



Shire of  
**Collie**

# MINUTES

for the

# ORDINARY MEETING OF COUNCIL

held on

Tuesday, 12 April 2022

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SHIRE OF COLLIE  
**AGENDA - ORDINARY MEETING OF COUNCIL**  
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Minutes of the Ordinary Meeting of the Collie Shire Council to be held in Council Chambers, 87 Throssell Street Collie, on Tuesday, 12 April 2022 commencing at 7:15pm.

**1. OPENING/ATTENDANCE/APOLOGIES & LEAVE OF ABSENCE**

**PRESENT:**

Sarah Stanley	Councillor (Presiding Member)
Ian Miffing OAM JP	Councillor
Brett Hansen	Councillor
John Kearney	Councillor
Joe Italiano	Councillor
Michelle Smith	Councillor (via video conference)
Brent White	Councillor
Gary Faries	Councillor
Matthew Young	Director Development Services
Rick Miller	Director Technical Services (via video conference)
Hasreen Mandry	Finance Manager
Liz Heffernan	Acting CEO PA

**APOLOGIES:**

Elysia Harverson	Councillor
Rebecca Woods	Councillor
Leonie Scoffern	Councillor
Stuart Devenish	Chief Executive Officer

**GALLERY:** Nola Green – Press

- 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.  
Nil
- 1.3 Councillors who are applying for Leave of Absence for this Ordinary Meeting of Council.  
Crs Harverson, Scoffern and Woods seek Leave of Absences from this Ordinary Meeting of Council.

**8975**

**Recommendation/Council Decision:**

**Moved: Cr Faries**

**Seconded: Cr Kearney**

**That Council grant Cr Harverson, Cr Scoffern and Cr Wood Leave of Absence for this Ordinary Council Meeting**

**CARRIED 8 / 0**

**2. PUBLIC QUESTION TIME**

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A 15 minute public question time is made available to allow members of the public the opportunity of questioning Council on matters concerning them.

Beth Peters

1. We are respectfully asking the Collie Shire Council to rescind the motion to use the \$1.8 Million for the pool as previously passed & reported in the Collie River Valley Bulletin on 21<sup>st</sup> October 2021 to repurpose the funding allocated to other local projects.

Response: The Council is aware of the request by some within the community to proceed with the construction of an indoor pool, and for grant funding to be retained for a pool. Any further decisions on an indoor pool, and whether or not a rescission motion is needed, would be made after a further review.

2. How much did the feasibility study for the pool cost.

Response: Consultant costs associated with the feasibility report completed in November 2018 were \$41,210.

3. We are asking for a Referendum for the pool as everyone has a chance to vote and have their say whether they want this much needed project to go ahead. We all realise rates will go up and they do anyway, with or without the pool, we have things that we pay for now whether we use or not because they are necessary for the community so is the Collie Indoor Heated Pool.

Response: The Council has indicated that it will further review an indoor pool proposal. A further review will necessarily consider pool specifications, revised capital cost estimates and revised operational cost expectations. This work would need to be done before further widespread community opinion is sought.

Margaret Godridge

1. Has anyone priced Solar as the way to go as power cost?

Response: A range of heating options were identified in the November 2018 feasibility report, including photovoltaic systems.

2. Can you please price up workers who work outside the shire and use shire vehicles to travel?

Response: Detail of such contractual arrangements are confidential and not publicly disclosed.

3. Can you tell us what the user numbers at various sporting venues are and cost per person per year?

Response: Sporting venues include the Roche Park Recreation Centre, the Recreation Ground along with various playing fields. These facilities are used for both formal and informal activities. As such, the actual number of users is not known, preventing calculation of a cost per person per year.

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

**Cr Hansen**

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

Response: The environmental consultants (BARK Environmental) completed the work within 5 active days. This included a field survey for dieback assessment and sampling at Minningup Pool, analysis of pre-existing data, analysis of laboratory results and preparation of the assessment report. The consultant provided a fixed fee quotation and not hourly rate quote, so the time taken was only an estimate.

**Cr Italiano**

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

Response: Purchase made in compliance with shire purchase policy. Three quotes were obtained and the local supplier was 18.25% higher than the other suppliers. The awarded vendor was also able to provide the item in the least amount of time.

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

Response: Purchase made in compliance with shire purchase policy. This was a one off due to staff shortages and convenience of being able to purchase all minor items from one location with all items in stock while being in Bunbury at the time.

**4. DISCLOSURE OF FINANCIAL INTEREST**

<b>Councillor/Staff</b>	<b>Agenda Item</b>	<b>Disclosure</b>
John Kearney	11.1	Work Related – Impartial
John Kearney	14.1	Work Related – Impartial
Brett Hansen	12.2	Collie Eagles Football Club Acting President – Impartial
Brett Hansen	14.1	Collie Eagles Football Club Acting President – Impartial

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

Nil.

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

There will be two items for which the meeting may be closed to the public and one confidential attachment as follows:

- Appointment of Director Corporate Services
- Disposal of Property to Recover Rates (3 Year Sale Process)

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

**11.1 CEO REPORTS**

Cr Kearney declared an impartial interest in item 11.1.

