



Shire of  
**Collie**

# MINUTES

of the

# ORDINARY MEETING OF COUNCIL

held on

Tuesday, 13 April 2021

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**MINUTES- ORDINARY MEETING OF COUNCIL**  
Tuesday, 13 April 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, 13 April 2021 commencing at 7:00pm.

**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  
Isabel Fry Shire Planner  
Katya Tripp Shire Project Officer

**APOLOGIES:** Belinda Dent CEO PA  
Hasreen Mandry Finance Manager

**GALLERY:** Nola Green – Press  
Greg Pye  
David Churches  
Matthew Smargiassi  
Richard Shea  
Brant Edwards  
Mick Bennett

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

Nil

1.2 Councillors requesting Leave of Absence for future Ordinary Meetings of Council.

**8701**

**Moved: Cr Hansen**

**Seconded: Cr Faries**

**That Council grant Cr Harverson leave of absence for the Ordinary Meeting of Council to be held 11 May 2021.**

**CARRIED 11/0**

1.3 Councillors who are applying for Leave of the Absence for this Ordinary Meeting of Council.

Nil

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**2. PUBLIC QUESTION TIME**

Mr Churches – Will the Shire President and Councillors approve these simple applications and work with the landowners so they can continue to use the land for its approved purpose and keep workers and jobs in Collie? The question related to Item 13.1 and Mr Churches relayed background information provided by a planning consultant.

The matter was dealt with at Item 13.1.

Mr Churches asserted that the previous Council minutes were an inaccurate record of the question asked at the meeting on 9 March 2021 with respect to the zoning of land at 51 Patstone Road. Mr Churches stated that ‘What I asked for was for the Council to support to the WAPC that the area should be shown as “Industrial Development Rezoning”.’

Mr Devenish responded that the submission made on behalf of Mr Churches had been read in detail, though there are fundamental differences in opinion as to the planning process.

Mr Smargiassi and Mr Churches left Chambers at 7.15pm.

Mr Shea owns property opposite 51 Patstone Road and asked the following:

- Has Council audited items stored on the property to ascertain they are consistent with conditions of transport depot approval? Mr Shea has photographs and information that indicate items stored are not consistent with approval.
- Is Council of the view that the screening on Patstone Road is sufficient since the mature trees were removed along the verge?
- There are a number of heavy vehicles entering and egressing the property, though there is no crossover constructed – only a gravel driveway – and this was an approval condition. Will Council be following up on this condition?

Mr Devenish took the questions taken on notice so that responses can be provided in full.

Mr Shea left Chambers at 7.20pm.

**3. RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

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**4. DISCLOSURE OF FINANCIAL INTEREST**

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

<b>Councillor/Staff</b>	<b>Agenda Item</b>	<b>Disclosure</b>
Cr Miffing	12.3 Adoption of Sport & Recreation Annual Maintenance Fees for 2020/21. 14.1 Collie Wambenger Trails Signage Locations.	Impartial  Financial
Cr Kearney	13.1 Applications for Development Approval. 13.2 Lotterieswest Grant for Heritage Trail, River Trail and Multimedia Equipment. 14.1 Collie Wambenger Trails Signage Locations.	Impartial
Cr Hansen	12.3 Adoption of Sport & Recreation Annual Maintenance Fees for 2020/21.	Impartial
Cr Scoffern	14.3 Wagyl Bidli Trail Adoption Agreement and Drop Zone Expansion.	Impartial
Cr Smith	14.1 Collie Wambenger Trails Signage Locations.	Proximity

**5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

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

**8702**

<b>Moved: Cr Scoffern</b>	<b>Seconded: Cr Harverson</b>
<b>That Council suspend Standing Orders.</b>	
<b>CARRIED 11/0</b>	

- Brant Edwards the Chief Executive Office of the Bunbury Geographe Economic Alliance and Cr Mick Bennett provided an update to Council.
- BGEA – Alliance of business and Industry leaders/local government working in collaboration > regional leadership > ‘speak with one voice’
- BGEA aim: To grow regional economy, enhance business growth > confidence > investment > jobs
- Core Role:
  - Identify Economic growth through new investment / employment.
  - Connect project proponents, governments and stakeholders through a

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business friendly approach.

- United voice = regional recognition on behalf of BGEA members and for the Bunbury Geographe Region.
- Necessary Information/Strategies – Resources to encourage investment.

Mr Edwards encouraged Council to consider being a member of BGEA in the 2021/22 financial year; particularly given the importance of Collie to power generation and industrial expansion in the region.

Cr Woods left Chambers at 7.53pm and returned at 7.54pm.  
Mr Edwards and Cr Bennett left Chambers at 8.01pm.

**8703**

**Moved: Cr Faries**

**Seconded: Cr Hansen**

**That Council resume standing orders.**

**CARRIED 11/0**

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

Nil

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

Cr Scoffern has declared an impartial interest in Item 14.3

**14.3 Wagyl Bididi Trail Adoption Agreement & Drop Zone Expansion**

<b>Reporting Department:</b>	Technical Services Department
<b>Reporting Officer:</b>	Brett Lowcock- Director of Technical Services
<b>Accountable Manager:</b>	Brett Lowcock- Director of Technical Services
<b>Legislation</b>	<i>Local Government Act 1995 – Section 3.57</i> <i>Local Government Function (Function &amp; General) Regulations 1996</i>
<b>File Number:</b>	LUP/053
<b>Appendices:</b>	Appendix 12 – Proposed Wagyl Bididi Drop Zone Concept
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To advise Council on the proposed maintenance arrangements for the Wagyl Bididi Trails and seek support for the expansion of the trails to include a new section termed the “Drop Zone”.

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**8704**

**Moved: Cr Faries**

**Seconded: Cr Kearney**

**That Council suspend Standing Orders.**

**CARRIED 11/0**

Mr Pye explained the difference between a pump track, the current mountain bike tracks and the proposal for the new Drop Zone section, and the collaborations that have been established between the Collie Cycle Club and the PCYC.

The mountain bike club will have the new zone designed and built properly and contribute to the maintenance of the area in liaison with the PCYC.

**8705**

**Moved: Cr Faries**

**Seconded: Cr Kearney**

**That Council resume standing orders.**

**CARRIED 11/0**

**8706**

**Officer's Recommendation/Council Decision:**

**Moved: Cr Faries**

**Seconded: Cr Scoffern**

**That Council;**

- 1. Authorise the CEO to liaise with the Collie Cycle Club Inc. to develop a Trails Adoption Agreement (TAA) for the Wagyl Biddi trails which outlines respective roles and responsibilities including but not limited to inspection and maintenance arrangements; and**
- 2. Provide in-principle support to the expansion of the Wagyl Biddi Trails to include a "Drop Zone" as outlined in the attached concept drawing, subject to execution of the Trails Adoption Agreement (TAA).**

**CARRIED 11/0**

**Background:**

On 17 March 2017, Council resolved to award the design and construction of the Town Site Mountain Bike Trail (later named the Wagyl Biddi trails) to Common Ground.

*7334*

*That Council adopts en bloc the recommendations contained within the minutes of the Trails Planning Advisory Committee meeting held on 28 February 2017.*

*11.8.1 That Council note the inclusion and consideration of the tender from Three Chillies Trail Design by the Trails Planning Advisory Committee and endorse recommendation from the Committee Meeting of 14 February 2017 to award Tender 02/2017 – Design and Construction of the Town Site Mountain Bike Trail on Reserve 15783 and possibly UCL 350, Collie to Common Ground.*

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The Wagyl Bididi trail head is located at Soldiers Park however the majority of the trails are located in bushland to the South East of the CBD. The trails are connected to the trail head by a trail that runs along the Collie River.

**Statutory and Policy Implications:**

Nil

**Budget Implications:**

Nil – The Trail Adoption Agreement will simply formalise the current arrangements.

**Communications Requirements:** (Policy No. CS 1.7)

Nil – The new trails will retain the same distance from residential properties as the original trails.

**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 3.5 – A sustainable asset and infrastructure base.

Strategy 3.5.4: Develop and implement long-term asset management plans for all Council assets.

**Relevant Precedents:**

The Department of Biosecurity Conservation and Attractions (DBCA) have entered into Trail Adoption Agreements with Mountain Bike Clubs in other parts of the State and found this to be an effective way of maintaining trails.

