during the next 12 – 24 months.

Cr Hansen

- Attended Bush Fire Brigade meeting and advised that medals were awarded from NSW Govt acknowledging volunteers efforts.

Cr Smith

- Attended the DHAC meeting at the Collie Hospital.

Cr Italiano

- Advised that the Museum would like to report record numbers had gone through the museum over the Labour Day weekend.

Cr Scoffern

- Advised that the Visitors Centre numbers had doubled seeking information around town.

Mrs Mandry left the room at 8.18pm.

Cr Miffing

- 19 February - I deputised for the Shire President at the Meeting of South West Local Governments in Bunbury and was accompanied by Council's CEO Mr Devenish.
- 25 February - I deputised for the Shire President at the 'Recognition Service' for Reverend Lynda Myres who was welcomed in as the new Priest for the All Saints' Anglican Church Collie.

Mrs Mandry returned to the room at 8.19pm.

Cr Stanley

- 19 February: Attended the Official Opening of the Wellington Dam Mural, Reflections, which was opened by Premier Mark McGowan.

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- 19 February: Attended an election commitment announcement by the Labor Party to the Collie PCYC for \$60,000 towards air conditioning of the main hall and a kitchen upgrade.
- 4 March: Just Transitions Economic Diversification sub-group meeting.
- 4 March: Just Transition Celebrating Collie's History sub-group meeting.
- 8 March: Lunch meeting with representatives from the Department of Foreign Affairs and Trade, which included three locations in the South West as part of a Western Australian tour aimed at gaining a better understanding challenges in regional areas.
- 8 March: Joined a panel discussion for ABC's Australia Wide regional news and current affair program, along with Julie Hillier representing the Chamber of Commerce and Collie River Valley Marketing, and CFMEU Secretary Greg Busson.
- 9 March: Just Transition Working Group meeting.

Mr Devenish

- 10 February – Meeting with owner of lot 1 Scenic Drive
- 11 February – Tourism & Marketing Advisory Committee
- 12 February – Meeting with Heritage Skills Facilitator Yolanda Cool
- 12 February – Meeting with owners of Wagon 537
- 15 February – Meeting with representative of Collie Baptist Church
- 16 February – Meeting with Department of Jobs, Tourism, Science and Innovation
- 17 February – Meeting with Director, H+H Architects regarding Throssell Street Project
- 18 February – Attended as guest speaker at Rotary.
- 18 February – Met with Australian Services Union and workplace representatives.
- 19 February – Attended WALGA South West Zone meeting
- 22 February – Attended Myalup Wellington Project – Aboriginal Engagement Session
- 23 February – Meeting with South West Manager - Chamber of Minerals and Energy
- 23 February – Shire of Collie, Bushfire Brigades Captains Meeting
- 23 February – Attended Bush Fire Brigade Advisory Committee
- 24 February – Attended Local Emergency Management Committee
- 24 February – Attended Trails Group meeting
- 24 February – Met with Motorplex Board Members
- 25 February – Met with representative of Collie Community Radio
- 25 February – Met with South West Development Commission CEO
- 26 February – Represented the Shire at State Administrative Tribunal Directions hearing.
- 26 February – Attended tour of river environments with Mr Riley.
- 3 March – Facilitated Blackberry Project control meeting.
- 3 March – Met with owners of Haydar Pty Ltd
- 4 March – Met with Australian Services Union
- 4 March – Met with Managers, Commercial and Communications, WALGA
- 4 March – Met with two Senior Grants Development Officers, Lotterywest

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- 4 March - Met with Senior Regional Agreement Officer, Department of Primary Industries and Regional Development
- 8 March – Attended Bunbury Geographe Group of Council's meeting
- 8 March – Met with Officer of Collie Police Station
- 9 March – Attended Just Transition Working Group
- 9 March - Met with representatives of Department of Premier and Cabinet

19. STATUS REPORT ON COUNCIL RESOLUTIONS

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

- 'Closed Since Last Meeting' at Appendix 17
- 'All Open' at Appendix 18

20. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

Mrs Green left the room at 8.23pm.

8697

Moved: Cr Scoffern	Seconded: Cr Harverson
That Council move Into Committee.	
CARRIED 11/0	

Cr Kearney declared an Impartial interest in Item 20.1.

20.1 Minninup Pool Tourism Accommodation

8698

Officer's Recommendation/Council Decision:	
Moved: Cr Faries	Seconded: Cr Woods
That Council:	
1. Pursuant to the <i>Local Government (Functions and General) Regulations 1996</i>, resolve to:	
a. Receive the two expression of interest submissions received for Site 2 (Kings Park) at Minninup Pool; one from Walia Resorts and one from WB Management;and	
b. Endorse Walia Resorts as the preferred respondent;	
2. Authorise the Chief Executive Officer to enter into negotiations with Walia Resorts to establish eco-tourism accommodation at Site 2 (Kings Park) Minninup Pool, with a further report to Council ahead of any terms being finalised;	
3. Pursuant to the <i>Land Administration Act 1997</i>, resolve to continue to work with the Department of Planning, Lands and Heritage to excise and establish terms of lease for the two portions of land (subject to survey), as identified in	

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drawing No. COL20 29.1 dated 06/07/2020, from Reserve 34343, for the purpose of establishing commercial lease areas for tourist accommodation; and

4. Proceed to continue to derisk Site 1 (Old Hockey Ground) and site 2 (Kings Park) at Minnipup Pool as identified in drawing No. COL20 29.1 dated 06/07/2020 through further planning using the available funds under the Minnipup Pool Tourism Precinct Project grant including carrying out the following actions:
- On ground surveys of lease boundaries;
 - Feature surveys;
 - Dieback assessments
 - Detailed flora surveys;
 - Fire management plans;
 - Western Power feasibility study for site 1 (Old Hockey Ground); and
 - Discussions/pre approval with Department of Water regarding waste water management for site 2 (Kings Park).
 - Development prospectus for Site 1 with a view to attracting proponent interest.

CARRIED 11/0

20.2 Proposal for Sale of Lots 2872 & 27 Throssell St, Collie

8699

Officer's Recommendation/Council Decision:

Moved: Cr Hansen

Seconded: Cr Woods

That Council resolve:

1. In accordance with Section 3.58 (4)(c)(ii) and valuations received to declare the combined value of lots 27 and 2872 Throssell Street Collie to be \$550,000 excluding GST.
2. To authorise the CEO to progress the sale of Lots 2872 and 27 Throssell Street, Collie to H & L Family Restaurants for \$550,000 in accordance with the requirements of the *Local Government Act 1995*; and
3. To allocate the proceeds of the sale into Council's Building Reserve.

CARRIED 10/1

8700

Moved: Cr Harverson

Seconded: Cr Woods

That Council move Out of Committee.

CARRIED 11/0

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21. CLOSE

The Shire President thanked Council and Staff for their attendance. The Presiding Member declared the meeting closed at 8.58pm.

I certify that these Minutes were confirmed at the Ordinary Meeting of Council held on Tuesday, 13 April 2021.

.....
Presiding Member

.....
Date