



Shire of
Collie

MINUTES

of the

ORDINARY MEETING OF COUNCIL

held on

Tuesday, 11 October 2022

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Tuesday, 11 October 2022

Minutes of the Ordinary Meeting of the Collie Shire Council held in Council Chambers, 87 Throssell Street Collie, on Tuesday, 11 October 2022 commencing at 7:03pm.

1. OPENING/ATTENDANCE/APOLOGIES & LEAVE OF ABSENCE

PRESENT:

Sarah Stanley	Councillor (Presiding Member)
Ian Miffling OAM JP	Councillor (Deputy Member)
John Kearney	Councillor
Joe Italiano	Councillor
Leonie Scoffern	Councillor
Michelle Smith	Councillor
Brent White	Councillor
Rebecca Woods	Councillor
Stuart Devenish	Chief Executive Officer
Matthew Young	Director Development Services
Rick Miller	Director Technical Services
Nicole Wasmann	Director Corporate Services
Hasreen Mandry	Finance Manager
Sue Mearns	Executive Assistant

APOLOGIES:

Brett Hansen	Councillor
Gary Faries	Councillor
Elysia Harverson	Councillor

GALLERY:

Nola Green – Press
Amy Dorozenko - Press
Dennis Gray
David Churches
Patrick Honeywill
Trevor Walkington
Sherilyn Walkington
Kerry Roberts

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.

Councillors Faries, Hansen, and Harverson are seeking a leave of absence for this Ordinary Council Meeting.

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9067

Moved: Cr Kearney

Seconded: Cr White

That Council grant Councillors Faries, Hansen, and Harverson a Leave of Absence for this Ordinary Council Meeting.

CARRIED 8/0

2. PUBLIC QUESTION TIME

Patrick Honeywill asked the following question:

Would Council comment on Camping at Buckingham Hall and persons continuing to camp in the area on an ongoing basis, including the dates of 15 September and 4 October 2022.

Response: Mr Young advised that Council were aware that a number of persons were camping at Buckingham Hall reserve and confirmed that a number of these persons are homeless. The campers have been spoken to by Shire staff particularly with regards to their length of stay and keeping the area clean and tidy.

The Shire is investigating future options for the Buckingham Hall precinct and will later release an EOI for future options for the hall and land surrounding. Campers have been advised of this work and advised that they will be invited to comment at that time.

3. RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4. DISCLOSURE OF FINANCIAL INTEREST

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

Councillor/Staff	Agenda Item	Disclosure
Cr Stanley	Item – 13.1 Proposed Bed and Breakfast at Lot 63; 31 Evans Street, Collie	Financial – Business Partnership

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

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

Nil

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

There are no matters for which it is anticipated that the meeting will be closed to the public.

7. ITEMS BROUGHT FORWARD DUE TO INTEREST BY ATTENDING PERSONS

Items 13.1, 13.4 and 13.5 were brought forward due to interested attending persons.

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Cr Stanley declared a financial interest in Item 13.1.

Cr Stanley left the room at 7.08pm. Cr Miffing then took the Chair and became Presiding Member.

13.1 Proposed Bed and Breakfast - Lot 63; 31 Evans 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:	A2923
Appendices:	Appendix 13.1.A - Development Application Appendix 13.1.B - 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 63; 31 Evans Street, Collie.

9068

Officer's Recommendation/Council Decision:

Moved: Cr Italiano

Seconded: Cr Scoffern

That Council resolves to approve the application for development approval for a Bed and Breakfast at Lot 63, No. 31 Evans Street, Collie, subject to the following conditions:

- 1. All development shall be in accordance with the approved development plans which form part of this development approval.**
- 2. This development approval will expire if the approved development has not substantially commenced within two 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, two carparking bays are to be provided for the exclusive use of Bed and Breakfast guests in accordance with the approved development plans.**
- 4. Guests shall be directed to park their vehicles on the allocated car parking bays and not on the road verge.**
- 5. Guest vehicles are not to be parked within the road reserve at any time.**
- 6. Signage for the business will be limited to 0.2m², unless otherwise agreed by the Shire.**
- 7. The business shall not cause injury to or adversely affect the amenity of the neighbourhood.**
- 8. The owner shall manage the behaviour of Bed and Breakfast guests so**

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that they do not unreasonably impact on adjacent neighbours.

