



Shire of
Collie

MINUTES

for the

ORDINARY MEETING OF COUNCIL

held on

Tuesday, 8 March 2022

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Tuesday, 8 March 2022

Minutes for the Ordinary Meeting of the Collie Shire Council held in Council Chambers, 87 Throssell Street Collie, on Tuesday, 8 March 2022 commencing at 7:00pm.

1. OPENING/ATTENDANCE/APOLOGIES & LEAVE OF ABSENCE

PRESENT: Ian Miffing OAM JP Councillor (Presiding Member)
Brett Hansen Councillor
Elysia Harverson Councillor (via video conference)
John Kearney Councillor
Joe Italiano Councillor
Leonie Scoffern Councillor
Michelle Smith Councillor (via video conference)
Brent White Councillor
Rebecca Woods Councillor

Stuart Devenish Chief Executive Officer
Matthew Young Director Development Services
Rick Miller Director Technical Services
Hasreen Mandry Finance Manager
Liz Heffernan Acting CEO PA

APOLOGIES: Sarah Stanley Councillor (Presiding Member)
Gary Faries Councillor

GALLERY: Nola Green – Press (Left Chambers at 8.46pm)
DR Chun-Zhu Li – Renergi Pty Ltd (via video conference)
Cr Leanne Wringe – Shire President, Shire of Donnybrook-Balingup
Gael Varian
Ian Guppy
Neil Martin
Mark Saunders
Other members of the community

- 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 Absence for this Ordinary Meeting of Council.

8955

Moved: Cr Hansen

Seconded: Cr Woods

That Council grant Leave of Absence to Cr Stanley and Cr Faries for this Ordinary Meeting of Council.

CARRIED 9/0

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2. PUBLIC QUESTION TIME

Nil.

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 Miffing	Item 13.4 – Development Application Riverview Residence	Member of Riverview Association - Impartial
Cr Kearney	Item 5.1 – Renergi & 13.4 – Development Application Riverview Residence	Work Related - Impartial
Cr Italiano	Item 15 – Notice of Motion. Advertising of Shire of Collie Vacancies in Collie Bulletin	Publisher, Collie Bulletin - Financial
Cr Harveson	Item 15 – Notice of Motion. Advertising of Shire of Collie Vacancies in Collie Bulletin	Publisher, Collie Bulletin - Financial
Cr Woods	Item 20.1 – Disposal of Property	Related to Applicant - Financial

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

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

Cr Kearney declared an Impartial Interest at Item 5.1.

5.1 DEPUTATION – RENERGI – DR CHUN-ZHU LI

Council received a presentation by Dr Chun-Zhu Li via video conference on the proposed waste processing facility at the Shire’s transfer station.

No questions from Councillors and staff.

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

There is one matter for which the meeting may be closed to the public.

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7. ITEMS BROUGHT FORWARD DUE TO INTEREST BY ATTENDING PERSONS

13.3	<u>Application for Development Approval- Proposed Collie Community Radio Facility- portion of Lot 955, 59 Wittenoom Street, Collie</u>
Reporting Department:	Development Services
Reporting Officer:	Isabel Fry- Town Planner
Accountable Manager:	Matt Young – Director Development Services
Legislation	Planning and Development Act 2005
File Number:	A3975
Appendices:	Appendix 7 - Application Appendix 8 - Location Map
Voting Requirement	Simple Majority

Report Purpose:

For Council to determine an application for development approval for the proposed Collie Community Radio Facility on portion of Lot 955, No. 59 Wittenoom Street, Collie.

8956

Council Decision

Moved: Cr Italiano

Seconded: Cr Kearney

That Council resolve to approve the application for development approval for the proposed Collie Community Radio facility at Lot 955, No. 59 Wittenoom Street, Collie, subject to the following conditions:

- 1. All development shall be in accordance with the approved development plans (attached) which form part of this planning approval.**
- 2. 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.**
- 3. 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.**
- 4. With the building permit application, a landscaping plan must be submitted for the approval of the Shire of Collie. The landscape plan must address the following:**
 - A site plan of existing and proposed development with natural and finished ground levels.**
 - The location, species and size of existing vegetation and vegetation to be removed.**
 - Exact species, location and number of proposed plants.**
 - A key or legend detailing proposed species type grouped under the subheadings of tree, shrub and ground cover.**
 - Mulching or similar treatments of garden beds including edges.**

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- Details of reticulation of landscaped areas including the source of the water supply and proposed responsibility for maintenance.
 - Treatment of paved areas (parking and pedestrian areas).
5. With the building permit application, a Stormwater and Drainage Management Plan is to be submitted and approved by the Shire. (refer advice note 'b').
 6. Before the development is occupied, the recommendations of the approved Stormwater and Drainage Management Plan must be constructed and implemented to the satisfaction of the Shire of Collie.
 7. Before the development is occupied, the landscaped area(s) must be planted, established and reticulated in accordance with the endorsed landscape plan(s). These areas must be maintained as landscaped areas at all times and to the satisfaction of the Shire of Collie.
 8. A minimum of four (4) car parking bays shall be provided for the development the subject of this development approval, in accordance with the approved plans, and the car parking embayment to be constructed by the Shire of Collie at such time as the Shire has the time to carry out the work.
 9. A concrete footpath through to Wittenoom Street is to be installed to the specification and satisfaction of the Shire of Collie at the time of construction by the Shire of the Steere Street embayment for car parks.
 10. Goods or materials must not be stored within the parking or landscaping area, or within access driveways.

Advice Notes

- a) If an applicant is aggrieved by this determination there is a right of review under Part 14 of the *Planning and Development Act 2005*. An application for review must be lodged with the State Administrative Tribunal within 28 days of the determination.
- b) Applicant to evidence compliance with LPP1.1 for stormwater catchment at a rate appropriate to the determined soil classification within runoff to suitable points of discharge (i.e. soakwells, landscaped areas). Alternatively, provide a civil stormwater design that has been signed off by a suitable qualified civil or hydraulic engineer in accordance with AS/NZS 3500.1. Final system design to also include discharge strategy from any subsoil drainage system serving the proposed retaining wall installation.
- c) Where a new crossover is proposed, and before construction of it can commence, a separate verge crossover application must be submitted and approved.
- d) The development the subject of this planning approval must comply with the requirements of the *Health (Miscellaneous Provisions) Act 1911*.
- e) The development the subjects of this planning approval must comply with the Building Act 2011, the Building Regulations 2012 and the National Construction Code 2016 – Volume 1.

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- f) The developer / landowner is advised of their obligations to ensure that all sand drift, waste, building materials and equipment is contained within the boundaries of the site during the construction period.
- g) The developer is reminded of the requirement under the provisions of the *Environmental Protection (Noise) Regulations 1997* that construction work (which includes earthworks and similar) be managed with due regard for noise control. Construction work generating noise (e.g. through the use of machinery etc.):
- Outside the hours of 7:00am to 7:00pm; or
 - On a Sunday or Public Holiday.
 - is likely to breach noise regulations unless specific authorisation has been obtained from the Department of Water and Environment Regulation.