**11.1 INDOOR WARM WATER POOL FACILITY - UPDATE**

<b>Reporting Department:</b>	Chief Executive Officer
<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>	CMG/268
<b>Appendices:</b>	Nil
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To provide an update on consideration of an indoor warm water pool for Collie.

**8976**

**Recommendation/Council Decision:**

**Moved: Cr Miffling**

**Seconded: Cr Italiano**

**That Council resolve to note the update on the indoor warm water pool for Collie.**

**CARRIED 8 / 0**

**Background:**

On 8 February 2022, Council received a petition addressing the matter of an indoor heated pool in Collie. More specifically, the petitioners request the Council retain grant funds for an indoor pool. On receipt of the petition, Council resolved to convene a public meeting to address the matter and to further report to Council.

The petition received by Council on 8 February 2022 has now been assessed in further detail, with signature counts now tallied as follows:

Total signatures:

911

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Addresses known to be within the Shire of Collie:	836
Signatures with addresses outside Shire of Collie:	39
Addresses with more than 1 signature:	47
Addresses unknown:	36

A public meeting was convened on 17 March at the Roche Park Recreation Centre as per Council resolution. Total attendees in person were counted at 116, with a maximum number of social media livestream connections of 110 at any one time.

Following the public meeting, Ann Briggs submitted an e-mail to the Shire on 29 March 2022 on behalf of the Collie Heated Indoor Pool Supporters (CHIPS) group. The e-mail advised the group confirms its preference for a 25-metre heated pool with a minimum of 3 lanes, along with a program pool to the side.

**Statutory and Policy Implications:**

Nil.

**Budget Implications:**

Capital and operational cost considerations are central to the achievability of an additional public pool in Collie.

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

N/A

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

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

*Outcome 5.3 Financial sustainability and accountability.*

*Strategy 5.3.5 Provide corporate financial services that support the Shire's operations and meet planning, reporting and accountability requirements.*

**Relevant Precedents:**

N/A

**Comment:**

At the public meeting, Jodie Hanns MLA reiterated the benefit of Government working with the Shire and others as appropriate, to further consider options for an indoor pool. This approach is supported and discussions with the local member on ways forward are planned.

A further report will be brought to Council following consideration of appropriate ways to proceed with a review.





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**12. CORPORATE SERVICES REPORTS**

**12.1 Accounts Paid – February 2022**

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

**Report Purpose:**

To present the accounts paid during the month of February 2022.

**8978**

**Recommendation/Council Decision:**

**Moved: Cr Faries**

**Seconded: Cr White**

**That Council accepts the Accounts as presented in Appendix 1 being vouchers 41848 totalling \$288 and direct payments totalling \$654,150.09 authorised and paid in February 2022.**

**CARRIED 8 / 0**

**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 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.

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Month	2021/22		
	Cheques	Electronic Transfer	Total Payment
July	\$892.50	\$1,223,621.35	<b>\$1,224,513.85</b>
August	\$894.15	\$965,386.72	<b>\$996,280.87</b>
September	\$1,395.45	\$791,284.41	<b>\$791,284.41</b>
October	\$2,587.35	\$633,745.89	<b>\$636,333.24</b>
November	\$1,753.60	\$494,393.69	<b>\$496,147.29</b>
December	\$1,721.00	\$830,299.78	<b>\$832,020.78</b>
January	\$622.12	\$1,542,894.19	<b>\$1,543,516.31</b>
February	\$288.00	\$654,150.09	<b>\$654,438.09</b>
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.

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

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Cr Hansen declared an impartial interest in Item 12.2.

**12.2 Financial Report – February 2022**

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Hasreen Mandry – Finance Manager
<b>Accountable Manager:</b>	Stuart Devenish – Chief Executive Officer
<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 – Financial Report – February 2022
<b>Voting Requirement</b>	Absolute Majority

**Report Purpose:**

To provide a summary of the Financial Position for the Shire of Collie for the month ending February 2022 and to consider budget amendments for capital works projects.

**8979**

**Recommendation/Council Decision:**

**Moved: Cr Italiano**

**Seconded: Cr Miffing**

**That Council resolve by Absolute Majority to:**

- 1. Accept the Financial Management Report for February 2022 as presented in Appendix 2.**
- 2. Adopt, subject to the approval of the grant provider, the amended budget allocation for the Local Roads and Community Infrastructure Phase 2 projects to:**
  - a. Increase the allocation to the recreation ground fencing from \$59,700 to \$90,000 and for staff to investigate the location of the fencing around the Medic Street gates further away from the roundabout to enable the reinstatement of vehicular access and egress;**
  - b. Reduce the allocation of McAlinden Road Upgrade from \$250,000 to \$125,000;**
  - c. Reduce the allocation of re-sheeting of Court 3 Roof at Roche Park from \$144,429 to \$90,000;**
  - d. Allocate \$100,000 to the Gastaldo Road Upgrade;**
  - e. Allocate \$49,129 towards the preventative maintenance to Bridge 3520 (Powerhouse Road), Bridge 3523 (Mungalup Road) and Bridge 3526 (Coombes Street), and**
  - f. Endorse the replacement of the scoreboards at Roche Park as one of the Local Roads and Community Infrastructure Phase 3 projects, and seek approval from the grant provider accordingly.**

**CARRIED 8 / 0**

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**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

**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 February 2022, it is to be noted that total cumulative revenue is 1% under the year-to-date budget and total cumulative expenditure is 26% under the year-to-date budget.