CARRIED 7/0

Background:

An application for development approval has been lodged by Albert (Trevor) and Sherilyn Walkington, owners of Lot 63; 31 Evans Street, Collie, for a proposed Bed and Breakfast (refer Appendix 13.1.A).

The subject site is 1177m² in area and is located approximately 1.5km north east of the Town Centre (refer Appendix 13.1.B). The subject site is zoned Residential R15 and has an existing four bedroom, two bathroom dwelling.

The proposed Bed and Breakfast is to be operated within the dwelling wherein the owner will be living on site and continue to utilise the existing living/dining, kitchen, study, theatre, bedroom 2 and master suite. Bed and Breakfast guests will have exclusive use bedrooms 3 and 4 and the adjoining bathroom/toilet.

No additional cooking or sink facilities are proposed. Parking for guests, provided at a rate of 2 bays, is proposed to be located inside the property boundary, within the front setback.

The property is serviced by the Shire's waste collection service and has mains power, water and sewer connected. Signage will need to meet Council requirements (ie. limited to signage being 0.2 square metres in area). 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 —

- (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

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- (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.

Given this is a 'A' land use there is no delegated authority for officers to determine this application.

Budget Implications:

Nil

Communications Requirements:

The public advertising period was conducted from 6 to 20 September 2022 and communications were made via letters mailed to adjoining landowners.

No submissions were received during the advertising period.

Strategic Community Plan/Corporate Business Plan Implications:

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

Outcome 4.1 Appropriate Land Use, Development and Heritage Conservation;

Strategy 4.1.1: 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 able to ensure that the designated guest car parking bays are utilised and that no guest vehicles are parked in the road reserve at any time.

It is recommended that Council 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.

Cr Stanley returned to the room at 7.09pm and resumed the Chair as Presiding Member.

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13.4 Trading Permit Application for the campsites adjacent to the Collie River Valley Tourist Park

Reporting Department:	Development Services
Reporting Officer:	Isabel Fry – Town Planner
Accountable Manager:	Matt Young – Director Development Services
Legislation	Shire of Collie Activities in Thoroughfares and Public Places and Trading Local Law 2012
File Number:	A4346
Appendices:	Appendix 13.4.A - Tourist Park Trading Permit Site Plan
Voting Requirement	Simple Majority

Report Purpose:

For Council to consider an application for a trading permit under the Shire of Collie's Activities in Thoroughfares and Public Places and Trading Local Law 2012, for campsites in the Lyall Street road reserve adjacent to the Collie River Valley Tourist Park.

9069

Council Decision:

Moved: Cr Miffling

Seconded: Cr Smith

That Council:

1. **Approve the application for a trading permit under the Shire of Collie's Activities in Throughfares and Public Places and Trading Local Law 2012, for campsites in the Lyall Street road reserve adjacent to the Collie River Valley Tourist Park, in accordance with the site plan shown in Appendix 13.4.A and subject to the following conditions:**
 - a) **This permit is to be renewed annually and valid for a period consistent with the terms of the lease of the Collie River Valley Tourist Park over Reserve 36454, or until the road reserve is required for another purpose;**
 - b) **The Collie River Valley Tourist Park is required to maintain a valid licence under the Caravan Parks and Camping Grounds Regulations 1997, to the satisfaction of the Shire's Environmental Health Officer;**
 - c) **The Collie River Valley Tourist Park shall maintain public liability insurance of not less than \$10 million, or the amount as stipulated by the applicable lease agreement;**
 - d) **The Collie River Valley Tourist Park shall abide by the conditions set under Part 6 Division 1 - Stallholders and Traders in the Shire of Collie Activities in Thoroughfares and Public Places and Trading Local Law 2012; and**

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- e) This permit is only valid for camping in the location specified on the permit.
2. Advise the applicants that future planning in the locality may identify the need for the Lyall Street road reserve to be used for another purpose and at that the trading permit will be reviewed at that time.