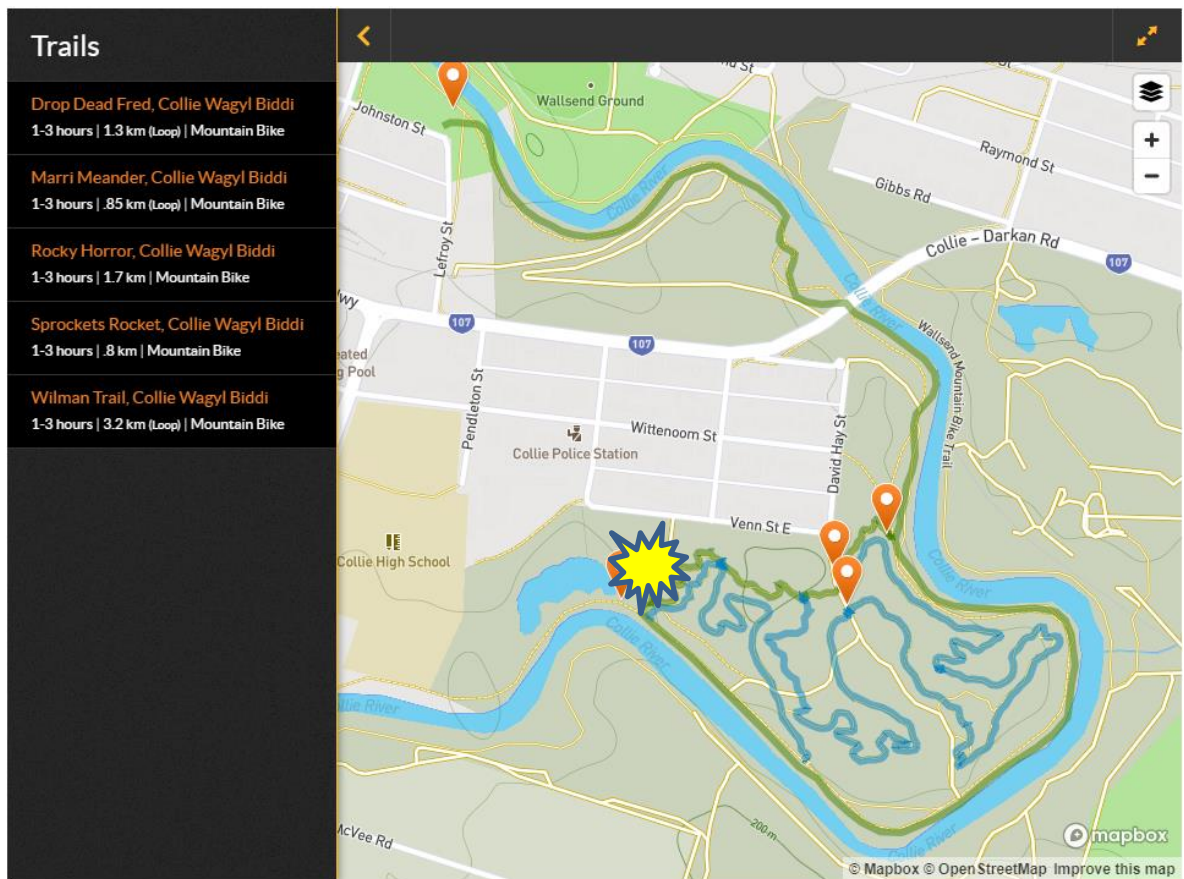
**Comment:**

The Wagyl Bididi trails have become popular with many local mountain bike riders, however the numbers using these trails has plateaued and tends to be the same riders. The expansion of the trails with some more technical features, together with improved wayfinding around town is aimed at increasing the number of local users and visitors using these trails. The additional elements and the proximity to the high school have also been highlighted for potential after school activities run by the Mountain bike club and/or the PCYC.

The Collie Mountain Bike Club (a committee of the Collie Cycle Club Inc.) have developed a concept plan for the proposed “Drop Zone” expansion as attached. The additional trails are all proposed within Shire Reserves suitable for this purpose. The drop zone proposal was raised by the Mountain Bike Club at the trails panel and received support from those present including an officer from the Department of Local Government, Sport and Cultural Industries. The Collie Mountain Bike Club are seeking in-principle support of the concept from Council before proceeding to detailed design, costings and grant funding submissions.



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Proposed "Drop Zone" location



The current maintenance agreement for the Wagyl Biddi trails is an informal agreement between the Shire and the Collie Mountain Bike Club. After some research elsewhere around the State, other places have Trails Adoption Agreements in place ( mainly on DBCA reserves ) which set out roles and responsibilities in terms of inspection and maintenance arrangements. It is recommended that the Shire of Collie work with the Collie Cycle Club Inc. to develop such an agreement to cover the Wagyl Biddi trails.

Mr Pye left Chambers 8.13pm

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**8. CONFIRMATION OF THE PREVIOUS MEETINGS OF COUNCIL MINUTES**

**8707**

**Recommendation/Council Decision:**

**Moved: Cr Italiano**

**Seconded: Cr Scoffern**

**That Council confirms the Minutes of the Ordinary Meeting of Council held on 9 March 2021.**

**CARRIED 11/0**

**9. BUSINESS ARISING FROM THE PREVIOUS MINUTES**

Nil

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

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

**8708**

**Recommendation/Council Decision:**

**Moved: Cr Woods**

**Seconded: Cr Italiano**

**That Council receives the minutes of the Tourism and Marketing Advisory Committee held on 18 March 2021.**

**CARRIED 11/0**

**10.2 Receipt of the Minutes of the Community Safety and Wellbeing Committee**

**8709**

**Recommendation/Council Decision:**

**Moved: Cr Woods**

**Seconded: Cr White**

**That Council receives the minutes of the Community Safety and Wellbeing Committee held on 1 April 2021.**

**CARRIED 11/0**

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**11. CEO REPORTS**

**11.1 Budget Preparation for 21/22 Financial Year**

<b>Reporting Department:</b>	Chief Executive Office
<b>Reporting Officer:</b>	Stuart Devenish – Chief Executive Officer
<b>Accountable Manager:</b>	Stuart Devenish – Chief Executive Officer
<b>Legislation</b>	<i>Local Government Act 1995</i>
<b>File Number:</b>	FIN/047
<b>Appendices:</b>	No
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To note the arrangements for the preparation of the budget for year 21/22.

**8710**

**Officer's Recommendation/Council Decision:**

**Moved: Cr Kearney**

**Seconded: Cr Woods**

**That Council resolve to note the timetable and intentions for the preparation of the budget for year 21/22.**

**CARRIED 11/0**

**Background:**

The adoption of the annual budget for the Shire is a significant decision of Council as it determines rate payment obligations, services provided to the community and works to be undertaken. It also determines the ability of the Shire to financially sustain operations on an ongoing basis.

The setting of the budget involves a balance of revenue and expenditure while ensuring adequate funds are put aside in reserve to meet future obligations.

A strategic approach to budget preparations for the coming year is important to ensure sound financial practices are applied. In this regard, several 'Discussion Papers' have been prepared around key issues with a view to ensuring sound financial management practices going forward. These papers have addressed financial reserves, asset management and rate setting in line with the report to Council on 9 February 2021.

The Shire's financial position in recent years has been impacted by low rate increases and rising costs. This has been combined with an increased asset base and consequent asset maintenance requirements. Taking these factors into account, a number of important principles have been identified for the coming budget, namely:

- Budgeting to a balance of income/expenditure or a small surplus.
- Progressive provisioning of funds to reserve to provide for future funding obligations.
- General avoidance of borrowings
- Limiting discretionary spending to boost reserves; and

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- Minimising the creation of new liabilities.

Along with this, concerted efforts are required to reduce operational costs so that a balanced budget can be delivered with manageable rate increases.

Shire Officers are presently working to prepare draft budget papers in line with the objectives set out above for consideration by Council. Key dates and milestones in this regard include:

4 May:	Forum discussions - Long Term Financial Plan and Fees/Charges
11 May:	Report to Council to consider adoption of proposed fees and charges for the purposes of public advertising
25 May:	Forum discussion - Draft Budget Papers
1 June:	Forum discussion – Draft Budget Papers
8 June:	Consideration of adoption of draft budget terms
29 June:	Consideration of adoption of Annual Budget

It should be noted that the actual adoption of the Annual Budget on 29 June will be dependent on sufficient confidence at that time in the closing position of the 20/21 financial year which must be carried into the new budget.