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	Full Year Budget	YTD Budget	YTD Actual	YTD Comparison
Operating Revenue	11,705,970	9,443,801	10,210,072	over
Capital Revenue	8,322,041	3,415,444	2,563,118	under
Financing Revenue	489,427	11,089	11,089	

	Full Year Budget	YTD Budget	YTD Actual	YTD Comparison
Operating Expenditure	14610652	9,890,738	8,999,747	under
Capital Expenditure	8066361	5,435,697	2,184,464	under
Financing Expenditure	1604638	595,856	595,856	

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

Budget Amendment Requests

Local Roads and Community Infrastructure (LRCI) Phase 2

Council at its meeting on the 11 May 2021 (resolution 8729) and 14 September 2021 (resolution 8817) endorsed the following projects for the Local Road and Infrastructure (LRCI) Phase 2 grant allocation of \$454,129. As the completion date of 30 June 2022 is fast approaching and final costing of several of the projects have been under budget, the proposed budget amendments are suggested to ensure that the grant allocation is fully utilised.

Adopted Budget (11 May 2021)		Revised Budget (14 September 2021)		Suggested Changes (12 April 2022)	
Project	Amount (\$)	Project	Amount (\$)	Project	Amount (\$)
Swinging Bridge	200,000	McAlinden Road	250,000	McAlinden Road	125,000
Jack Mears Springs Boardwalk	194,429	Roche Park Roof Replacement	144,429	Roche Park Roof Replacement	90,000
Recreation Area Fencing	59,700	Recreation Area Fencing	59,700	Recreation Area Fencing	90,000
				Gastaldo Road	100,000
				Bridge Maintenance	49,129
	<b>454,129</b>		<b>454,129</b>		<b>454,129</b>

*Background on the projects*

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1. *McAlinden Road Upgrade: the final costing of the upgrade is estimated to be approximately \$375,000, being substantially less than the budget estimate of \$750,000 (with 2/3 of the project be funded by Main Roads- Regional Road Group Grant and 1/3 by LRCI 2).*
2. *Roche Park Roof Replacement: the final costing of this project was \$90,000, being less than the budget estimate of \$144,429.*
3. *Recreation Area Fencing: due to the project mentioned above being under budget, it is recommended that additional funds are allocated to upgrade the standard of fencing from chain-link (cyclone type) to garrison style fencing.*
4. *Gastaldo Road Upgrade: the estimated cost of \$750,000 to be funded by Main Roads- Regional Road Group Grant, South 32 and LRCI 3 but it is suggested to be amended to LRCI 2.*
5. *Bridge Maintenance: preventative maintenance as per Main Roads requirement to bridge 3520 (Powerhouse Road), Bridge 3523 (Mungalup Road) and Bridge (3526) Coombes Street. The indicative costing of the maintenance is \$90,000, the cost is proposed to be split between the LRCI 2 grant and Council contribution of \$40,000 which has been budgeted for.*

#### Local Roads and Community Infrastructure (LRCI) Phase 3

Council has yet to resolved to allocate project for the grant allocation for the Local Roads and Community Infrastructure (LRCI) Phase 3 of \$678,508.

It is suggested to allocate \$20,000 of the grant allocation towards the Roche Park Scoreboards replacement in all the courts. These boards are over 30 years old and require replacements.

Other projects such as the Jack Mears Spring boardwalk upgrades, Swinging Bridge refurbishment and the Lions Park toilet replacement have been earmarked for the remaining of the grant, however costings are yet to be finalised.

Should Council support the changes to the Local Roads and Community Infrastructure expenditure, approval will be sought from the Federal Department of Infrastructure, Transport, Regional Development and Communications.

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**13. DEVELOPMENT SERVICES REPORTS**

**13.1 Proposed Exploration Licence- E12/13, E70/6049 and E70/6056**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	Isabel Fry- Town Planner
<b>Accountable Manager:</b>	Matt Young – Director Development Services
<b>Legislation</b>	<i>Mining Act 1978</i>
<b>File Number:</b>	EDV/001
<b>Appendices:</b>	Appendix 3 - Proposed Licence Locations
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

For Council to provide comment on multiple applications for Exploration Licences by Rio Tinto Exploration Pty Ltd, within the Shire of Collie.

**8980**

**Recommendation/Council Decision:**

**Moved: Cr Faries**

**Seconded: Cr Kearney**

**That Council Resolve to:**

1. Advise the Department of Mines, Industry Regulation and Safety that it objects to the proposed Exploration Licences 70/6056, 12/13 and 70/6049 by Rio Tinto for the following reasons:
  - a) There is insufficient information provided to support a proposal for exploration and mining;
  - b) The Shire has not been approached by the proponent to determine the constraints to future exploration and mining proposals, nor the opportunities that may arise from these activities;
  - c) The Licences are proposed within State Forest which also contain Registered and Other Aboriginal Heritage Places;
  - d) Future exploration and/or mining activity will impact on private landowners within the Shire of Collie, and
2. Invite Rio Tinto to present its future intentions about exploration and mining in Collie.