CARRIED 9/0

Background:

An application for development approval has been lodged by JILA Riley on behalf of Collie Community Radio on 8 February 2022 for the proposed Collie Community Radio Facility at Lot 955, No. 59 Wittenoom Street, Collie (refer Appendix 7).

The subject site is 1012m² and is located on the corner of Wittenoom Street and Steere Street South (refer Appendix 8). A portion of the site is currently leased and utilised by the Western Australian Woodturners Association Collie Group. The subject site is a Civic and Community Reserve, for the purpose of Community Centre. The Shire of Collie has a Management Order over the land and the Collie Community Radio Station has been granted a lease to accommodate this development.

The proposed facility includes provision for 3 radio studios with sound-proof walling, a meeting room / reception area, office, unisex toilet and kitchen. The facility also includes a carport for the Community Radio's remote studio caravan, one undercover car space and a paved outdoor area as well as landscaping. An additional three parking bays will be provided in the Steere Street verge, as well as provision for a footpath in the verge area directly adjoining the lease area. A generator for the purpose of emergency back-up power is also shown on the plans. The Applicant has confirmed that the generator runs for approximately 3 hours twice per year, generally during extended power outages (more than 1 hour) caused by storms or other emergency events. The generator operates at the current site and cannot be heard from the front of the building.

Proposed setbacks for the development are 3.4m to the front building line, with 1.8m to the front verandah / undercover parking area (western boundary). The building is proposed to be built to the lease boundary to the north, 3.05m to the east and 3.28m to the building line at the south, with 0.28m to the roof line of the carport.

Statutory and Policy Implications:

Shire of Collie Local Planning Scheme No.6

14. Table 1 Reserve Objectives
Civic and Community-

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- *“To provide for a range of community facilities which are compatible with surrounding development.*
- *To provide for public facilities such as halls, theatres, art galleries, educational, health and social care facilities, accommodation for the aged, and other services by organisations involved in activities for community benefit.”*

Part 4- General development requirements

32.3-(h) The local government may permit carparking bays to be accommodated on the road reserve adjacent to the proposed development. In considering a proposal, the local government shall take into account the width and function of the road; the ability of the road to accommodate the parking; and the ability of the development site to accommodate on-site parking.

Division 2- 40. Land use terms used in Scheme

Community Purpose- *“means a premises used for the provision of educational, social or recreational facilities or services by organisations involved in activities for community benefit.”*

Schedule 1- Zone and Development Requirements

Community Purpose- *1 bay per every 4 persons that the building is designed to accommodate.*

Budget Implications:

Nil.

Communications Requirements:

The application has not been publicly advertised.

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 Collie Community Radio Station has been liaising with the Shire to secure a suitable site for a new radio station facility, due to the condition of their current building adjacent to the Collie library and swimming pool. The Shire and the Community Radio Station have had a number of pre-lodgement discussions to work towards an appropriate development on the site.

The proposed Collie Community Radio Station facility is consistent with the land use definition of ‘Community Purpose’ under Local Planning Scheme No.6 (the Scheme). It is also consistent with the purpose of the Reserve - Community Centre, as per the Management Order for the Reserve.

The Scheme does not apply development standards such as setbacks to development on reserves, however the proposed setbacks are consistent with the existing

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streetscape, with surrounding properties zoned 'Mixed Use' and 'Private Community Purpose'. Landscaping has also been proposed in the front setback to improve the interface of the development with the street.

The Scheme does provide guidance on carparking provisions for the Community Purpose land use, which is a recommended rate of 1 bay per every 4 persons that the building is designed to accommodate. The Scheme also allows for carparking to be considered in the road reserve where it can be demonstrated that the road can accommodate the parking (the road reserve is 30m in width). There is sufficient area in the road reserve to accommodate the parking and the proposed 4 bays in total to service the development will also be sufficient. There is also additional street parking nearby if required.

The proposal includes provision for a footpath in the road reserve on the area directly adjacent to the development. It is recommended that as part of considering this proposal, Council consider its role in contributing to the provision of an extension of this footpath to connect to Wittenoom Street to improve pedestrian connection to the site.

It is recommended that Council approve the proposed development, subject to conditions.

8957

Moved: Cr Kearney

Seconded: Cr White

That Council Suspend Standing Orders.

CARRIED 9/0

Mr Rabjones advised he spoke on behalf of the residents at Venn Street.

Mr Martin spoke on behalf of Riverview Residences Incorporated. Mr Martin wished to record thanks for the assistance provided by Shire staff in the matter.

Cr Miffing and Cr Kearney declared an Impartial Interest at Item 13.4.

13.4 Application for Development Approval- Riverview Retirement Village (Stage 1)- 16 x Multiple Dwellings, Communal Area, Visitor Parking and Access Ways- Lot 2802, No.1 Burt Street, Collie

Reporting Department:	Development Services
Reporting Officer:	Isabel Fry- Town Planner
Accountable Manager:	Matt Young – Director Development Services
Legislation	<i>Planning and Development Act 2005</i>
File Number:	A4337
Appendices:	Appendix 9 - Application (plans) Appendix 10 - Bushfire Management Plan and Evacuation Plan Appendix 11 - Submissions
Voting Requirement	Simple Majority

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Report Purpose:

For Council to determine an Application for Development Approval for Riverview Retirement Village (Stage 1)- 16 x Multiple Dwellings, Communal Area, Visitor Parking and Access Ways at Lot 2802, No. 1 Burt Street, Collie.

8958

Council Decision:

Moved: Cr Kearney

Seconded: Cr Italiano

That Council resolve:

A To approve the Application for Development Approval for Riverview Retirement Village (Stage 1) - 16 x Multiple Dwellings, Communal Area, Visitor Parking and Access Ways at Lot 2802, No. 1 Burt Street, Collie, subject to the following conditions:

- 1. All development shall be in accordance with the approved development plans (attached) which form part of this planning approval.**
- 2. 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.**
- 3. The applicant must implement all of the recommendations contained in the Bushfire Management Plan (as amended) and Bushfire Evacuation Plan prepared by Bushfire Prone Planning dated 3 December 2021 and approved by the Shire of Collie for the duration of the development.**

Prior to Building Permit

- 4. Prior to the issuance of a Building Permit, a detailed landscaping plan must be submitted to the satisfaction of and approved by the Shire of Collie. The landscape plan must address the following:**
 - a) A site plan of the existing and proposed development with natural and finished ground levels.**
 - b) The location, species and size of existing vegetation and vegetation to be removed.**
 - c) Exact species, maturity, location and number of proposed plants.**
 - d) A key or legend detailing proposed species type grouped under the subheadings of tree, shrub and groundcover.**
 - e) Mulching or similar treatments of garden beds including edges.**
 - f) Details of reticulation of landscaped areas including the source of water supply and proposed responsibility for maintenance.**
 - g) Treatment of paved areas (parking and pedestrian areas)**
 - h) Screening of parking areas.**
 - i) Fence material, height and treatment.**
- 5. Prior to the issuance of a Building Permit, a Stormwater Management Plan is to be submitted to the satisfaction and specification of the Shire of Collie; that**