**Statutory and Policy Implications:**

N/A

**Budget Implications:**

This report addresses budget provisions.

**Communications Requirements: (Policy No. CS 1.7)**

N/A

**Strategic Community Plan/Corporate Business Plan Implications:**

Responsible financial provisioning will enable the Shire to deliver Strategic Community Plan and Corporate Business Plan outcomes as articulated in the current plans, and to ensure ongoing financial sustainability.

**Relevant Precedents:**

N/A

**Comment:**

The report is provided for information.

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**11.2 Designation of Senior Employees**

<b>Reporting Department:</b>	Chief Executive Office
<b>Reporting Officer:</b>	Stuart Devenish – Chief Executive Officer
<b>Accountable Manager:</b>	Stuart Devenish – Chief Executive Officer
<b>Legislation</b>	<i>Local Government Act 1995</i>
<b>File Number:</b>	PSN/015
<b>Appendices:</b>	Appendix 1 - Proposed Revised Policy CS2.1
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To designate certain positions within the organisation as ‘senior employees’ under the terms of the *Local Government Act*, and to clarify arrangements for the role of Acting Chief Executive Officer.

**8711**

**Officer’s Recommendation/Council Decision:**

**Moved: Cr Faries**

**Seconded: Cr Smith**

**That Council resolve to:**

- 1. Adopt revised policy CS2.1 – Designation of Senior Employees and Acting Chief Executive Officer as set out at Appendix 1.**
- 2. Set a review date for Policy CS2.1 as April 2025.**

**CARRIED 11/0**

**Background:**

The *Local Government Act 1995* allows Council to designate certain positions within the organisation as ‘senior employees’ (section 5.37 refers). Senior employees are different to other employees in that they are appointed by Council, are subject to common law employment contracts on fixed terms, contain performance criteria and sit outside the terms of Enterprise Bargain Agreement classifications/benefits.

Having regard for the level of responsibility, remuneration and importance of Director positions, it is appropriate for these appointments to be based on fixed-term performance contracts and determined by the Council. As such, it is recommended that the Directors be designated as senior employees under the Act.

Senior employee designations are best stipulated by Council Policy. Existing Policy CS2.1 presently addresses arrangements for Acting Chief Executive Officer and can be amended to also include senior employee designations.

Terms of the current policy relating to Acting Chief Executive Officer arrangements effectively remain the same, with further clarity around timeframes.

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**Statutory and Policy Implications:**

The *Local Government Act* 1995 and addresses arrangements for senior employees. Amendments are proposed to the terms of Policy CS2.1 in accordance with the Act.

**Budget Implications:**

Nil

**Communications Requirements:** (Policy No. CS 1.7)

N/A

**Strategic Community Plan/Corporate Business Plan Implications:**

N/A

**Relevant Precedents:**

Local governments across Western Australia will typically designate Director/Executive level positions as 'senior employee's'.

**Comment:**

Adoption of amended policy terms will clarify employment and performance management arrangements for Directors and assist with recruitment processes.

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**12. CORPORATE SERVICES REPORTS**

**12.1 Accounts Paid –February 2021**

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

**Report Purpose:**

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

**8712**

**Officer's Recommendation/Council Decision:**

**Moved: Cr Woods**

**Seconded: Cr Smith**

**That Council accepts the Accounts as presented in Appendix 2 being vouchers 41778-41779 totalling \$134.98 and direct payments totalling \$755,597.68 authorised and paid in February 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	<b>\$1,065,139.16</b>
August	\$818.20	\$557,587.21	<b>\$558,405.41</b>
September	\$2,731.65	\$1,427,307.11	<b>\$1,430,038.76</b>
October	\$518.40	\$793,924.60	<b>\$794,443.00</b>
November	\$3,916.20	\$584,125.81	<b>\$588,042.01</b>
December	\$1,358.10	\$949,468.96	<b>\$950,827.06</b>
January	\$32.25	\$818,804.38	<b>\$818,836.63</b>
February	\$134.98	\$755,597.58	<b>\$755,732.66</b>
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 2.

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



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**12.2 Financial Report – February 2021**

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Hasreen Mandry – Finance Manager
<b>Accountable Manager:</b>	Allison Fergie – Director of Corporate Services
<b>Legislation:</b>	<i>Local Government Act 1995 &amp; Financial Management Regulations 1996</i>
<b>File Number:</b>	FIN/024
<b>Appendices:</b>	Appendix 3
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

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

**8713**

**Officers Recommendation/Council Decision:**

**Moved: Cr Hansen**

**Seconded: Cr Woods**

**That Council accept the Financial Report for February 2021 as presented in Appendix 3.**

**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 3.

**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 as Appendix 3 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 is 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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Cr Hansen and Cr Miffing have declared an impartial interest in Item 12.3.

**12.3 Adoption of Sport and Recreation Ground Annual Maintenance Fees for 2020/21**

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Hasreen Mandry – Finance Manager
<b>Accountable Manager:</b>	Allison Fergie – Director Corporate Services
<b>Legislation:</b>	<i>Local Government Act (1995)</i>
<b>File Number:</b>	FIN/005
<b>Appendices:</b>	No
<b>Voting Requirements:</b>	Absolute Majority

**Report Purpose:**

For the Council to adopt the Sport and Recreation Ground Annual Maintenance Fees for the financial year 2020/21.

**8714**

**Officer's Recommendation/Council Decision:**

**Moved: Cr Scoffern**

**Seconded: Cr Italiano**

**That Council adopts by an ABSOLUTE MAJORITY Sport and Recreation Ground Annual Maintenance Fees for the financial year 2020/21 as per below:**

- **Collie Junior Football Club – \$384 per annum**
- **Collie River Valley Little Athletics – \$384 per annum**
- **Collie Eagles Football Club – \$2,539 per annum**
- **Collie Fossils – \$452 per annum**
- **Collie Lawn Tennis – \$1,664 per annum**
- **Collie Harness Racing – \$914 per annum**
- **Western Riding Association- \$914 per annum**
- **Collie Soccer Club – \$2,539 per annum**
- **Collie Cricket Association – \$2,539 per annum**
- **Collie Motor Cycle Club – \$873 per annum**
- **Collie Swimming Club – \$1,130 per annum (including lighting)**
- **Collie Underwater Hockey Club – \$1,130 per annum (including lighting)**

**CARRIED 11/0**

**Background:**

Due to the fluctuation in ground maintenance cost from year to year, a detailed analysis will be conducted every 3 years to re-asses the optimal cost recovery base.

In 2018/19, a detailed analysis of the cost recovery method was conducted which concluded that a 7% cost recovery (with a \$2,500 cap) on the past 3-year average of

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ground maintenance cost gave the most acceptable fee structure, with a view of increasing the fees (including the cap) by the same percentage as the rates increase.

Due to the impact of COVID-19 in 2019/20, Council granted a 4-month concession to each sporting club. The pro rata fee was based on the 2018/19 fee plus a 1.55% (rates increase for 2019/20).

As there was no rates increase for the financial year 2020/21, the fees proposed for the annual ground maintenance is the 'full' fee imposed on the sporting clubs if the concession was not granted in 2019/20.

**Statutory and Policy Implications:**

Section 6.16 to 6.19 of the *Local Government Act 1995* governs the imposition of fees and charges.

**Budget Implications:**

Clubs will be invoiced this financial year as the fees are for the current year.

As required by section 6.17 of the Act, the following was taken into account in determining the amount of a fee or charge for a service;

- (a) the cost to the local government of providing the service or goods;
- (b) the importance of the service or goods to the community; and
- (c) the price at which the service or goods could be provided by an alternative provider.

**Communications Requirements:** (Policy No. CS 1.7)

Public notice will be given after adoption, and an explanatory letter will be provided to sporting club.

**Strategic Community Plan/Corporate Business Plan Implications:**

KEY OBJECTIVE 5.0

Our Business

Good governance and an effective, efficient and sustainable organisation.