**CARRIED 8 / 0**

**Background:**

The Shire of Collie has received a copy of three applications for Exploration Licences lodged by Rio Tinto Exploration Pty Ltd (refer Appendix 3). The Shire is not the determining authority on Exploration Licences, therefore the purpose of this report is to provide comment only.

The proposed Exploration Licence sites cover areas of State Forest and also private land within the Shire of Collie, as well as a number of adjoining Local Governments.

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- Exploration Licence 12/13
  - Located south of Preston Settlement where Shires of Collie and Donnybrook- Balingup intersect.
  - F26 State Forest, Private Land
  - The site consists of extensive forest and river areas which are Registered Aboriginal Heritage Places and one Other Aboriginal Heritage Place.
  
- Exploration Licence 70/6049
  - Located on and surrounding Worsley (South 32) site.
  - F15 State Forest, Lots 5314, 5315,5316 and 5317 on P220209.
  - The site consists of extensive forest, the Worsley site and various Registered and Other Aboriginal Heritage Places, including parts of the river nearby.
  
- Exploration Licence 70/6056
  - Located over the area where the Shires of Collie, Williams and West Arthur intersect.
  - F24- State Forest  
The site consists of extensive forest and private properties.

**Statutory and Policy Implications:**

*Mining Act 1978*

Part IV Mining Tenements, Division 2 Exploration Licence

59. Determination of application for exploration licence

(1) A person who wishes to object to the granting of an application for an exploration licence shall lodge a notice of objection within the prescribed time and in the prescribed manner.

(2) Where no notice of objection is lodged within the prescribed time, or any notice of objection is withdrawn, the mining registrar shall, unless subsection (4)(b) applies, forward to the Minister a report which recommends the grant or refusal of the exploration licence and sets out the reasons for that recommendation.

(3) The mining registrar shall —

- (a) recommend the grant of the exploration licence if satisfied that the applicant has complied in all respects with the provisions of this Act; or
- (b) recommend the refusal of the exploration licence if not so satisfied.

(4) Where a notice of objection —

- (a) is lodged within the prescribed time; or
- (b) is not lodged within the prescribed time but is lodged before the mining registrar has forwarded a report to the Minister under subsection (2) and the warden is satisfied that there are reasonable grounds for late lodgement,

and the notice of objection is not withdrawn, the warden shall hear the application for the exploration licence on a day appointed by the warden and may give any person who has lodged such a notice of objection an opportunity to be heard



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63. Condition attached to exploration licence Every exploration licence shall be deemed to be granted subject to the condition that the holder thereof will explore for minerals and —

(a) will promptly report in writing to the Minister all minerals of economic interest discovered in, on or under the land the subject of the exploration licence; and

(aa) will not use ground disturbing equipment when exploring for minerals on the land the subject of the exploration licence unless —

i. the holder has lodged in the prescribed manner a programme of work in respect of that use; and

ii. (the holder has paid the prescribed assessment fee in respect of the programme of work; and

iii. the programme of work has been approved in writing by the Minister or a prescribed official; and

b) will fill in or otherwise make safe to the satisfaction of a prescribed official all holes, pits, trenches and other disturbances to the surface of the land the subject of the exploration licence which are —

(i) made while exploring for minerals; and

(ii) in the opinion of the prescribed official, likely to endanger the safety of any person or animal; and

c) will take all necessary steps to prevent fire, damage to trees or other property and to prevent damage to any property or damage to livestock by the presence of dogs, the discharge of firearms, the use of vehicles or otherwise.

**Budget Implications:**

N/A

**Communications Requirements:**

The Shire has been provided a copy of the applications and can make a submission if it elects to.

**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 Exploration Licences will allow for the Applicant to explore the land for minerals and cause some disturbance on the land, subject to the conditions of Section 63, Part IV Division 2 of the *Mining Act 1978*.

Although not the determining authority on the applications, Shire Officers recommend that a submission is made in response to the proposed Exploration Licences. The submission is proposed to raise concern from the Shire regarding the possible future exploration and mining of areas with significant forest and native vegetation, as well as aboriginal heritage. Additionally, although none of the proposed locations are within the Collie townsite, there are private landholdings either nearby or included in the exploration areas. Proximity of mining to residents also needs to be considered before a licence is granted.

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**13.2 Proposed Structure Plan - No. 327, Lot 1133 Prinsep Street North, Collie**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	Isabel Fry - Town Planner
<b>Accountable Manager:</b>	Matt Young – Director Development Services
<b>Legislation</b>	<i>Planning and Development Act 2005</i>
<b>File Number:</b>	A3269
<b>Appendices:</b>	Appendix 4- Structure Plan Appendix 5- Summary of Submissions
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

For Council to consider and provide a recommendation to the Western Australian Planning Commission regarding a proposed Structure Plan at No. 327, Lot 1133 Prinsep Street, Collie.