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- a) Details stormwater and drainage management on the site;
 - b) Addresses erosion risk to the nearby waterbody, during demolition and construction works and on completion);
 - c) Is consistent with the decision process for stormwater management in WA (DWER 2017) and the Stormwater Management Manual for Western Australia (DoW 2004–2007).
6. Prior to the issuance of a Building Permit, the proponent shall prepare a Site Management Plan including for the construction period, to the satisfaction and specification of the Shire of Collie, that;
- a) minimises the impact of the approved development on the amenity of the locality due to the transportation of materials to and from the site;
 - b) ensures the use of buildings, works and materials on the site do not generate unreasonable levels of noise, vibration, dust, drainage, wastewater, waste products or reflected light;
 - c) details the management applicable to construction traffic movement, occupational health and safety, signage, dust management and environmental management in relation to the approved development;
 - d) ensure the visual appearance of all ancillary infrastructure (including paint colours, specifications and screening) blends in as far as possible with the surrounding landscape.
 - e) Lighting.
7. Prior to the issuance of a Building Permit, detailed design is to be submitted for the following:
- a) Proposed intersections onto Burt Street.
 - b) Proposed footpaths in the adjoining Reserve.

Prior to Occupation

8. Prior to occupation, the approved Site Management Plan, Stormwater Management Plan and Detailed Design is to be constructed and implemented to the satisfaction of the Shire of Collie.
9. Prior to occupation, the landscaped area(s) must be planted, established and reticulated in accordance with the endorsed Landscape Plan. These areas must be maintained at all times by the applicant in accordance with the Landscaping Plan and to the satisfaction of the Shire of Collie.
10. Prior to occupation, bin storage areas are to be provided for each dwelling and screened from view.
11. Prior to the use or occupation of the development, the Asset Protection Zone (APZ) must be established and the property thereafter maintained in accordance with the Bushfire Management Plan as approved by the Shire of Collie.
12. Prior to occupation, A Section 70A Notification pursuant to the Transfer of Land Act 1893 (or as amended) must be placed on the titles of the lot,

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at the full cost of the applicant, alerting landowners to the existence of the approved Bushfire Management Plan and advising landowners of their obligations in respect to the use and ongoing management of the land.

Advice Notes

i.If an applicant is aggrieved by this determination there is a right of review under Part 14 of the Planning and Development Act 2005. An application for review must be lodged with the State Administrative Tribunal within 28 days of the determination.

ii.Applicant to evidence compliance with LPP1.1 for stormwater catchment at a rate appropriate to the determined soil classification within runoff to suitable points of discharge (i.e. soakwells, landscaped areas). Alternatively, provide a civil stormwater design that has been signed off by a suitable qualified civil or hydraulic engineer in accordance with AS/NZS 3500.1. Final system design to also include discharge strategy from any subsoil drainage system serving the proposed retaining wall installation.

iii.Where a new crossover is proposed, and before construction of it can commence, a separate verge crossover application must be submitted and approved.

iv.The development the subject of this planning approval must comply with the requirements of the Health (Miscellaneous Provisions) Act 1911.

v.The development the subjects of this planning approval must comply with the Building Act 2011, the Building Regulations 2012 and the National Construction Code 2016 – Volume 1.

vi.The developer / landowner is advised of their obligations to ensure that all sand drift, waste, building materials and equipment is contained within the boundaries of the site during the construction period.

vii.The developer is reminded of the requirement under the provisions of the Environmental Protection (Noise) Regulations 1997 that construction work (which includes earthworks and similar) be managed with due regard for noise control. Construction work generating noise (e.g. through the use of machinery etc.):

- Outside the hours of 7:00am to 7:00pm; or
- On a Sunday or Public Holiday.
- is likely to breach noise regulations unless specific authorisation has been obtained from the Department of Water and Environment Regulation.

B That the Shire work with the applicant, the affected residents, relevant Ministers and the Department of Education to extend Pendleton Street

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within the High School Reserve to remove any abnormality and gazetting the whole of Pendleton Street.

CARRIED 9/0

Background:

An Application for Development Approval has been lodged by Urbis on behalf of Riverview Residence Collie Inc. for Riverview Retirement Village (Stage 1)- 16x Multiple Dwellings, communal area, visitor parking and access ways at Lot 2802, No. 1 Burt Street, Collie (refer Appendix 9).

The subject site is 2.1ha in area and is located south of Throssell Street in the Collie township. The site is also directly adjacent to the Collie River. The site slopes downwards from 190m AHD at the north-west boundary, down to 180m AHD along the southern boundary.

There are several existing buildings on the site that provide aged care accommodation to residents. The southern portion of the site, which is the development site for this application is largely vacant and undeveloped. The site is surrounded by a range of land uses, including Collie Senior High School, TAFE, Collie Court House and Collie Police Station. At present, the site is accessed via both Burt Street and 'Pendleton Street', however Pendleton Street is a private road within the High School reserve and not a gazetted road.

Development Overview

This stage of development consists of 16 multiple dwellings and associated access roads. The built for is distributed over four separate sections, providing access to direct sunlight and natural ventilation to each dwelling. The eight ground level dwellings have two bedrooms, two bathrooms, a study, outdoor living area and a single car parking space. The eight upper level dwellings contain two bedrooms, two bathrooms, outdoor living area and a single car parking space. Each dwelling is equipped with wide passageways and doorways, low thresholds and widened car parking spaces. The design of the development is intended to be sympathetic to the natural topography of the site and minimise required earthworks.

The exterior design for Collie Riverview Residences is a contemporary and modernist take on the traditional and historic architecture of residential housing in Collie. The residences comprise of contemporary simple forms and flat roofs with face brickwork and locally sourced stone, combining the modern and traditional aesthetic to create a unique architectural identity for the Riverview Residences and greater Collie.

Proposed materials consists of face brickwork and locally sourced stone (such as Donnybrook or Toodyay). The stone pillars on either end grounds the homes with the central stone walls creating a clear divide between the homes. Balconies are pushed forward to gain views and bring shade to the gardens below.

A communal area is proposed on the south- eastern portion of the site (adjacent to the southerly access road) which includes a BBQ and playground area. Landscaped areas are also proposed to the western and eastern ends of Stage 1.

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Vehicle access is provided via a 6m wide crossover onto Burt Street which will include an electronic opening/closing gate. Internal access roads are 6m wide to allow for two-way traffic, with a restricted one-way linkage provided between the northern and southerly roads. All existing vehicle access arrangements to the northern portion of the site will remain in situ. 10 visitor parking bays are provided adjacent the southern internal road. Additional visitor parking is proposed in future stages.

Pedestrian footpaths are provided at strategic locations to provide suitable connectivity throughout the site. The internal footpath network has been designed to link with existing and future public footpath networks with gated access to the site. A new footpath to the foreshore reserve is proposed as part of Stage 1 development.