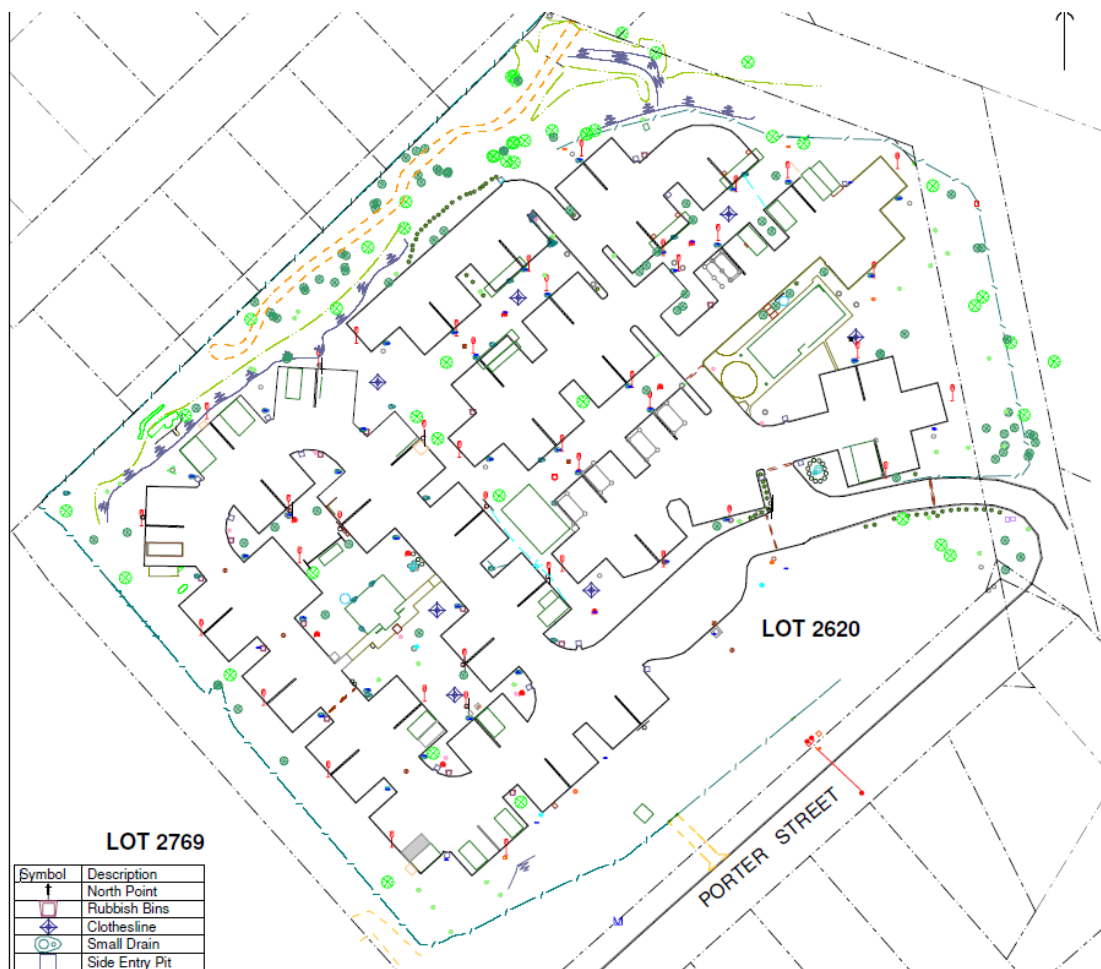
CARRIED 8/0

Background:

The current leaseholders of Reserve 36454 and operators of Collie River Valley Tourist Park, Patrick and Lorna Honeywell, have applied to use the unconstructed Lyall Street road reserve abutting the Tourist Park reserve for campsites (refer Appendix 13.4.A).

This portion of road reserve, which also encompasses the Tourist Park entry off Porter Street has historically been used as part of the Tourist Park for camping, and existing fencing of the area reflects this.

The Shire surveyed the Reserve 36454 in 2019/2020 (see below) and the boundary of the fenced campsite area is clearly identified as an anomaly that was not identified when the lease over Reserve 36454 was finalised in 2020.