**8981**

**Recommendation:**

**Moved: Cr Stanley**

**Seconded: Cr Faries**

**That Council resolve to provide a report to the Western Australian Planning Commission in respect to the proposed Structure Plan at No. 327, Lot 1133 Prinsep Street North, Collie, to:**

- 1. Recommend the following modifications to the Structure Plan, which are to be included in the report to be made to the Commission to allow the Structure Plan to be approved:**

**Prior to further subdivision (exceeding the short term proposed subdivision of 2 lots):**

- a) Further subdivision of the land will require the provision of reticulated sewerage.**
  - b) Provision for Public Open Space is to be included within the plan of subdivision, where applicable.**
  - c) Identification of vegetation worthy of retention.**
  - d) Access, cross-overs and internal roads are to be resolved (where applicable).**
  - e) If the clearing purpose is exempt from the requirement for an Environmental Protection Act 1986 or is deemed of very low environmental risk such that it may proceed through the referral process and not require a clearing permit, then a licence is required to clear vegetation under Part IIA of the Country Areas Water Supply Act 1947.**
- 2. Advise that the Shire recommends the Structure Plan be approved, subject to the above modifications and conditions.**

**CARRIED 8 / 0**

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**Background:**

An application for a Structure Plan (refer Appendix 4) has been lodged with the Shire by Planned Focus, on behalf of Raymond and Tracey Aramini, owners of No. 327, Lot 1133 Prinsep Street, Collie. The Application was lodged with the Shire on 30 November 2021.

The purpose of the Structure Plan is to guide and facilitate subdivision of the land for residential purposes. This is proposed in two stages, the short term and initial stage consisting of only a 2 lot subdivision. The longer term outlook relies on the availability of sewer, however has been designed to enable the retention of existing homes, generally at a density of R15. Subdivision of the land for both stages is subject through separate application through the Western Australian Planning Commission. The proposed Structure Plan, if approved, will supersede the North Collie Structure Plan where it applies to this lot.

Item	Data	
Total area covered by the Structure Plan	1.25 hectares	
Estimated number of dwellings	Short Term	2 dwellings
	Long Term (with reticulated sewer)	9-11 dwellings
Estimated residential site density	13.77 dwellings per hectare (if 11 lots created)	
Estimated population (at 2.5 persons/ dwelling)	27 persons	

The subject site is located approximately 2.6km to the north- east of the Collie townsite. The site has dual frontage to Prinsep Street North and Booth Street. The surrounding lots are developed consistent with Rural Residential and generally in the vicinity of 1ha in size. The subject site has historically been cleared for animal grazing and lifestyle purposes with only a small number of mature trees. There is an existing dwelling on the site with associated outbuildings.

The subject site is zoned Urban Development under the Shire's Local Planning Scheme No.6. The objectives of the Urban Development Zone are;

- To provide an intention of future land-use and a basis for more detailed structure planning in accordance with the provisions of this Scheme.
- To provide for a range of residential densities to encourage a variety of residential accommodation.
- To provide for the progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.

The existing North Collie Structure Plan was endorsed by the WAPC in 2004. This Structure Plan accommodated for lots in the area to be subdivided to the minimum of 1ha, many lots have not been subdivided to this level. The existing Structure Plan acknowledges that subdivision at a density higher than 1ha requires comprehensive structure planning to occur to address road networks, infrastructure and provision of public open space. Additionally, it requires all subdivision applications to be accompanied by a

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Geotechnical Report demonstrating the capacity of the land to accommodate the intended development.

The Shire of Collie's Local Planning Strategy 2020 identified areas north of the Collie town centre for future residential expansion at a density of R15. The proposed Structure Plan's long-term plan is consistent with this. As the Shire of Collie does not intend to undertake the overall structure planning of this area, it is the responsibility of individual landowners to undertake planning for their own properties. The Applicant has addressed in the supporting documentation that the proposed Structure Plan, both short and long term, will not jeopardise the future development of adjoining sites.

The Applicant has submitted a site and soil evaluation, prepared by WML. The outcome of this evaluation is that the site is suitable for the intended development, including effluent disposal subject to compliance with recommendations detailed in the report.

**Statutory and Policy Implications:**

*Planning and Development (Local Planning Schemes) Regulations 2015*

- Schedule 2, Part 4- Structure Plans

Shire of Collie Local Planning Scheme No.6

Part 3 - Zones & Objectives – Urban Development Zone

Part 4 - General Development Requirements- 33.7 Urban Development Zone Requirements

State Planning Policies

- State Planning Policy 3.0- Urban Growth Settlement
- Development Control Policy 2.2- Residential Subdivision
- Draft Liveable Neighbourhoods 2015
- State Planning Policy 7.3 Volume 1 Residential Design Codes

**Communications Requirements:**

The proposal has been advertised in accordance with Schedule 2, Part Cl.18 of *Planning and Development (Local Planning Schemes) Regulations 2015*.

The public advertising period ran from 10 February to 24 March 2022 and communications were made in the following ways:

- An advertisement in the local newspaper on 17 February and again on 24 February 2022;
- Letters mailed to adjoining landowners in the locality;
- Letters/ email to relevant government agencies.

A total of five (5) submissions were received as a result of the public advertising period, a summary of the submissions is detailed in Appendix 5.