Outcome 5.3:

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

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

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**Relevant Precedents:**

Council has previously adopted the sporting bodies fees at its meeting held on 31 March 2020, Council resolved as follows:

8407

That Council

1. *adopts by an ABSOLUTE MAJORITY sporting bodies fees for the financial year 2019/20 as per below:*
  - *Collie Junior Football Club – \$256*
  - *Collie River Valley Little Athletics – \$256*
  - *Collie Eagles Football Club – \$1,693*
  - *Collie Fossils – \$301*
  - *Collie Lawn Tennis – \$1,110*
  - *Collie Harness Racing – \$605*
  - *Western Riding Association- \$609*
  - *Collie Soccer Club – \$1,693*
  - *Collie Cricket Association – \$1,693*
  - *Collie Motor Cycle Club – \$582*
  - *Collie Swimming Club – \$754 (including lighting)*
  - *Collie Underwater Hockey Club – \$754 (including lighting)*
2. *That the above fees be calculated on a pro rata basis (1 July – 29 February 2020) for sports which are adversely impacted by shorter seasons due to Covid19 crisis.*

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**Comment:**

Clubs were given a concession in 2019/20 due to COVID-19 impacting the sporting season, however this has not been applied to the 2020/21 ground fees. The detailed analysis in 2018/19 looked at a 3-year average of the ground maintenance cost for various recreation facilities, and the outcome is as per below:

Association	Facility Used	Facility Cost 2015/16	Facility Cost 2016/17	Facility Cost 2017/18	Facility Cost 3 -year average	2018/19 Fees <sup>1</sup>	2019/20 Fees <sup>2</sup>	2020/21 Fees <sup>3</sup>
Collie Junior Football Club	Recreation Ground	\$49,882	\$62,156	\$52,759	\$54,932	\$378	\$256	\$384
Collie River Little Athletics						\$378	\$256	\$384
Collie Eagles Football Club						\$2,500	\$1,693	\$2,539
Collie Fossils						\$445	\$301	\$452
Collie Lawn Tennis	Tennis Club	\$23,695	\$19,480	\$27,074	\$23,416	\$1,639	\$1,110	\$1,664
Collie Harness Racing Club	Wallsend Ground	\$13,423	\$11,447	\$13,409	\$12,760	\$893	\$605	\$914
Western Riding Association						\$900	\$609	\$914
Collie Soccer Club	Soccer Pitch (Roche Park)	\$31,769	\$28,168	\$51,948	\$37,295	\$2,500	\$1,693	\$2,539
Collie Cricket Association	Cricket Pitch (Roche Park)	\$87,142	\$84,561	\$62,711	\$78,138	\$2,500	\$1,693	\$2,539

Note:

1. based on 7% cost recovery of the 3-year average (capped at \$2,500).
2. 1.55% increase of the 2018/19 (in line with the rates increase) less 4 months COVID-19 concession.
3. 0% increase of the 2019/20 fees (without the concession)

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For the Motorcycle Club Scramble Course, the Shire leases the land (scramble course near Stockton Lake) from Department of Biodiversity, Conservations and Attractions (DBCA).

The lease payment to DBCA in 2018/19 was \$760 per annum and the club was charged \$860 (lease payment plus \$100 admin cost). For 2019/20, the club was also granted the 4-month COVID-19 concession and the increase in the proposed fees for 2020/21 is in line with the other ground maintenance fee increases.

<b>Association</b>	<b>Facility Used</b>	<b>2017/18 Fees</b>	<b>2018/19 Fees</b>	<b>2019/20 Fees</b>	<b>2020/21 Fees</b>
Motorcycle Club	Shire leases the land from DBCA	\$850	\$860	\$582	\$873

For the Collie Swimming Club and Collie Underwater Hockey Association the review in 2018/19 concluded that they were to be charged as a 7% increase to the 2017/18 fees.

For 2019/20, the clubs were also granted the 4-month COVID-19 concession and the increase in the proposed fees for 2020/21 is in line with the other ground maintenance fee increases.

<b>Association</b>	<b>Facility Used</b>	<b>2017/18 Fees</b>	<b>2018/19 Fees</b>	<b>2019/20 Fees</b>	<b>2020/21 Fees</b>
Collie Swimming Club	Swimming Pool	\$1,040	\$1,113	\$754	\$1,300
Collie Underwater Hockey Club		\$1,040	\$1,113	\$754	\$1,300

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**12.4 Sale of Lots 2872 and 27 Throssell St, Collie**

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Allison Fergie – Director Corporate Services
<b>Accountable Manager:</b>	Stuart Devenish – Chief Executive Officer
<b>Legislation</b>	<i>WA Local Government Act 1995</i>
<b>File Number:</b>	L2872
<b>Appendices:</b>	No
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To resolve on the sale of Lots 2872 and 27 Throssell Street, Collie.

Moved: Cr Scoffern

Seconded: Cr Smith

That Council readvertise in public notices the intended use of the property so that the public can make comment.

LOST 1/10

**8715**

**Officer Recommendation/Council Decision:**

**Moved: Cr Faries**

**Seconded: Cr Woods**

**That Council, having met the requirements of Section 3.58 of the Local Government Act 1995, sell Lots 2872 and 27 Throssell Street, Collie to H & L Family Restaurants for the amount of \$550,000 Excl. GST.**

**CARRIED 10/1  
Cr Scoffern AGAINST**

**Background:**

In 2020 an approach was made by H & L Family Restaurants (H & L Haydar) for the purchase and subsequent development of Lots 2872 and 27 Throssell Street, Collie. The lots and details of the proposal were presented to Council at its meeting held 27 October 2020 at which meeting the Council decision was:

*8601 – That Council :*

- 1. Obtain a current valuation for the Lots 2872 and 27 Throssell Street, Collie;*
- 2. Give in-principle approval for the expression of interest as presented at Confidential Appendix 1;*
- 3. Request staff to continue to work with the proponent to develop a detailed proposal for Lots 2872 and 27 Throssell Street, Collie; and*
- 4. Bring back a report to Council with the current valuation and a detailed proposal for the development of the Lots in order to make a decision on the disposition of the property.*



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Staff continued to work with the proponent and discussions led to a verbal offer from H & L Family Restaurants to purchase both lots. At its meeting held 9 March 2021 Council considered the offer and resolved:

8699 – *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.*

In accordance with the *Local Government Act 1995* s.3.58(3)(a) public notice was given of the disposition and inviting submissions to be lodged with the local government before 2 April 2021.

At the closing date and time no submissions had been received.

**Statutory and Policy Implications:**

Section 3.58 of the *Local Government Act 1995* refers to the disposal of property:

3.58. Disposing of property

(1) In this section —

**dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not;

**property** includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

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- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
- (a) the names of all other parties concerned; and
  - (b) the consideration to be received by the local government for the disposition; and
  - (c) the market value of the disposition —
    - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
    - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to —
- (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
  - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
  - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
  - (d) any other disposition that is excluded by regulations from the application of this section.

*[Section 3.58 amended by No. 49 of 2004 s. 27; No. 17 of 2009 s. 10.]*

**Budget Implications:**

Council has repaid the loans on these two blocks in full.

There will be a saving to Council of the cost allocated to the demolition of the Railway Institute building (\$27,000), though a cost will be incurred in modifying the drainage at the western end of the battle-axe portion of Lot 27 to allow access through the reserve/carpark between Caltex and the Collie Art Gallery. Conveyancing costs are estimated to be around \$1,200.

**Communications Requirements:** (Policy No. CS 1.7)

The proposed disposal has been advertised in accordance with the requirements of the Act.

**Community Strategic Plan/Corporate Business Plan Implications:**

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

**Relevant Precedents:**

Council disposed of Lot 28 Throssell Street to McDonalds Australia by way of both public tender and private treaty for \$315,000 with conditions in 2008.

**Comment:**

Having followed all statutory requirements it is recommended that Council proceed with the sale.

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The disposal of assets has been identified as a strategy that will positively impact Council's financial position and provide for the future by increasing Council's Building Reserve. It will also enable the properties to be developed, expanding the range of services available to the community, create employment and complement broader economic development aspirations for the town.

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**12.5 Disposal of 43 Elouera Road**

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Allison Fergie – Director Corporate Services
<b>Accountable Manager:</b>	Allison Fergie – Director Corporate Services
<b>Legislation</b>	<i>Local Government Act 1995</i>
<b>File Number:</b>	CPR/014
<b>Appendices:</b>	No
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To seek Council's determination in respect to the disposal of the Shire owned property at 43 Elouera Road, Collie.