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The Collie River Valley Tourist Park lease only covers Reserve 36454 and does not extend to cover the campsite area. The lease over Reserve 36454 commenced from 21 January 2020 for a 5 year period and has further 3, 5-year extension options (to 21 January 2025, 21 January 2030 and 21 January 2035).

While the portion of road reserve has continued to be used on an informal basis, the operators now wish to gain greater surety over their ability to allow continued camping over this land.

The Tourist Park uses this area to accommodate up to 10 tent sites and is the only area in the park which can accommodate soft floor campers and tents, due to the hard surfaces on the remainder of the park. The sites attract a fee of \$40 per site, per night and according to the operators this campsite area generates over \$10,000 in fees per annum for the park.

The operators of the Tourist Park initially requested that the Shire undertake the process to have the road closed and the portion of road reserve be amalgamated with Reserve 36454 or that the Shire reduces the rates and monthly lease to reflect the Tourist Park being unable to utilise the area for camping. Road closure is presumptive in advance of any master planning in this locality, to address future development. Additionally, road closure is a lengthy process and would not address the immediate needs of the operators.

As a result of the above, alternative options have been explored to approve the use of the road reserve for camping/trading and give the operators certainty to take bookings for the sites 12 months in advance. Following a meeting on-site at the Tourist Park it was agreed the best way forward would be for the Tourist Park to obtain a trading in public places permit to allow for commercial activity in a public thoroughfare (ie. the Lyll Street road reserve).

Statutory and Policy Implications:

Shire of Collie Activities in Thoroughfares and Public Places and Trading Local Law 2012 governs trading permits.

Division 3—General Clause 7.6 relates to the duration of a permit and states:

A permit is valid for one year from the date on which it is issued, unless it is—

- (a) otherwise stated in this local law or in the permit; or*
- (b) cancelled under clause 7.10.*

7.7 Renewal of permit

- (1) A permit holder may apply to the local government in writing prior to expiry of a permit for the renewal of the permit.*

- (2) The provisions of—*

- (a) this Part; and*

- (b) any other provision of this local law relevant to the permit which is to be renewed, shall apply to an application for the renewal of a permit mutatis mutandis.*

Budget Implications:

The Shire applies the following 2022/23 fees for training in public places:

Permit – 1 day	\$30
Permit – 1 week	\$60
Permit – 1 month	\$110

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Permit – 3 months	\$190
Permit – 6 months	\$290
Permit – 12 months	\$495

Communications Requirements:

The proposal is not required to be publicly advertised.

Strategic Community Plan/Corporate Business Plan Implications:

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

Outcome 4.1 Appropriate Land Use, Development and Heritage Conservation;

Strategy 4.1.4: Support and promote the conservation and maintenance of heritage buildings, sites and places of interest.

Comment:

The Collie River Valley Tourist Park is supported to continue to utilise the subject portion of Lyall Street for camping until more comprehensive planning is undertaken over the area in the form of a master plan or more formal structure plan. At present, there is no need for a road to be constructed in the reserve, however formally closing the road may impact the future development potential of the Tourist Park and surrounding land.

The proposal does not follow the conventional application of the Shire's Activities in Throughfares and Public Places and Trading Local Law, which is usually used for retail/mobile traders. The Local Law, however, does not prohibit a permit being issued for commercial camping in a thoroughfare and the proposal is not anticipated to cause a nuisance to the locality as it has been functioning in this manner for a number of years.

It is recommended that Council approve the application for a trading permit under the Shire of Collie's Activities in Throughfares and Public Places and Trading Local Law 2012, for campsites in the Lyall Street road reserve adjacent to Collie River Valley Tourist Park, subject to conditions. The period of the trading permit for the campsites should be aligned to coincide with the lease period over Reserve 36454. However, should the road reserve be identified as necessary for other uses as part of comprehensive planning in the locality then the trading permit should be reviewed at that time.

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13.5 Scheme Amendment No. 1 to Local Planning Scheme No. 6

Reporting Department:	Development Services
Reporting Officer:	Katya Tripp – Project Planner
Accountable Manager:	Matt Young – Director Development Services <i>Planning and Development Act 2005</i>
Legislation	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i>
File Number:	LUP/058
Appendices:	Appendix 13.5.A - Omnibus Scheme Amendment Report Appendix 13.5.B- Letter from land owners of Lot 51 Patstone Road scheme amendment request
Voting Requirement	Simple Majority

Report Purpose:

For Council to adopt omnibus amendment No. 1 to Local Planning Scheme No. 6 enabling referral to the EPA and subsequent public advertising.