**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.*

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**Comment:**

The role of the Local Government in the determination of Structure Plans is firstly to ensure that all information as referred to in Schedule 2, Part 4, Cl. 16 of the *Deemed Provisions* has been provided. Once all the information is provided, the Local Government is to accept the Structure Plan for assessment and advertising. The Structure Plan is then required to be advertised for a period of 42 days. Following advertising, the Local Government is to consider submissions received and prepare a report to the Western Australian Planning Commission, including a recommendation for modifications to the Structure Plan and if it should be approved by the Commission.

The Shire undertook an assessment of the Structure Plan and supporting documentation provided, as well as referring the application to the Department of Planning, Lands and Heritage for preliminary comment. All information required to progress the Structure Plan to assessment and advertising was received. A total of 5 submissions were received, 2 of these being nearby residents and the other 3 consisted of agency responses.

The responses provided by agencies are generally consistent with aspects of the proposal that were recognised in the supporting documentation provided with the Application. In particular, the advice that there is no issue with the short term, 2 lot subdivision that is proposed to occur following the endorsement of this Structure Plan, however further subdivision to a higher density will require further planning and infrastructure provision.

Submissions from nearby residents both indicated issues from their perspective with the higher density subdivision provided for by this Structure Plan, due to wanting to maintain the Rural Residential character of the area. It is important to note that the subject site is located in an area zoned for Urban Development, not Rural Residential and it has been identified in the Local Planning Strategy as an area suitable for the expansion of the townsite, to a possible density of R15.

Realistically, the Structure Plan that has been submitted illustrates that the 2 lot subdivision that the property owner intends to undertake in the short term will not jeopardise the future development of this area to accommodate for residential expansion. As raised in Water Corporations submission, the provision of reticulated sewer to this area is reliant upon coordination from all landowners to apply to the Water Corporation for capital funding. This would be required before any further subdivision, beyond the 2 lots proposed, can even be considered. The Department of Health's submission confirms this as their position and the Applicant has also referenced this requirement in their supporting documentation. Given the mixed ownership of properties in the area and the distance to existing reticulated sewer, it is possible that this will not even occur within the life of this Structure Plan, which has effect for a period of 10 years.

Having regard for the above, is recommended that the Western Australian Planning Commission require modification to the Structure Plan, for the purpose of facilitating larger lot sizes fronting Booth Street. This will improve the interface between the subject site and the Rural Residential properties to the north when the site is subdivided further. Additionally, the Structure Plan should be modified to require the provision of reticulated sewerage and investigation into open space, vegetation retention and access, prior to the land being subdivided further. The terms of the recommendation addresses these measures.

**14. TECHNICAL SERVICES REPORTS**

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Cr's Kearney and Hansen declared impartial interests in Item 14.1.

**14.1 Tender 01/2022 Recreation Ground Lighting Renewal**

<b>Reporting Department:</b>	Technical Services
<b>Reporting Officer:</b>	Rick Miller – Director Technical Services
<b>Accountable Manager:</b>	Rick Miller – Director Technical Services
<b>Legislation</b>	Local Government Act 1995 – Section 3.57 Local Government (Functions and General) Regulations 1996 – r.11,r.13,r.14,r.18,r.20,r.21A
<b>File Number:</b>	CMG/289
<b>Appendices:</b>	<b>Confidential</b> - Evaluation Report (under separate cover)
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

For Council consideration to accept or reject Tender 01/2022 Recreation Ground Lighting Renewal.

**8982**

**Recommendation/Council Decision:**

**Moved: Cr Faries**

**Seconded: Cr Italiano**

**That Council resolve to:**

- 1. accept the most advantageous tender, that being submitted by Stiles Electrical & Communication Services, to provide in accordance with Tender 01/2022 Recreation Ground Lighting Renewal for 150 lux infrastructure for a total payment of \$367,408.75 ex GST;**
- 2. authorise the Chief Executive Officer, to liaise with the successful tenderer to make minor variations to achieve design outcomes before entry into contract;**
- 3. authorise the Chief Executive Officer, in accordance with section 9.49A(4) of the Local Government Act 1995, to execute the contract for Tender – 01/2022 Recreation Ground Lighting Renewal; and**
- 4. authorise the Chief Executive Officer to approve contract variations that will not exceed the total approved 2021/22 budget project value.**

**CARRIED 6 / 2**

**Background:**

The Shire was successful through election commitments by the State Government in obtaining a \$400,000 grant to be administered through the Department of Local

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Government, Sport and Cultural Industries (DLGSCI). This is for the Lighting Renewal Project at the Collie Recreation Ground, Prinsep Street, Collie.

The minimum lighting required for Club competition in accordance with Australian Standards and AFL Preferred Facility Guidelines is 100 lux. If a club, league or Council is looking to develop a night football venue, a minimum of 150 lux is recommended to ensure contemporary spectator viewing expectations are met. Under the guidelines a minimum of 200 lux would be required for competition at a Semi Professional Regional level.

Information from the DLGSCI Regional Manager indicated that lighting for some nearby venues are:

<b>Description</b>	<b>Lighting</b>
Hands Oval Bunbury	500 lux (but mainly operates at about 350 lux)
Bunbury Football Club Payne Park	100 lux
Eaton Glen Huon Reserve New lighting	100-150 lux

In informal discussions, the Regional Manager opinion was that the experience 150 lux will provide over 100 lux would be significant and would benefit the region for many years to come and be in the top echelon of lighting at clubs in the region.