**8716**

**Officer's Recommendation/Council Decision:**

**Moved: Cr Smith**

**Seconded: Cr Harverson**

**That Council:**

- 1. Determine to dispose of the property at 43 Elouera Road;**
- 2. List the property for sale with a real estate agent; and**
- 3. Dispose of the property in accordance with sections 3.58(3) and (4) of the Local Government Act 1995.**

**CARRIED 11/0**

**Background:**

The Council has previously moved to dispose of the property at 43 Elouera Street Collie through the tender process in accordance with section 3.58 of the *Local Government Act 1995* (the Act). At its meeting held 30 May 2017 Council resolved:

7440

- 1. Receive the valuation report for 43 Elouera Rd Collie at confidential Appendix 1.*
- 2. Carry out the works recommended in the valuation report.*
- 3. Undertake a public tender process for the disposal of 43 Elouera Rd Collie in accordance with section 3.58 of the WA Local Govt Act.*

The recommended works were carried out in 2017 and the property was advertised for sale by tender. However, the tender received in 2018 was declined, and the property was then listed for sale with a professional real estate agent.

During the time of listing, no offers were received. Under the requirements of the Act, an updated valuation was obtained and the tender process was repeated.

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At its meeting held 18 June 2019 Council resolved:

*8171 – That Council;*

- 1. decline the tender submitted by Bradley Scott Hewett of 23 Culldora Street, Newman for the purchase of 43 Elouera Road Collie; and*
- 2. staff to consult with a real estate agent to obtain advice on bringing the property up to a standard which would make it attractive as a rental.*

Staff consulted with a real estate agent and followed the advice of the Senior Property Manager for works to be undertaken to ensure that the property was an attractive rental proposition.

On 30 July 2019 Council resolved:

*8216 – That Council;*

- 1. Lease the property at 43 Elouera Road for a rental of \$290 - \$310 per week; and*
- 2. Continue to engage the services of a professional property manager with a local real estate agency for the ongoing management of the property.*

The property has been leased continuously since late 2019 to the same tenant with the current lease expiring 8 October 2021.

**Statutory and Policy Implications:**

Section 3.58 of the *Act* refers to the disposal of property:

**3.58. Disposing of property**

(1) In this section —

**dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not;

**property** includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

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- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
- (a) the names of all other parties concerned; and
  - (b) the consideration to be received by the local government for the disposition; and
  - (c) the market value of the disposition —
    - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
    - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

**Budget Implications:**

The 2020/21 annual budget contains an amount of \$2,858 for building maintenance for the property and insurance costs are \$653 for the financial year.

The property is currently leased for \$310 per week and property management fees are deducted from this amount.

**Communications Requirements:** (Policy No. CS 1.7)

Nil.

**Strategic Plan Implications:**

GOAL 5: OUR BUSINESS *Good governance through an effective, efficient and sustainable organisation.*

**Relevant Precedents:**

At its meeting held 9 March 2021 Council resolved:

8699 – *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.*

**Comment:**

The disposal of assets has been identified as a positive strategy for the Shire's financial position. In view of more positive market conditions, it is recommended that the property be presented for sale.

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**13. DEVELOPMENT SERVICES REPORTS**

Cr Kearney has declared an impartial interest in Item 13.1.

**13.1 Two Applications for Development Approval- 1. Request to Amend Development Approval- Expansion to Transport Depot and Use Not Listed (Parking of Commercial Vehicles) 2. Request to Amend Conditions on Development Approval- Transport Depot and 'Use Not Listed' (Parking of Commercial Vehicles)**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	Isabel Fry - Town Planner
<b>Accountable Manager:</b>	Stuart Devenish - Chief Executive Officer <i>Planning and Development Act 2005</i>
<b>Legislation</b>	<i>Planning &amp; Development (Local Planning Schemes) Regulations 2015</i>
<b>File Number:</b>	A5646
<b>Appendices:</b>	Appendices 4 - 10
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

For Council to consider two Development Applications proposing to amend the Development Approval granted 24 October 2019 for a Transport Depot and 'Use Not Listed' (Parking of Commercial Vehicles) by 1. Introducing a new dome shelter, caretaker's office, batter and fill and update to location of landscape strip. 2. Removing Conditions 4 and 10.

**8717**

**Officer's Recommendation/Council Decision:**

**Moved: Cr Miffling**

**Seconded: Cr Woods**

**That Council resolve;**

- 1. Pursuant to clause 63, Part 8 of Schedule 2 of the Planning and Development (Local Planning Scheme) Regulation 2015, to seek further information in relation to the two applications for Lot 51 Patstone Road, Collie prior to making determinations on the applications;**
- 2. In relation to 1. above, to request the applicant to provide the following:**
  - a) details of all works and activities undertaken on the site to date and the relationship of such to the conditions of the approval dated 24 October 2019;**
  - b) an amended site plan identifying the specific extent of the areas within the 'Depot Zone' to be used for commercial vehicle parking and sea containers; and**
  - c) satisfactory measures that can be taken to achieve effective screening of the activities on site;**

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**3. To further consider the applications upon receipt of a response from the applicant in respect to 2. above.**

**CARRIED 11/0**

**Background:**

Two applications for Development Approval (refer Appendix 4 and Appendix 5) have been submitted by Planning Solutions on behalf of David Churches, Smargiassi Super Pty Ltd and Jenny Lee to amend the Development Approval granted 24 October 2019 (refer Appendix 6) for Lot 51 Patstone Road, Collie (refer Appendix 7).

The proposed amendments to the Approval include;

1. Introducing a new dome shelter, caretaker's office, batter and fill and update to the location of landscape strip. (Appendix 4)
2. Removing Conditions 4 and 10. (Appendix 5)

The proposed new buildings and fill are required for Collie Steel's transport depot and commercial vehicle parking operations in the northern half of the depot. The buildings will facilitate site management operations in the short term, using materials and structures available to the proponent in the short term.

The new dome shelter will be located in the northern half of the depot zone, mounted on shipping containers stacked at single height with dimensions of 16.9m x 24m and a height of 6.1m. The caretaker office will be made up of 3 separate demountable buildings and have total dimensions of 14.4m x 9.5m. The caretaker's office will consist of an office, lunch room, meeting room, storeroom, ablutions, living room, kitchenette and two bedrooms (for caretaker use).

The fill will consist of a 30 degree sloped batter along the southern and western edge of the northern half of the depot zone, with a height of 0 to 3 metres. The purpose of the fill is to reduce the slope on the land it is understood that fill has already been brought to site.

The application also proposes to amend condition 5 of the Development Approval, to include the structures as proposed in this amendment. Additionally, amending the location of the landscaping on the site plan will reflect the agreed location as per the Landscaping Plan as approved by the Shire.

The requested conditions to be removed read as follows:

*4. A maximum of 10 fire fighting vehicles (mentioned at condition 1a) and 25 commercial vehicles (mentioned at condition 1d) are permitted to be garaged on site at any time.*

*10. Condition 1(b) allows for the transfer of sea containers and other goods. There shall not be greater than 20 sea containers onsite at any given time. This does not include sea containers approved as part or entire buildings for storage of goods.*

The Applicant has advised that the purpose of the request is to remove operational restrictions imposed by the conditions, which has impacted how efficiently and effectively the business can be operated. Further justification from the Applicant for the removal of the conditions has been provided with the application.



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Lot 51 Patstone Road is 27.47 hectares in area, relatively flat and zoned Rural 1 under the *Shire of Collie Local Planning Scheme No. 5*. The north west and south west boundaries of the site are adjacent to State Forest and the north east boundary fronts Patstone Road. The south east lot boundary is adjacent to a lot zoned Rural 2.

The south east portion of the lot is within the Collie Coal Basin and advice has previously been received from the Department of Mines Industry, Regulation and Safety which advised that there were no constraints with placing buildings on lot 51.

The existing approved uses on the site are 'Transport Depot' and 'Use Not Listed-Parking of Commercial Vehicles'. A timeline of events and previous applications on the property is provided in Appendix 8).

The existing conditions of development approval were negotiated between Shire Officers and the proponent during SAT proceedings relating to the original application. The agreed conditions of approval were intended to limit and minimise the visual impact and ensure the scale of the development remains consistent with the Rural 1 zone.