Shire of Collie Local Planning Scheme No. 6

The subject site is identified as Special Use Zone 3, which allows for Residential Aged Care Facility (P), Retirement Village (D) and Community Purpose (I), with conditions to be determined by the Shire of Collie.

The proposed use is consistent with the definition of Retirement Village which is defined as, *“a development with self-contained, independent dwellings for aged and dependent persons together with communal amenities and land uses incidental and ancillary to the provision of such accommodation, but does not include a development which includes these features as a component of residential aged care facility.”*

The development also complies with the provisions of State Planning Policy 7.3 Residential Design Codes, to the specifications of an R30 coding.

State Planning Policies

The Applicant has identified that the northern portion of the subject site is located within the 300m trigger distance of a Strategic Freight Route (Throssell Street) under State Planning Policy 5.4 Road and Rail Noise. Given the designated speed limited of 40km/hour on Throssell street and the topography of the site, the Applicant has determined that the development is unlikely to be impacted by noise from this traffic route.

The site is designated as bushfire prone and the provisions of State Planning Policy 3.7 Planning in Bushfire Prone Areas applies to the site. Due to a retirement village being considered a vulnerable landuse under SPP 3.7, a Bushfire Management Plan and Bushfire Evacuation Plan have been prepared and subsequently amended to suit DFES advice (refer Appendix 10).

Further Technical Reports

A Transport Impact Statement has been prepared by KCTT for the proposed development. The Transport Impact Statement identifies the proposed development (Stage 1) will generate an additional 3 vehicle movements per hour in the PM peak hour and approximately an additional 32 vehicle movements per day in the surrounding network.

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A Waste Management Plan and associated analysis has also been prepared by TALIS Consultant to inform the design and underpin a waste management plan for the proposed development. Each dwelling will be provided with 1 x 240L General Waste, 1 x 240L Recycling and 1 x 240L FOGO bin. Dwellings will also be provided with a bin storage area which will be screened from the internal access road. Residents will then place their bins adjacent to the internal access road, for collection by the Shire's waste collection service.

Statutory and Policy Implications:

Local Planning Scheme No.6

Table 6 - Special Use Zones in Scheme area

SU3	Lot 2802 Burt Street, Collie (Riverview)	Residential Aged Care Facility (P Use) Retirement Village (D Use) Community Purpose (I Use)	As determined by the Local Government
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Divisions 2- Land Use Terms used in Scheme

Retirement Village- *“a development with self-contained, independent dwellings for aged and dependent persons together with communal amenities and land uses incidental and ancillary to the provision of such accommodation but does not include a development which includes these features as a component of residential aged care facility.”*

State Planning Policies

- State Planning Policy 3.7 Planning in Bushfire Prone Areas (Vulnerable Land Uses)
- State Planning Policy 5.4 Road and Rail Noise

Planning and Development (Local Planning Schemes) Regulations 2015

- CI 67. Matters to be considered

Budget Implications:

Nil.

Communications Requirements:

The public advertising period ran from 16 December 2021 to 14 January 2022 and communications were made in the following ways:

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

A total of eight (8) submissions were received as a result of the public advertising period, the submissions have been summarised in Appendix 11. The Applicant has also provided a response to the comments received which is also detailed in Appendix 11.

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Strategic Community Plan/Corporate Business Plan Implications:

Goal 4: Our Built Environment

Outcome 4.1 Appropriate Land Use, Development and Heritage Conservation;

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

Comment:

Advertising

The Shire received 5 submissions from nearby residents expressing concern over some elements of the proposal. A reoccurring comment within the submissions was for the development to utilise Pendleton Street as the access to the site. This is not possible as Pendleton Street is not a gazetted public road and access agreements with the Department of Education for the use of Pendleton Street is not in place. This may be something that the Applicant can continue to explore further, however use of this access is not currently approvable and is not supported by the Department of Education.

Increased traffic volumes on the surrounding road network has also been raised by residents. In response the Applicant has advised that Burt Street and Venn Street are local access roads with a maximum indicative traffic volume of 3,000vpd. The TIA forecasts an additional 3 vehicle movements in the PM peak hour and an additional 32 vpd on the surrounding road network. It is anticipated this will have a negligible impact on local traffic and road safety, and these roads will continue to operate under capacity.

Concerns relating to increased traffic are generally related to safety and the current road layout. It is acknowledged that the intersection for the access into the site is located on a hill and the safety aspects of this will be consider further in the detailed design stage of the intersection. Residents raised concerns for children who play in the street nearby the proposed intersection, the Shire is supportive of the Applicant's response that children should not be encouraged to play on public roads.

Residents also raised concerns regarding rubbish collection and how this will be undertaken. This has been addressed through the Waste Managed Plan, with resident bins to be placed adjacent to the internal road for collection. Arrangements being made for this occur will mean bins have no impact on surrounding properties.

The length of construction time was also a concern for residents, due to the development being staged. The Applicant has clarified that Construction timeframes associated with the proposed development (Stage 1) are anticipated to be 12-18 months. Development of future stages has not yet been determined. Construction will need to comply with the Environmental Protection (Noise) Regulations as well as Shire requirements to ensure neighbouring properties are not unduly impacted.

Responses were also received from Department of Fire and Emergency Services (DFES), Department of Water and Environmental Regulation (DWER) and Department of Justice and Department of Education. Detailed responses are included in Appendix 10. Modifications have since been made to the BMP to suit the Shire's requirements and to reflect Department of Education advice. Advice from DWER has been noted and recommended conditions included in the Officer's Recommendation in this report.

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Comment

For the most part the issues raised regarding the proposal in the public advertising period have been addressed by the Applicant through supporting documentation or the response to submissions. Officers are satisfied that the potential impacts of the development can be managed through further detailed design and the already supplied technical reports.

In regard to the native vegetation on the site, the clearing of the site may be subject to the *Environmental Protection Act 1986*. An exemption applies for obtaining a clearing permit under the EP Act, where a Development Approval has been granted. However, the Applicant is required to contact DWER for advice relating to clearing native vegetation under the *Country Areas Water Supply Act 1947*. The Shire is not the approval authority for this application.

It is recommended that further detail be provided, as conditions of approval, in the form of a Stormwater Management Plan, Landscaping Plan and Construction and Site Management Plan. Additionally, to address safety concerns it is recommended that further detailed design of the intersection and proposed footpaths be undertaken, to the satisfaction of the Director of Technical Services.

The Shire cannot support use of the Pendleton Street access to the site and it is recommended that the plans be amended to reflect no access to the site being via this point. As planning for future stages progresses, Officers can continue to be involved with the discussions between Department of Education and the Applicant, however the Shire is not the approval body for this agreement.

The Bushfire Management Plan identifies two access/ egress routes to two different destinations on the site, these being via Burt Street to the north and Venn Street East to the east. It is the view of the Shire that these do not constitute compliance with the requirements of SPP3.7 as the destinations of these two routes are virtually the same. However, given the site context of this development, minor non-compliance with SPP3.7 is not in this case considered as being of detriment to the safety of residents in case of bushfire.