The agreement with the DLGSCI for the funding was signed 19 January 2022 and an Expression of Interest (EOI) was advertised 22 January 2022 in the West Australian Newspaper and locally in the Collie River Valley Bulletin and closed on the 15 February 2022. Three EOI's were received, and a site/meet briefing session undertaken. The EOI process provided sufficient information that a tender with funding available could be successful and allowed a refinement of the design and construction information for the tender specifications.

The Public Request For Tender (RFT) was advertised 5 March 2022 in the West Australian and the 10 March 2022 in the Collie River Valley Bulletin. It was also advertised through Tenderlink website. A non-mandatory site/meet briefing session was undertaken with two tenderers in attendance.

During the advertising period 15 companies downloaded/obtained tender documents for consideration. Upon close of the tender period on 1 April 2022, three submissions were received, with each being deemed eligible submissions. They were received from:

- CEM Alliance Pty Ltd
- Earthtrack Group Pty Ltd
- Stiles Electrical & Communication Services

It is noted that while documentation was requested by and provided to a local contractor, the business elected not to make a submission.

**Statutory and Policy Implications:**

CS3.23 Purchasing Policy requirements formed part of tender criteria.

The Functions and General Regulations (Clause 18) prescribes the powers of the Local Government to accept or reject tenders.

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**Budget Implications:**

Project is included in the 2021/22 Budget with a grant funded allocation of \$400,000.

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

The procurement process has been subject to public advertising in accordance policy. This involved public advertising in both local and statewide papers, Shire website and available through the tenderlink supplier network.

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

Goal 4: Our Community - A vibrant, supportive and safe community

*Outcome 1.2 Participation in sport, recreation and leisure opportunities;*

*Outcome 1.3 An active and supportive community*

*Outcome 1.4 A growing community*

**Relevant Precedents:**

Nil

**Comment:**

Overall, the quality of submissions were quite high and capable of delivering the specified works. Generally, tenderers downloaded the documents through *Tenderlink*, however due to circumstances, electronic documents were requested and sent to a local contractor to assist them to review the documents and determine if they wished to submit an application.

A panel of three shire staff evaluated the tenders and provided a recommendation that is most advantageous to Council and able to deliver within the required budget and timeframe.

Details of the evaluation is included in the attached confidential (in commercial confidence) evaluation report which will be supplied to Councillors under separate cover. The recommended contractor, Stiles Electrical & Communications was ranked highest based on the advertised qualitative selection criteria:

<b>A. Relevant Experience (25%)</b>
<i>a) Provide details of similar work undertaken.</i>
<i>b) Provide scope of the Tenderer's involvement including details of outcomes.</i>
<i>c) Provide details of issues that arose during the project and how these were managed.</i>
<i>d) Demonstrate competency and proven track record of achieving outcomes.</i>
<b>B. Key Personnel Skills and Experience (10%)</b>
<i>a) The Tenderer's role in the performance of the Contract.</i>
<i>b) Curriculum vitae of key staff inclusive of membership to any professional or business association, qualifications etc., particularly experience of personnel involved in similar projects.</i>
<b>C. Demonstrated Understanding (25%)</b>
<i>a) A project schedule/timeline.</i>
<i>b) A resources schedule (plant equipment etc).</i>
<i>c) The process for the delivery of the Goods/Services.</i>
<i>d) Training processes and handover to Principal; and</i>
<i>e) Demonstrated understanding of the Scope of Work.</i>
<b>D. Pricing (40%)</b>
<i>Tenderers must complete Lump Sum Price Schedule.</i>



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The expected timeframe for installation is August/September 2022.

Having regard for the assessment of submissions, appointment of Stiles Electrical & Communication Services will be recommended.

**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 Stanley –

*Announcements*

- 16 February: Collie Visitor Centre Annual General Meeting
- 18 February-  
21 March Leave of Absence
- 16 March: Collie River Valley Marketing Annual General Meeting
- 28 March: Approach from Town Team Movement on the possibility of a creation of a Collie Town Team and funding available.
- 29 March: Virtual meeting with Maryanne Baker, Federal government's Employment Facilitator for the South West to discuss the Collie transition community approaches, including What's on the Horizon.
- 30 March: Presentation to Mia Davies, Leader of the Opposition; Shadow Minister for Regional Development; Finance; Electoral Affairs; Federal-State Relations; Public Sector Management; Women's Interests; Jobs & Trade.
- 11 April: Hosted the Hon. Angus Taylor, Federal Minister for Industry, Energy and Emissions Reduction and Rick Wilson, Member for O'Connor along with invited guests.

Advised that Cr Haverson is in ill health and on behalf of the Council we wish her a speedy recovery.

*Upcoming events*

- 13 April: Bush Fires Advisory Committee
- 22 April: SW Zone meeting in Manjimup
- 25 April: ANZAC Day
- 28 April: Synergy's annual grants presentation

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**Other:**

<https://www.mediastatements.wa.gov.au/Pages/McGowan/2022/04/Planning-for-big-battery-and-renewable-energy-hub-for-Collie.aspx>

**Collie River Valley Marketing Chairperson's Report –**

As we know, 2021 was yet another a year like no other and one that has affected our tourism, hospitality and visitor economy both providing challenges and opportunities. Despite the challenges of 2021, CRVM continued to work hard behind the scenes to continue to promote our beautiful Collie River Valley as a great place to visit, work, live and invest in. I thank all members of the committee for their continued efforts and resilience as all of us are business owners in the industry and we continue to look to service our business community.