It is noted by officers that the previous Approval included a condition relating to a Landscaping Plan to be submitted and approved by the Shire. It is acknowledged that the planting was undertaken by the Applicant and the plan was approved by the Shire. At present, the trees planted are not effectively screening the activities occurring on the property from the road or adjoining landowners.

During the assessment of this application, consideration has been given to the Shire of Collie's Local Planning Strategy which has identified the subject site as a potential location for industrial development. The Applicant has approached the Shire to investigate a possible rezoning of the property, although there is currently no formal application to commence a Scheme Amendment. The Shire has indicated its support of a rezoning pending the relevant reports and investigation into the suitability of the site being undertaken. At present, the land remains zoned Rural 1 and the applications are assessed under the provisions of this zone.

**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*

*Schedule 2 cl.77 Allows for development approvals to be amended or cancelled.*

Local Planning Scheme No. 5

The subject lot is zoned Rural 1.

Transport Depot – 'D' in the Rural 1 zone.

Local Planning Strategy 2020

Planning Precinct (Industrial 2)

**Budget Implications:**

Nil

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**Communications Requirements:**

Nearby property owners were given the opportunity to comment on the proposal from 9 February 2021 to 17 February 2021 a total of two (2) submissions were received as a result of the public advertising period, both of the submissions received were objecting to the application, as discussed below. A summary of the submissions received is provided in Appendix 9.

**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:**

The proposed structures, being the dome shelter and the caretaker's quarters are both able to be considered for approval in the Rural 1 zone. The proposed caretaker's dwelling includes the provision of two bedrooms, living, meeting room, lunchroom, office, and ablutions. The site plan also shows an additional accommodation block which has been approved. The definition of 'Transport Depot' allows for the provision overnight accommodation on-site for transport workers. The uses 'Caretaker's Dwelling' and 'Transport Depot' do not specifically reference the provision of office or meeting room facilities however it may be considered that these are incidental aspects to this type of development.

It should be noted that Shire Officer's have contacted the Applicant regarding several issues of noncompliance with the *Health Act 1911* and the *Building Code of Australia* regarding the proposed caretaker's quarters. The Applicant has advised that these issues will be dealt with at Building Permit stage.

The fill and earthworks that are included in this application have already commenced on the site and were raised as part of the compliance notification issued by the Shire. This fill is proposed to increase the usability of the site and is proposed within the depot zone, as shown on the site plan. The fill proposed to be used is crushed gravel and concrete fill. This aspect of the proposal can be considered for approval.

This application to remove conditions 4 and 10 will likely result in an intensification of the operations on the site and considerations need to be made for the visual amenity of the area should the conditions be removed, and the development intensify. It should be noted that although the operations will likely intensify, they will continue to be contained in the footprint provided in the 'depot zone' and the remaining portion of the property will continue to be used for rural purposes.

This application was advertised simultaneously with another application on the same property, however the applications were advertised as separate applications. The submissions made did not differentiate between the applications, so the issues raised have been considered relevant to both applications. During the public consultation, two submissions were received from nearby landowners which indicated they object to the expansion of the operations on the site. The primary concern of nearby landowners is

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the visual impacts of the development as well as the growing scale of the development and non-compliance with the conditions of approval. The submissions also raised that the landscaping has not been effective in screening the site and issues relating to dust from vehicle movements have been noticed. Issues regarding the prolonged storage of goods on the property were also raised in the submissions.

This application will likely facilitate an expansion to the operations on the site, especially with consideration to the provision of a meeting room, office, lunchroom and additional accommodation. The continued expansion of the site is consistent with that of an industrial site, which is the strategic direction for this area. However, in the absence of the supporting documentation for a rezoning and the usual management measures in place for an industrial area, at present the site remains zoned Rural 1. It is recommended that mitigation measures should be put in place to ensure the expansion does not detrimentally impact the surrounding area. It should be noted that although the operations will likely intensify, they will continue to be contained in the footprint provided in the 'depot zone' and the remaining portion of the property will continue to be used for rural purposes.

Shire Officers have contacted the Applicant to discuss the possibility of further, more effective screening of the depot zone within the subject site, through the installation of an earth bund planted with native vegetation. The Applicant advised that their position is that the landscaping arrangements have been resolved through the implementation of the approved Landscaping Plan and they do not intend to revisit the landscaping arrangements. Officers visited the site on 25 February 2021 and provide updated images of the landscaping in Appendix 10.

It is recommended that should approval of this application be contemplated, and intensification of development be supported, suitable management measures need to be proposed to effectively mitigate the potential adverse impacts of the increase in intensification of operations on the site. This could include an earth bund built to a suitable height and grade to screen the 'depot' zone from the road and adjoining properties. This installation is not considered to be an unreasonable request as screening of industrial land uses/areas is often required to maintain the amenity of the surrounding area. At present, the vegetation screening in place on the site is not adequate and with an intensification of the use it is appropriate to require additional measures to be taken.

It is recommended that that Council requests the Applicant to provide clarification of all activities currently occurring on the site, as well as relating these activities to the current terms of approval. It is also recommended that Council request the applicant to demonstrate, through an amended site plan, that the development can be adequately screened and managed to not cause detriment to the amenity of the area, preferably through the construction of an earth bund planted with native vegetation.

Acknowledging the applicant's reluctance to entertain a bund, it is appropriate to invite the applicant to identify suitable measures to achieve screening of activities from view.

The further information sought from the applicant is central to the Council consideration of the applications and it is appropriate to defer making determinations until additional details is available.

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**13.2 Lotterieswest Grant for Heritage Trail, River Trail and Multimedia Equipment**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	Katya Tripp – Project Officer
<b>Accountable Manager:</b>	Stuart Devenish – Chief Executive Officer
<b>Legislation</b>	<i>Local Government Act 1995</i>
<b>File Number:</b>	EDV/081
<b>Appendices:</b>	No
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To seek Council's endorsement of a proposed project variation for submission to Lotterieswest. If approved by Lotterieswest the variation will amend the scope with a view to reconciling over and under expenditures and bringing the project to completion.

**8718**

**Officer's Recommendation/Council Decision:**

**Moved: Cr Smith**

**Seconded: Cr Hansen**

**That Council resolves to:**

- 1. Request Lotterywest approve a revised proponent scope, costing and programming as set out in this report;**
- 2. Authorise the disposal of multimedia projector acquired in association with the project; and**
- 3. Seek reimbursement of costs incurred to date from Lotterieswest under agreed terms of the grant.**

**CARRIED 11/0**

**Background:**

In October 2019 a grant was approved by Lotterieswest for a total of \$209,154. The purpose of this grant was for consultant costs, interpretive signage, artwork project costs and multimedia equipment to conserve local history and to promote community connection and participation.

The intentions were to deliver:

- A heritage trail from the Visitors Centre to Soldiers Park that incorporated local stories, signage, map and murals and;
- A river trail from Soldiers Park to Minninup Pool incorporating, local stories, signage, map mural artwork and chain saw art;
- Trail head signage at Soldiers Park;
- Bike racks;
- Outdoor Movie Screen in the soundshell;
- Message Board Sign at Central Park; and
- Projection of multimedia onto the Goods Shed.

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The funding arrangement is for initial drawdown to occur 3 months from the date granted and for final drawdown due 12 months from the date granted. It was expected that this project would have been completed and acquitted by October 2020.

**Progress to Date:**

To date the following has been achieved:

- A wayfinding and public art strategy, including short stories to be interpreted through art along the trail;
- 15 artist briefs which formed the basis of artists EOIs, and ensured that artist responses align with the overarching direction and strategy goals;
- Completion of 7 murals;
- A draft heritage trail map;
- Five bike racks made including one trialled. 25 are on order by DBCA;
- Trail head signage in progress and to be undertaken by DBCA;
- Purchase of a multimedia projector;
- Purchase and installation of community message board sign at the Shire offices; and
- Purchase and installation of outdoor movie screen

The expenses incurred for the above elements is presented in the table below. Some elements are currently over budget whilst other elements are below budget.