The proposal has also demonstrated compliance with the Residential Design Codes to an R30 standard, which is consistent with standards applied to areas of the Collie townsite. The development is not of a density or bulk and scale that will impact on the amenity and character of the surrounding area. The property forms part of a community and services based precinct and development of this nature should be supported in this location, as reflected by Local Planning Scheme No.6.

The proposal fulfills the objective contained within the Shire's Local Planning Strategy 2020 of providing opportunities for residents to age in place and provide for an aging population. The existing buildings on the Riverview site are dated and mostly unsuitable for providing safe and comfortable accommodation for elderly people in the Shire. The proposed development on completion will provide for housing stock that does not currently exist in the Shire, in terms of providing for high quality, low maintenance homes within a retirement community. The development has also been designed with the

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natural topography and river outlook of the land as a primary consideration which should be highly regarded in determining the application.

Approval is conditionally recommended.

8959

Moved: Cr Kearney	Seconded: Cr White
That Council Resume Standing Orders.	
CARRIED 9/0	

Five (5) members of the community left the Council Chambers at 8.04pm.

8. CONFIRMATION OF THE PREVIOUS MEETINGS OF COUNCIL MINUTES

8960

Recommendation/Council Decision:	
Moved: Cr Scoffern	Seconded: Cr Hansen
That Council confirms the Minutes of the Ordinary Meeting of Council held on 8 February 2022.	
CARRIED 9/0	

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 Minutes of the Local Emergency Management Committee

8961

Recommendation/Council Decision:	
Moved: Cr Scoffern	Seconded: Cr Kearney
That Council receives the minutes of the Local Emergency Management Committee held on 23 February 2022.	
CARRIED 9/0	

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10.2 Adopt the Recommendation of the Local Emergency Management Committee

8962

Recommendation/Council Decision

Moved: Cr Italiano

Seconded: Cr Scoffern

That Council adopts en bloc the recommendations contained within the minutes of the Local Emergency Management Committee held on 23 February 2022:

11.1.1 Tamsin Emmett be nominated as the Shire of Collie Local Recovery Coordinator in replacement of Allison Fergie.

11.1.2 LEMC writes to thank Allison Fergie for her work as the Shire of Collie Local Recovery Coordinator and her other work in respect to the LEMC And emergency management matters generally.

CARRIED 9/0

10.3 Receipt of Minutes of the Audit Committee

8963

Recommendation/Council Decision:

Moved: Cr White

Seconded: Cr Woods

That Council receives the minutes of the Audit Committee held on 25 February 2022.

CARRIED 9/0

10.4 Adopt the Recommendation of the Audit Committee

8964

Recommendation/Council Decision:

Moved: Cr Italiano

Seconded: Cr Scoffern

That Council adopts en bloc the recommendations contained within the minutes of the Audit Committee held on 25 February 2022;

8.1 That Council resolve to endorse the Management Report and Audit Recommendations from the Office of the Auditor General and Moore Australia for the year ended 30 June 2021 presented in Appendix 1 and Appendix 2.

8.2 That Council accepts the Annual Financial Report and independent auditor's report for the year ended 30 June 2021 presented in Appendix 3 and Appendix 4.

8.3 That the Shire of Collie Annual Electors Meeting for 2020/21 be held on Tuesday, 12 April 2022 at the Council Chambers at 6.30 p.m.

8.4 The Council receives the 2021 Annual Compliance Audit Return as presented in Appendix 5 and authorise the return to be lodged to the Department of Local Government, Sport and Cultural Industries.

CARRIED 9/0

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11. CEO REPORTS

11.1 Public Transport Services – Collie to Bunbury Return

Reporting Department:	Corporate Services
Reporting Officer:	Tamsin Emmett – Community Development Officer
Accountable Manager:	Stuart Devenish – C.E.O.
Legislation	N/A
File Number:	GVR/002
Appendices:	Nil
Voting Requirement	Simple Majority

Report Purpose:

To address the lack of public transport from Collie/Bunbury return and consider calling for service provision/subsidy to assist local residents.

8965

Recommendation/Council Decision:

Moved: Cr Hansen

Seconded: Cr Italiano

That Council request the Minister of Transport - the Honourable Rita Saffioti MLA to consider the provision of public transport to and from Bunbury for Collie residents who need to access employment and critical services not available locally.

CARRIED 9/0

Background:

The South West Coachlines previously ran a regular bus service from Collie to Bunbury every weekday leaving Collie at 7.30am and returning at 5.30pm. The service ceased on 1 February 2022 with no replacement or alternative in place. There are a number of local residents that rely on the service to get them to work/ TAFE/ University/ medical appointments.

We understand the service was being provided on commercial terms and suffered from insufficient patronage to sustain the operation. No subsidy was received to assist in the running of this service.

The South West Aboriginal Medical Service (SWAMS) has advised the Shire that its clients have been directly affected and the loss of transport to Bunbury from Collie has led to the loss of employment.

Statutory and Policy Implications:

N/A

Budget Implications:

Nil

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

Strategic Community Plan:

Goal 1: Our Community

Outcomes 1.1 Health, education and family support services that are accessible and meet the needs of the community.

Strategy 1.1.8 Ensure people with disabilities can access and use both Shire and general facilities and services.

Outcomes 1.3 An active and supportive community.

Relevant Precedents:

N/A

Comment:

The implications of the loss of bus service has had significant effect on some members of the community. Not all residents have access to private transport which puts them at a disadvantage.

Public transport is widely recognised as a service requiring subsidy, which has proven evident by the last provider not being able to sustain a service on a commercial level. The State Government oversees the provision of public transport services, at present there are no services from Collie to Bunbury outside of the School Bus Service.

At a meeting with the board of the Department of Transport in May 2021, the Shire President and CEO highlighted the importance of transport connections for the people of Collie and the need for improved services linking to Bunbury where specialised employment and services not available locally can be accessed.

Anecdotally, it has been known for a school principal to drive a student in their personal vehicle to Bunbury for a medical appointment.

In view of circumstances, it is appropriate to request the Minister for transport consider public transport services for Collie and ask for a subsidised regular service. An approach to the Minister is recommended accordingly.

12. CORPORATE SERVICES REPORTS

Cr Smith left the meeting at 8.21pm.

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12.1 Accounts Paid – January 2022

Reporting Department:	Corporate Services
Reporting Officer:	Hasreen Mandry – Finance Manager
Accountable Manager:	Stuart Devenish – Chief Executive Officer
Legislation:	<i>Local Government Act 1995 & Financial Management Regulations 1996</i>
File Number:	FIN/024
Appendices:	Appendix 1 – Accounts Paid – January 2022
Voting Requirement	Simple Majority

Report Purpose:

To present the accounts paid during the months of January 2022.

8966

Recommendation/Council Decision:

Moved: Cr Scoffern

Seconded: Cr Kearney

That Council accepts the Accounts as presented in Appendix 1 being vouchers 41842-41845 totalling \$622.12 and direct payments totalling \$1,542,894.19 authorised and paid in January 2022.