CRVM contributed positively to the tourism strategy for Collie, organised another professional photography shoot and continued to feed marketing information to several different publications and mediums.

We continue to play a proactive role in trying to consolidate the number of Tourism groups within Collie, and work collaboratively with Australia South West Tourism WA & Trails WA. 2021 also saw some wonderful things happen in Collie, the dam mural and art trail, the completion of renovations to Throssell Street, the maturing of our tracks and trails offerings, and a number of new and improved events. CRVM and its members have played a role in these positive events for our town.

I want to express my personal thanks for all the committee does on top of a challenging year with COVID and its knock-on effects.

I look forward to rest of 2022 to ensure we continue to promote our beautiful town and region and also ensure an industry voice in this next exciting chapter.

**Cr Miffling –**

- 11 February: Zoom meeting with Moore Australia and Office of Auditor General for the Council's 'Entry Audit Meeting' (explanation of how the forthcoming audits are to be conducted)
- 17 March: Attended the opening of the Venn Street 'Drop Zone' cycle trail
- 17 March: Attended the heated swimming pool public meeting at Roche Park
- 30 March: Attended the meeting at the Council with Hon Mia Davies MLA Leader of the State Opposition.

**Mr Devenish –**

- 10 March: Meeting with Collie River Valley Tourist Park operator
- 10 March: Meeting with Shire of West Arthur and Department Fire and Emergency Services
- 15 March: Just Transition 'local economy' sub-group meeting
- 15 March: Just Transition 'celebrating Collie's history' sub-group meeting

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- 16 March: Chaired Workplace Health and Safety Committee meeting
- 17 March:- Meeting with Synergy
- 17 March: Meeting with Disaster Relief Australia
- 17 March: Opening of the Wagyle Bidli Drop Zone mountain bike trail
- 17 March: Indoor Pool public meeting
- 18 March: Meeting with prospective proponent for battery storage facility in Collie
- 18 March: Meeting with Shires of Dardanup and Capel regarding Bushfire Mitigation project
- 22 March: Just Transition Working Group
- 22 March: Meeting with Department of Transport
- 24 March : Meeting with Bibbulmun Track Foundation representative regarding 2023 celebrations
- 30 March: Meeting with Opposition Leader Mia Davies
- 30 March: Attended Chaplains Dedication Service
- 31 March: Chaired Enterprise Bargaining Committee meeting
- 1 April: Attended Collie Industry Forum
- 5 April: Councillor Forum
- 6 April: Represented the Shire of Collie at Busselton Airport – first Melbourne to Busselton service
- 8 April: Meeting with South West Development Commission, celebrating Collie’s history arrangements
- 11 April: Meeting with Minister Angus Taylor and Rick Wilson MP

**19. STATUS REPORT ON COUNCIL RESOLUTIONS**

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

- ‘Closed Since Last Meeting’ at Appendix 6.
- ‘All Open’ at Appendix 7.

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

**8983**

**MOVED: Cr Faries**

**SECONDED Cr Hansen**

**That the Council move into Committee to consider the confidential reports.**

**CARRIED 8 / 0**

All staff and members of the public left the Council Chambers, with the exception of Mrs Mandry who remained for item 20.1, and Mr Young.

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**20.1 Disposal of Property to Recover Rates (3 Year Sale Process)**

**Recommendation/Council Decision**

**Moved: Cr Faries**

**Seconded: Cr Italiano**

**That Council resolve:**

**1. by Absolute Majority to enact Section 6.64 (1) (b) of the Local Government Act 1995 to sell the parcel of land attached to the following properties due to non-payment of rates and services for a period of three years or more.**

- Assessment 1795 (9 Hodgson Terrace, COLLIE WA 6225); and**

**2. Staff to investigate securing ownership in accordance with the Local Government Act of the following lots and report back to Council;**

- Assessment 743 (42 Telfer Crescent, COLLIE WA 6225)**
- Assessment 744 (44 Telfer Crescent, COLLIE WA 6225)**
- Assessment 745 (46 Telfer Crescent, COLLIE WA 6225)**

**CARRIED 8/0**

**20.2 Appointment of Director Corporate Services**

**Officer's Recommendation:**

**Moved: Cr Faries**

**Seconded: Cr Hansen**

**That Council accept the recommendation for appointment to Senior Officer, Director Corporate Services as contained within the assessment report.**

**CARRIED 8/0**

**8984**

**MOVED: Cr Faries**

**SECONDED Cr Italiano**

**That the Council come out of Committee to resume the meeting.**

**CARRIED 8 / 0**

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**21. CLOSE**

The Shire President thanked Council and Staff for their attendance. The Presiding Member declared the meeting closed at 9:16pm.

I certify that these Minutes were confirmed at the Ordinary Meeting of Council held on Tuesday, 10 May 2022.

.....  
Presiding Member

.....  
Date