<b>Agreed Element</b>	<b>Agreed Budget (\$)</b>	<b>Actual Expenditure (\$)</b>
Consultant costs	57,021	23,726.63
Interpretive signage	53,000	0
Murals artwork	25,000	41,036.97
Chainsaw artwork	22,000	0
Multi-media projection	37,578	32,043.02
Multi-media equipment (outdoor movie screen and community message board)	14,155.	22,328.51
<b>Total</b>	<b>208,754 (177,110 without project costs)</b>	<b>119,135.13</b>

**Review:**

Officers have reviewed the project and recommend the following:

- Do not undertake the river trail and remove the chainsaw artwork. This project has yet to commence and with current expenditure and timeframes is not considered achievable under this grant.
- Reallocate funds for the chainsaw artwork to cover the expenses incurred for the murals and multi-media equipment that both went over budget.
- Remove of the multimedia projection element including the removal of the funding allocated to the multimedia projector and for the Shire to dispose of this item/asset. The project is required to be mounted in a special case in order to protect it from the elements. This cost was estimated at \$15,000. The projector also needs filters changing approximately every 20 hours which would require a scissor lift or similar. A suitable location is not identified and ongoing costs to manage the operation (artwork and projector function) is not funded.
- Do not complete the mural proposed for 79 Throssell Street as it will detract away from the new pit pony statue; be an ongoing maintenance cost due to foot traffic and if potential damage if pavers at this intersection need to be upgraded or modified. \$2,727

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has been spent on the design with \$11,500 required to paint it;

- Complete the Collie heritage trail including physical wayfinding elements (plaques). These plaques will be the same as those used for the State's mural trail and can be included in the Wambenger app. Estimated cost for design and installation of approx. 40 sites is \$10,000.
- Add a graffiti coating to the Shire murals at an estimated cost of \$15,000; and
- Request a project extension until 31 July 2021.

The table below presents the agreed budget and the proposed new budget for submission to Lotterieswest:

<b>Agreed Element</b>	<b>Agreed Budget (\$)</b>	<b>New Budget (\$)</b>
Consultant costs	57,021	24,000
Interpretive signage	53,000	10,000
Murals artwork	25,000	56,500
Chainsaw artwork	22,000	0
Multi-media projection	37,578	0
Multi-media equipment (outdoor movie screen and community message board)	14,155	22,500
<b>Total</b>	<b>208,754</b>	<b>113,000</b>

**Statutory and Policy Implications:**

Nil

**Budget Implications:**

Lotterieswest reimburse incurred costs in accordance with agreed grant terms, including delivery of project outcomes.

The projector that was purchased is recommended to be removed from the approved funding budget and for the Shire to recoup as much as possible through sale of the item.

**Communications Requirements: (Policy No. CS 1.7)**

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.*

It is noted that communications with Council and the community on this project has been limited. For the remaining elements of this project, communication is to be improved through:

- Regular updates via the Shires information section in the Collie River Valley Bulletin.
- Regular posts on the Shire's face book page and
- News items on the Shires website.

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**Strategic Community Plan/Corporate Business Plan Implications:**

Goal 3 Our Natural Environment: A protected, sustainable natural environment that supports the needs and aspirations of the community.

Outcome - 3.1 A protected natural environment

3.1.1 Sustainably manage bushland.

3.1.2 Support community based environmental protection initiatives.

3.1.3 Encourage industry to take a collaborative approach to environmental management.

Outcome - 3.2 Water resources sustainability

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

**Relevant Precedents:**

Nil

**Comment:**

A meeting was held with Lotterieswest and they were supportive of a project variation being requested.

We now seek Council's support to request Lotterieswest to approve the reviewed scope, budget and timetable and to dispose of the purchased projector.

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**14. TECHNICAL SERVICES REPORTS**

Cr Miffing has declared a financial interest and left the room at 9.27pm.  
Cr Smith has declared a proximity interest and left the room at 9.29pm.

**14.1 Collie Wambenger Trails Signage Locations**

<b>Reporting Department:</b>	Technical Services Department
<b>Reporting Officer:</b>	Brett Lowcock- Director of Technical Services
<b>Accountable Manager:</b>	Brett Lowcock- Director of Technical Services
<b>Legislation</b>	<i>Local Government Act 1995 – Section 3.57 Local Government Function (Function &amp; General) Regulations 1996</i>
<b>File Number:</b>	LUP/053
<b>Appendices:</b>	Appendix 11
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To seek Council endorsement of three (3) proposed CBD locations of Collie Wambenger trail signage.

**8719**

**Officer's Recommendation/Council Decision:**

**Moved: Cr Italiano**

**Seconded: Cr Woods**

**That Council**

- 1. endorse the three (3) nominated locations in the CBD for the installation of Collie Wambenger trails signage as shown on the attached plan which includes:**
  - Collie Visitor Centre**
  - Central Park**
  - Throssell St**
- 2. authorise staff to work with DBCA towards finalising the design of the signage and subsequent installation.**

**CARRIED 9/0**

**Background:**

On 9 March 2021, Council resolved to request staff liaise with the Department of Biodiversity, Conservation and Attractions (DBCA) regarding the location of the Wambenger Trail head and report back to Council. This followed concerns around a proposed trail head signage location at Central Park.



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The Collie Wayfinding Signage Strategy is a \$600,000 Royalties for Regions project funded through DBCA to deliver the project in conjunction with other tourism investments such as the Wambenger Trails (Collie Adventure Trails) project.

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 tourist destination by encouraging consistent themes and innovate and distinctive signage across the region.

**Statutory and Policy Implications:**

Nil

**Budget Implications:**

The Collie Wayfinding Signage Strategy is funded by the State Government. 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. 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.

OUTOME 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 initial nominated location of the Wambenger Trail Head was located in Central Park adjacent to the Senior Citizens entrance. This location was away from the main foot traffic area of Central Park and would not have been seen by many visitors to Collie. In addition, if this area was used as a trail head and visitors were encouraged to park their vehicles before heading out to the trail then this could have had a negative impact on the Senior Citizens centre as their clients also rely on the proximity of this parking. Based on this feedback, staff undertook a review with DBCA of the other potential sites.

Shire staff undertook a site visit with DBCA on 23 March 2021 to review potential signage locations. Rather than just focusing on one location for a major installation (10m x 4m), which could easily be missed by visitors to town, it was decided to nominate medium size (3m x 5m) installations that could be more easily accommodated and be placed in strategic areas where visitors already are observed to congregate or will congregate in the future as discussed below.

**Location 1 – Collie Visitors Centre**

The Collie Visitors Centre is often the first stop for many visitors to town and provides an opportunity to share information about the many attractions in and around Collie. There are some existing trail information signs that would be replaced with newly branded Wambenger Trails signs that would cover all the trails in and around Collie.



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**Location 2 – Central Park**

Central Park is already popular with visitors to town due to its proximity to shopping and retail outlets and is also used for holding major events. Many visitors to town are observed waiting around the Wagon waiting for a coffee and this would be a showcase for other trails and attractions in and around Collie. The Wambenger trails signage would also provide additional shelter and some seating which would be useful when there is inclement weather.



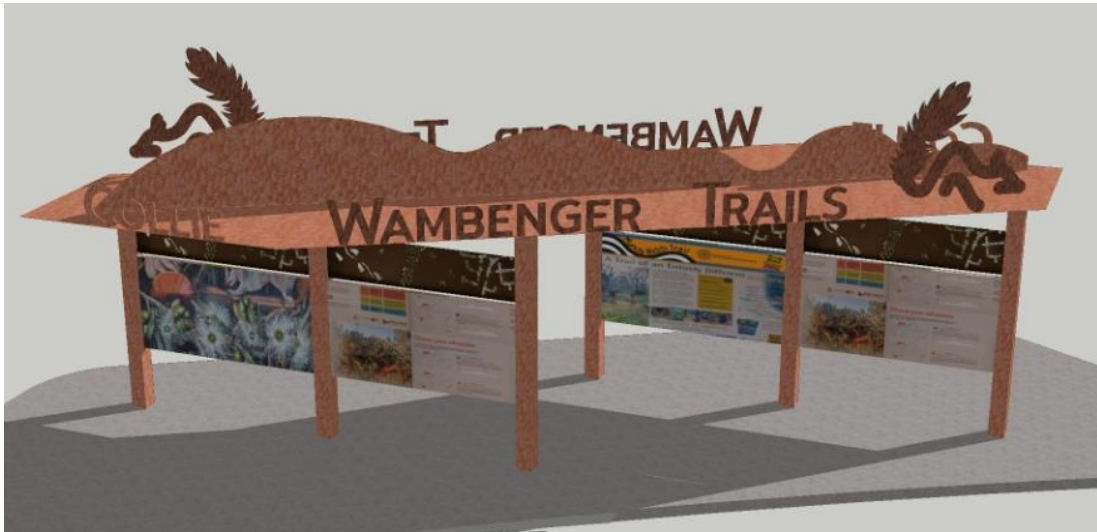
**Location 3 - Throssell St**

Throssell St was identified as the third location for the installation of Wambenger trails signage. Once the facade project is completed and the planned development occurs on Lots 2872 and 27, it is expected that there will be an increase in travellers stopping along Throssell St to visit these businesses. This is seen as an ideal opportunity to advertise the attractions in and around Collie, especially to those travellers that would otherwise just pass-through town. The final location of the signage in this location would need to accommodate the development proposed for Lots 2872 & 27 and would therefore be postponed until at least final design plans are available. Therefore, the proposed location is indicative at this stage.