CARRIED 8/0

Cr Hansen

EFT 32803 – Bark Environmental Pty Ltd – Questioned the time taken on site to undertake the dieback assessment of land around Minningup Pool.

Mr Young took this question on notice.

Cr Italiano

EFT 32843 – Bunbury Mower Service – Questioned why the purchase was not made locally?

Mr Millar took this question on notice.

EFT32802 – Bunnings Building Supplies - Questioned why the purchase was not made locally?

Mrs Mandry took this question on notice.

Background:

In accordance with Delegation 14 adopted by Council on 10 August 2021, the Chief Executive Officer (CEO) is authorised to incur expenditure in accordance with the Annual

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Budget provisions and limited over-expenditure subject to subsequent budget amendment. In doing so, section 13 of the *Financial Management Regulations 1996* is to be adhered to with a list of accounts for approval to be presented to the Council each month.

Month	2021/22		
	Cheques	Electronic Transfer	Total Payment
July	\$892.50	\$1,223,621.35	\$1,224,513.85
August	\$894.15	\$965,386.72	\$996,280.87
September	\$1,395.45	\$791,284.41	\$791,284.41
October	\$2,587.35	\$633,745.89	\$636,333.24
November	\$1,753.60	\$494,393.69	\$496,147.29
December	\$1,721.00	\$830,299.78	\$832,020.78
January	\$622.12	\$1,542,894.19	\$1,543,516.31
February			
March			
April			
May			
June			

Statutory and Policy Implications:

WA Local Government Act 1995

Financial Management Regulations 1996

Council Policy CS3.7 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 1.

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

12.2 Financial Report – January 2022

Reporting Department:	Corporate Services
Reporting Officer:	Hasreen Mandry – Finance Manager
Accountable Manager:	Stuart Devenish – Chief Executive Officer
Legislation:	<i>Local Government Act 1995 & Financial Management Regulations 1996</i>
File Number:	FIN/024
Appendices:	Appendix 2 – Financial Report – January 2022
Voting Requirement	Absolute Majority

Report Purpose:

To provide a summary of the Financial Position for the Shire of Collie for the month ending January 2022.

8967

Recommendation/Council Decision:

Moved: Cr Kearney

Seconded: Cr Italiano

That Council resolve by Absolute Majority to accept the Financial Management Report for January 2022 as presented in Appendix 2.

CARRIED 8/0

Background:

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

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

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Relevant Precedents:

N/A

Comment:

In accordance with the *Local Government (Financial Management) Regulations 1996* (Regulation), a monthly financial report must be compiled on variances greater than the percentage agreed by Council, which for the 2021/22 financial year is plus or minus 10% or \$10,000.

The financial statements provided in Appendix 2 reports on the following information for the reporting period:

- Snapshot of the overall financial performance
- Financial Activity by Nature and Type
- Statement of Comprehensive Income by Program
- Statement of Financial Position
- Material Variances
- Budget Amendments
- Cash and Investments
- Reserve and Trust balances
- Capital Projects
- Other Projects
- Borrowings & Advance
- Leases
- Asset Disposals
- Receivables & Payables

For reporting period January 2022, it is to be noted that total cumulative revenue is 21% under the year-to-date budget and total cumulative expenditure is 35% under the year-to-date budget.

	Full Year Budget	YTD Budget	YTD Actual	YTD Comparison
Operating Revenue	12,660,046	10,282,247	9,725,394	under
Capital Revenue	7,892,167	2,473,769	496,245	under
Financing Revenue	380,249	110,289	11,089	

	Full Year Budget	YTD Budget	YTD Actual	YTD Comparison
Operating Expenditure	14,395,681	8,8973,261	7,682,408	under
Capital Expenditure	7,825,138	4,665,114	1,663,394	under
Financing Expenditure	1,407,987	120,428	120,428	

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Commentary for the material variances is provided at account level which are identified on pages 8-11 of Appendix 2.

12.3 Budget Review 2021/22

Reporting Department:	Corporate Services
Reporting Officer:	Hasreen Mandry – Finance Manager
Accountable Manager:	Stuart Devenish – Chief Executive Officer
Legislation	<i>Local Government Act (1995)</i>
File Number:	FIN/047
Appendices:	Appendix 3 - Shire of Collie Budget Review Report
Voting Requirement	Absolute Majority

Report Purpose:

To consider and adopt the proposed budget review for the 2021/22 financial year.

8968

Recommendation/Council Decision:

Moved: Cr Italiano

Seconded: Cr White

That Council resolve to adopt the changes to the 2021/22 Annual Budget as identified in Appendix 3.

CARRIED 8/0

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 3*.

The purpose of this process is to provide 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:

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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.*
- (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.*

Budget Implications:

The financial impact of the review is a budgeted surplus of \$36,642 for the 2021/22 financial year, in comparison the adopted budget surplus of \$3,967.

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 2020/21 Budget Review was adopted by the Council on 9 March 2021.

Comment:

Please refer to Appendix 3 for the budget amendments and revised statement for the 2021/22 budget. The amendments in Appendix 3 are required to ensure that the 2021/22 budget reflects the actual closing net current position on 30 June 2021 (as presented in the audit 2020/21 annual financial report).

Upon adoption of the 2021/22 budget, the predicted opening net current position for 2021/22 was a deficit of \$481,491, however in the audited 2020/21 financial report this position was amended to a surplus of \$781,105.

The adjustment required to be made in this mid-year review of 2021/22 budget is an increase of \$1,267,596 to the opening net current position, which reduces revenue in the current financial year budget.

The increase is attributed to the following circumstances

- Prepayment of the Financial Assistance Grant in June 2021 of \$922,308.
- Prepayment of the Local Government Grant Scheme in June 2021 of \$51,881; and
- Reversal of bad debt recognised for rates in 2019/20 of \$228,000

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Throughout the financial year, Council resolved to several budget amendments that reduced the budgeted surplus for 2021/22 to \$917 (refer page 8 of Appendix 3)

Pages 9 to 15 in Appendix 3, refers to the detailed proposed amendments for the 2021/22 financial years. A summary of the Appendix 3 is as per below:

1. Item 17 to item 20: relates to adjustment for various prepayments made in June 2021
2. Item 21 to item 22: relates to adjustment for additional revenue received from the Federal Government in relation to the Financial Assistance Grants
3. Item 23 to item 26: relates to adjustment to revenue and expenditure to the Local Government Grant Scheme received from Department of Fire & Emergency Services for Bush Fire Brigades and State Emergency
4. Item 27: in relation to Motion 8903 of the Tourism and Marketing Advisory Committee to appoint a Tourism and Marketing Coordinator
5. Item 28: to allocate funds towards employee cost
6. Item 29: contingency fund towards purchase of materials during or after an emergency such as bushfire or floods.
7. Item 30: A public health plan required by the *Health Act*
8. Item 21: Strategic Community Plan to be revised
9. Item 32: Regulation 17 and Financial Management Systems Review that is required by the *Local Government Act* to be performed every 3 years
10. Item 33: Asset Revaluation of all Shire Assets expect for property and equipment to be reviewed by 30 June 2022. This includes request to develop asset management plans to be used in the preparation of the Long-Term Financial Plan and to update the Shire's road assets with the Grants Commission.
11. Item 34: Additional seating options at Central Park, combination of fixed and portable picnic table and seats
12. Item 35: Additional funds towards gravel re-sheeting to increase Council's own source expenditure for Roads to Recovery grant requirement
13. Item 36: to purchase a site license for Trapeze – editable PDF software with higher functionality
14. Item 37: Additional seating option on Parkrun course
15. Item 38: Financial contribution towards the Airport master plan as part of a grant application
16. Item 39: Addition of sensory light for the Pit Pony Sculpture on Throssell Street
17. Item 40 – 42: Budget reallocation of Building Asset Plan budget allocation to accommodate the increase in cost for the Music Shell decking replacement
18. Item 43- 51: Over and under for various operating expenditures, this is to match the actual spend, net impact is an increase of \$75,189 in budgeted expenditure.
19. Item 52- 78: Reclassification of workers compensation premium from insurance expense to employment cost and to recognise the reduction in workers compensation premium by \$48,362

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20. Item 79- 97: Reallocation of expenditure from the superannuation accounts to salary and wages, the net impact is \$0.
21. Item 98 – 103: Over and under for various operating revenue net impact is an increase of \$41,900 in budgeted revenue.
22. Item 104- 115: proposed budget amendments as a result of grants received after the adoption of the 2021/22 budget

With the changes listed above, the budgeted net closing position for the 2021/22 financial year is \$33,642.

13. DEVELOPMENT SERVICES REPORTS

13.1	<u>Proposed Bed and Breakfast- Lot 6, No. 27 Ogden Street, Collie</u>
Reporting Department:	Development Services
Reporting Officer:	Isabel Fry- Town Planner
Accountable Manager:	Matt Young – Director Development Services
Legislation	<i>Planning and Development Act 2005</i>
File Number:	A1425
Appendices:	Appendix 4 - Application Appendix 5 - Location Map
Voting Requirement	Simple Majority

Report Purpose:

For Council to determine an application for development approval for a proposed Bed and Breakfast at Lot 6, No 27 Ogden Street, Collie.

8969

Recommendation/Council Decision:

Moved: Cr Hansen

Seconded: Cr White

That Council resolve to approve the application for development approval for a proposed Bed and Breakfast at Lot 6, No. 27 Ogden Street, Collie, subject to the following conditions:

- 1. All development shall be in accordance with the approved development plans (attached) which form part of this development approval.**
- 2. This development approval will expire if the approved development has not substantially commenced within two (2) years from the date of issue of the approval, or, within any extended period of time for which the Shire of Collie has granted prior written consent.**
- 3. Prior to commencement, a minimum of one carparking bay is to be provided for the exclusive use of guests within the property boundaries. Guests shall be directed to park on site and not on the road verge.**
- 4. Guest vehicles are not to be parked within the road reserve at any time.**

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- 5. Signage for the business will be limited to 0.2m², unless otherwise agreed by the Shire.**
- 6. The business shall not cause injury to or adversely affect the amenity of the neighbourhood.**

CARRIED 8/0

Background:

An application for development approval has been lodged by Gail Goodlet, owner of Lot 6, No. 27 Ogden Street, Collie, for a proposed Bed and Breakfast (refer Appendix 4).

The subject site is 963m² in area and is located approximately 700m north of the Town Centre (refer Appendix 5). The subject site is zoned Residential R15 and has an existing dwelling and associated outbuildings.

The proposed Bed and Breakfast is to be operated within the existing three bedroom, two bathroom home. The owner will be living on site and continue to utilise the existing lounge, dining, kitchen and bedroom three with its separate bathroom, toilet and laundry. B & B guests will have exclusive use of the main entrance, front verandah and the main bedroom (to be used as the lounge and dining area), separate bathroom and toilet and the remaining bedroom.

No additional cooking or sink facilities are proposed. The long and wide passage way will be used to provide continental breakfast for guests, as well as provide a microwave, fridge, cutlery, crockery and tea/coffee facilities. Guests will also have use of outdoor cooking facilities on the front verandah.

Guest numbers will be limited to one couple with a maximum of two school aged children who will use a sofa bed for sleeping. Parking for guests is proposed to be located inside the property boundary, within the front setback. The owners will continue to use the side access way and park at the rear of the property in the garage.

The property is serviced by the Shire's waste collection service and has mains power, water and sewer connected. Signage will be minimal, and the applicant will meet any Council requirements in this regard. It is anticipated that check in time for guests will be 2pm and checkout will be 10am. It is not anticipated that there will be any issues with noise as the owner will be onsite to manage the guests.

Bed and Breakfast is an 'A' use within the Residential zone which means the use is not permitted unless the local government has exercised its discretion by granting development approval after advertising the application in accordance with clause 64 of the Deemed Provisions.

Statutory and Policy Implications:

Shire of Collie Local Planning Scheme No. 6

17. Table 4- Zoning Table
Bed and Breakfast- 'A' (Residential Zone)

40. Land Use Terms Uses
bed and breakfast means a dwelling —

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- (a) used by a resident of the dwelling to provide short-term accommodation, including breakfast, on a commercial basis for not more than 4 adult persons or one family; and*
- (b) containing not more than 2 guest bedrooms;*

Schedule 1- Development Standards- Carparking Requirement

1 bay per employee plus 1 bay per guest bedroom in addition to the residential requirement in accordance with the Residential Design Codes.

Planning and Development (Local Planning Schemes) Regulations 2015

64. Advertising Applications

- (b) must advertise an application for development approval in accordance with subclause (4) if the application is not a complex application and –*
 - (i) related to development that is a class A use in relation to the zone in which the development is located.*

Budget Implications:

Nil.

Communications Requirements:

The public advertising period ran from 10 February 2022 to 24 February 2022 and communications were made via letters mailed to adjoining landowners.

One submission was received as a result of the public advertising period. Issues raised in the submission are included in the comment section of this report.

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:

A Bed and Breakfast can be considered in the Residential zone where it has been determined that the development will not cause detriment to the amenity of the neighbourhood. The proposal includes the provision of adequate facilities for the number of guests proposed and complies with the definition for Bed and Breakfast under the Shire of Collie Local Planning Scheme No.6.

The property is in relatively close proximity to the town centre which ensures guests have access to any required amenities and services.

With effective management measures in place, the proposed Bed and Breakfast is unlikely to cause detriment to the amenity of the neighbourhood. The accommodation is hosted by the owners of the property which will assist in ensuring noise levels remain acceptable and do not impact on adjoining properties. The owners / managers are also

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able to ensure that the designated guest car parking bay is utilised and that no guest vehicles are parked in the road reserve at any time.