**Signage Design**

Whilst the final design of the signage is not yet complete, DBCA have provided an indicative sketch showing the overall concept. There may be additional elements added such as a Wambenger sculpture and incorporate reusable items that have a link to Collie's heritage which would be subject to final design requirements and available budget.



Cr Smith returned to Chambers at 9.40pm.

Cr Scoffern left Chambers at 9.40pm and returned at 9.42pm.

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**14.2 Disposal of Volkswagen Golf (101 CO)**

<b>Reporting Department:</b>	Technical Services Department
<b>Reporting Officer:</b>	Brett Lowcock- Director of Technical Services
<b>Accountable Manager:</b>	Brett Lowcock- Director of Technical Services
<b>Legislation</b>	Local Government Act 1995 – Section 3.57 Local Government Function (Function & General) Regulations 1996
<b>File Number:</b>	CPR/057
<b>Appendices:</b>	No
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

For Council to consider disposal of (101CO) Volkswagen Golf.

**8720**

**Officer's Recommendation/Council Decision:**

**Moved: Cr Hansen**

**Seconded: Cr Kearney**

**That Council resolve to dispose of (101 CO) Volkswagen Golf by Public Auction in accordance with the Local Government Act 1995.**

**CARRIED 11/0**

**Background:**

The disposal of 101CO was identified in the 2019/20 Council Budget when the vehicle first became surplus to requirements. Sale however did not occur at the time as the vehicle was being used extensively during the initial outbreak of Covid 19 in Western Australia to facilitate social distancing within the workplace.

**Statutory and Policy Implications:**

Nil

**Budget Implications:**

Disposal of 101CO VW Golf will increase revenue of Councils 2020/21 and alleviate running costs.

**Communications Requirements: (Policy No. CS 1.7)**

Nil

**Strategic Plan Implications:**

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

OUTCOME 3.5 – A sustainable asset and infrastructure base.

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Strategy 3.5.4: Develop and implement long-term asset management plans for all Council assets.

**Relevant Precedents:**

Nil

**Comment:**

This vehicle has mainly been used as a pool vehicle located at the Shire Depot. It is used for staff attending training courses and meetings in Perth & Bunbury. On some occasions it has also been used for daily operations when other vehicles are either being serviced, repaired, or are fully utilised for other operations. Disposal of this vehicle will not have a major impact on current operations. Being surplus to requirements, disposal of the vehicle is recommended.

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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 Miffling

- On 17th March - attended the Tourism Strategy public forum at the Senior Citizens Centre and found the presentations very informative;
  
- On 9th April I - along with other Shire Councillors, attended in the Council Chambers presentations from Murdoch University students on projects relating to Collie. Congratulations to the students for all the work they have put into their studies which, in time, may have long-term benefits for Collie.

Cr Smith

- Meeting with Renergi – Cr Smith will distribute a summary. Public meeting is on Thursday 22 April at 6.30pm.

Cr Scoffern

- Attended the FACET Trails Conference with Cr Faries.

Cr Harverson

- Attended the Tourism consultation community session.

Cr Stanley

Announcements

- 10 March: Attended Synergy's Solar Schools challenge hosted by Amaroo Primary School, which had participation from all Collie-based schools as well as others from around the region.
- 15 March: Performed the official opening for the FACET trails conference, with a presentation on Collie's broader economic diversification efforts.
- 15 March: Met with Innovation Cluster (formerly Agristart) regarding the second iteration of the CONNECT Collie 6-month Federally funded business support program.
- 17 March: Attended the community workshop being held as part of the development of Collie's tourism marketing strategy
- 19 March: Attended the opening of the Lester Art Prize exhibition at the Collie Art Gallery
- 24 March: Attended the Bunbury-Geographe Sub-regional Strategy Hearings



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Panel hosted by the City of Bunbury

- 24 March: Meeting of the Economic Development Panel
- 12 April: Represented Council at the Regional Road Group Meeting hosted by the Shire of Dardanup.

Upcoming events

- 15 April: Chamber of Commerce Business After Hours
- 16 April: Eco-concrete branding workshop
- 20 April: Just Transition Working Group meeting
- 21 April: Eco-concrete industry and community engagement session and inaugural meeting of the reference group
- 21 April: Rotary 100-year celebration dinner
- 22 April: Bunbury-Geographe Sub-regional Strategy Steering Group Meeting
- 22 April: Renergi community engagement session
- 23 April: Meeting of the South West Zone of the WA Local Government Association
- 25 April: ANZAC Day
- 29 April: Injury Matters road trauma support community engagement session
- 29 April: Just Transitions Diversifying the Local Economy Sub-group meeting
- 2 May: Golden Jubilee of the Coalfields Museum
- 5 May: Visual Merchandising workshop for local businesses
- 6 May: Renergi Delegation visit

Mr Devenish

- 10 March – Met with the local member – Hon. Mick Murray MLA
- 10 March – Met with LGIS
- 10 March – Attended a YouthCare Chaplains Dedication Service
- 12 March – Attended the CEO Connections Forum, LG Professionals organisation
- 15 March – Met with Perdaman Global Services
- 15 March – Met with Agristart
- 17 March – Attended a meeting at Collie District Hospital
- 17 March – Met with representatives from South32
- 17 March – Attended the Collie Tourism Strategy Information Evening
- 18 March – Renergi Project Coordination Group
- 18 March – LGIS – ASH Audit debrief
- 18 March – Meet with Collie Swimming Club
- 19 March – Meet with representatives of Shire of Albany
- 19 March – Meet with senior representatives of Development WA
- 22 March – Meet with Department Fire and Emergency Services
- 22 March – Attended State Administrative Tribunal mediation – Lot 1 Scenic Drive
- 23 March – Met with AMPAC

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- 23 March – Met with Collie Community Broadcasting Members
- 23 March – Met with Collie Food/Accommodation Operators
- 23 March – Attended the Councillor Forum
- 24 March – Met with Friends of Worsley
- 25 March – Attended the LG Professionals WA – Economic Development Seminar
- 26 March – Met with tourism proponents
- 30 March – Met with Rosanne Pimm – Black Diamond Lake
- 30 March – Attended South West Regional Waste Group Meeting
- 31 March – Met with Department of Fire and Emergency Services
- 31 March – Visited Collie River Valley Tourist Park
- 31 March – Attended a CEO Mentor meeting
- 6 April – Attended the Councillor Forum
- 8 April – Chaired Enterprise Agreement Working Group meeting
- 9 April – Met with a resident regarding a dog complaint
- 9 April – Met with owner of Lot 1 Scenic Drive
- 9 April – Attended presentation by Murdoch University
- 12 April – Met with representatives of Riverview
- 12 April – Attended Bunbury Geographe Group of Councils meeting
- 13 April – Chaired Blackberry Project Coordination Group meeting

**19. STATUS REPORT ON COUNCIL RESOLUTIONS**

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

- 'Closed Since Last Meeting' at Appendix 13
- 'All Open' at Appendix 14

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

Nil

**21. CLOSE**

The Shire President thanked Council and Staff for their attendance. The Presiding Member declared the meeting closed at 9.53pm.

I certify that these Minutes were confirmed at the Ordinary Meeting of Council held on Tuesday, 11 May 2021.

.....  
Presiding Member

.....  
Date