One submission was received as a result of public advertising to adjoining neighbours. Issues raised in the submission were surrounding noise, should guests have visitors over to the accommodation or play loud music and parking in the verge of the accommodation. The issues raised are valid concerns and it is the responsibility of the owner to ensure that the accommodation is managed to not cause damage or detriment to the amenity of the neighbourhood. The Shire will monitor and follow up any complaints received should the accommodation not be appropriately managed to an acceptable level.

It is recommended that Council resolve to approve the proposed Bed and Breakfast, subject to conditions. The proposal will contribute to the supply of tourist accommodation in the Shire which is needed to service the increased number of tourists to the area.

13.2	<u>Application for Proposed Grazing Licence- Reserves 15726 and 12984, Unallocated Crown Land Lots 13-23 on DP22226 and Pin 547299 and Unmade Roads, Collie-Burn</u>
Reporting Department:	Development Services
Reporting Officer:	Isabel Fry- Town Planner
Accountable Manager:	Matt Young – Director Development Services
Legislation	<i>Land Administration Act 1997</i>
File Number:	GVR/003
Appendices:	Appendix 6 - Proposed Licenced Area Map
Voting Requirement	Simple Majority

Report Purpose:

For Council to provide comment to the Department of Planning, Lands and Heritage on a request for a Section 91 and Section 48 Licence (for the purpose of grazing) over Reserves 15726 and 12984, Unallocated Crown Land Lots 13-23 on DP22226 and Pin 547299 and Unmade Roads Collie-Burn.

8970

Recommendation/Council Decision:

Moved: Cr Kearney Seconded: Cr Woods

That Council resolve to respond to the Department of Planning, Lands and Heritage that it has no objection to a Section 91 and Section 48 Licence for a term of 5 years, for the purpose of grazing on Reserves 15726 and 12984, Unallocated Crown Land Lots 13-23 on DP22226 and Pin 547299 and Unmade Roads Collie-Burn, subject to the land being managed in compliance with the Shire of Collie's Firebreak and Fuel Hazard Reduction Notice 2021-22 by the licensee. It is also advised that the licensee comply with the livestock stocking rate guidelines as set by Department of Primary Industries and Regional Development.

CARRIED 9/0

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Background:

The Department of Planning, Lands and Heritage (DPLH) has requested that the Shire provide comment on a request from John Stramsek for a Section 91 and Section 48 Licence (for the purpose of grazing) over Reserves 15726 and 12984, Unallocated Crown Land Lots 13-23 on DP22226 and Pin 547299 and Unmade Roads, for a term of 5 years (Appendix 6).

The Applicant currently holds an existing licence over adjoining Lot 410 on DP 222278 which commenced in December 2020 for a term of 5 + 5 years. The subject properties are located within the Collie-Burn locality in the vicinity of Hetherington Road and Dudley Street. The total area included in the existing and proposed licence area is approximately 7.7ha.

Statutory and Policy Implications:

The *Land Administration Act 1997* (section 91) enables the Minister for Lands to grant a licence to an applicant to use Crown Land for private purposes for an agreed period of time. In considering an application for such, the Department of Planning, Lands and Heritage invites comment from the respective local government.

Under Section 48 the Minister may grant leases, licences or profits à prendre in respect of Crown land in an unmanaged reserve for a purpose which is different from that or those of the unmanaged reserve but which is compatible with or ancillary to the current use or intended future use of that Crown land for the purpose or purposes of the unmanaged reserve. (2) A lease granted under subsection (1) cannot be mortgaged. (3) If a licence granted under subsection (1) is transferable by the licensee, in accordance with the Personal Property Securities Act 2009 (Commonwealth) section 10 the definition of licence paragraph (d), the licence is declared not to be personal property for the purposes of that Act.

Budget Implications:

Nil.

Communications Requirements:

The proposal has not been publicly advertised.

Strategic Community Plan/Corporate Business Plan Implications:

Goal 4: Our Built Environment

Outcome 4.1 Appropriate Land Use, Development and Heritage Conservation;

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

Comment:

Shire Officers have not observed any issues with the land being used for grazing. However, it has been raised that the subject lots may require some maintenance for the purpose of bushfire management in preparation for the fire season. Additionally, it is recommended that the Applicant be advised that livestock stocking rates as set by the Department of Primary Industries and Regional Development be adhered to.

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The granting of a licence will allow for the continued beneficial use of the land and as such, is supported. It is recommended therefore that Council support the application, subject to suitable bushfire management for the land being implemented.

14 TECHNICAL SERVICES REPORTS

Nil.

15 MOTIONS FOR WHICH PRIOR NOTICE HAS BEEN GIVEN

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

Cr Harverson and Cr Italiano declared a Financial Interest at Item 15.

Cr Harverson and Cr Italiano left the meeting at 8:30pm.

Cr Brett Hansen has provided a motion for which prior notice has been given.

8971

Council Decision:

Moved: Cr Hansen

Seconded: Cr Scoffern

That all advertisements for employment at the Shire be published in the local Shire Website, Collie newspaper, Collie Chamber of Commerce – Collie Jobs Group, Shire Facebook Page, and a request be made of the Collie Radio to broadcast positions vacant.

CARRIED 6/0

Cr Harverson and Cr Italiano returned to the meeting at 8:40pm.

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 Scoffern

- 18 February - Attended -18 Event at the PCYC on Sexuality and Gender
- 19 February – Attended the Collie Community Expo

Cr Miffing

- 2 March - Met with Jodie Hanns MLA

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Mr Devenish

- 9 February - Attended Renergi Workshop
- 9 February - Chaired the Enterprise Bargaining Committee Meeting
- 16 February - Attended Just Transition Stakeholder Meeting
- 16 February - Met with CEO of the Shire of Narrogin
- 16 February - Attended Collie Visitor Centre Annual General Meeting
- 17 February - Attended South32 Community Liaison Committee Meeting
- 17 February - Met with CEO of the Shire of West Arthur
- 18 February - Attended South West Country WALGA Zone Meeting at Shire of Donnybrook-Balingup
- 22 February - Chaired the Enterprise Bargaining Committee Meeting
- 24 February - Met with the South West Development Commission regarding Celebrating Collie's History Arrangements
- 25 February - Attended the Audit Committee Meeting
- 1 March - Attended Councillor Forum
- 2 March - Met with Jodie Hanns MLA
- 3 March - Chaired the Enterprise Bargaining Committee Meeting
- 4 March - Met with representative of Water Corporation
- 8 March - Met with the South West Development Commission regarding Celebrating Collie's History Arrangements

19 STATUS REPORT ON COUNCIL RESOLUTIONS

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

- 'Closed Since Last Meeting' at Appendix 12.
- 'All Open' at Appendix 12.

20 CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

Cr Woods declared a Financial Interest at Item 20.1.

Cr Woods, Mrs Green, Mr Young and Mr Miller left the meeting at 8:50pm.

8972

Moved: Cr Italiano	Seconded: Cr Kearney
That Council moves Into Committee.	
CARRIED 7/0	