9070

Officer's Recommendation/Council Decision:

Moved: Cr Miffling

Seconded: Cr Italiano

That Council pursuant to the provisions of the *Planning and Development Act 2005* and *Planning and Development (Local Planning Schemes) Regulations 2015*, resolves to:

- 1. In accordance with Section 75 of the *Planning and Development Act 2005*, initiate omnibus amendment No.1 to the Shire of Collie Local Planning Scheme No. 6 as shown in Appendix 1;**
- 2. In accordance with Regulation 35(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, determines that the amendment referred to in resolution 1. above is a standard amendment for the following reasons:**
 - a) The proposed amendments to the scheme map, scheme text, development requirements and land use changes are consistent with the objectives of the zones which they relate;**
 - b) It is consistent with the intent of the Local Planning Strategy;**
 - c) It is considered to have minimal impact on land in the Scheme area that is not the subject of the amendment;**
 - d) It does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;**
 - e) It is not considered a complex or basic amendment;**
- 4. Authorise that the amendment documentation be signed as required by**

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- the Shire President and the Chief Executive Officer;
5. Refer the amendment to the Environmental Protection Authority for assessment in accordance with the requirements of Section 81 of the *Planning and Development Act 2005*;
 6. Subject to the Environmental Protection Authority determining that an environmental review is not required, resolve, to proceed to advertise the amendment for a period of 42 days in accordance with Regulation 47 and Regulation 76A of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

CARRIED 8/0

Background:

The Shire of Collie's Local Planning Scheme No.6 (the Scheme) was gazetted on the 20 December 2021.

Since gazettal, administrative errors have been identified that need correcting and officers have also taken this opportunity to review the Scheme including the Zoning Table and to ensure it remains up to date and responsive to the needs of the Shire and its community.

In summary, omnibus amendment No. 1 proposes the following modifications to LPS No.6:

1. Changes to some land use permissibility in different zones as contained within Table 4 – Zoning Table and introduce land uses for the Urban Development zone in zoning table;
2. Correction of formatting and topographical errors and to ensure alignment with the Local Planning Scheme Regulations;
3. Update Scheme Maps 8 & 13 to address anomalies for 3 lots reserved for Public Open Space purposes in Kelly & Bacon Streets, Collie Burn to Rural zone as privately owned and rezone Lot 7 Paull Street, Collie from Civic and Community Reserve to the Residential (R15) zone as this is also a privately owned residential lot. Amend current Reserve 16938 Paull Street from Residential zone R15 to Civic and Community local reserve as this lot is reserved for Church purposes;
4. Update the definition for Industry - Primary Production to the proposed Industry - Rural definition (consistent with proposed new model scheme provisions);
5. Introduce setbacks and other general development requirements for the Urban Development zone in Schedule 1 - Zone Development Requirements;
6. Rezone Lots 2 and 51 Patstone Road from Rural zone to Industrial Development zone and introduce additional requirements for this land in Table 8. Remove this land (A2) from Table 5 - Additional Uses; and
7. Modify clause 32.14 (b) to reduce the potable water tank size for dwellings where potable water is not available.

Appendix 13.5. A contains the omnibus scheme amendment report which details each proposed amendment, including the intent of each modification.

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Statutory and Policy Implications:

Planning and Development Act 2005

The *Planning and Development Act 2005* (the Act) outlines the relevant considerations when preparing and amending local planning schemes. The relevant provisions of the Act have been taken into account in preparing and processing this amendment including the need to refer the amendment to the Environmental Protection Authority (EPA) prior to advertising.

Planning and Development (Local Planning Schemes) Regulations 2015

The Regulations identify three different levels of Scheme amendment – basic, standard and complex. Regulation 35(2) requires the resolution of the local government to specify the level of the amendment and provide an explanation justifying this choice.

This amendment is considered to be a 'standard' amendment for the following reasons:

- a. It is consistent with the intent of the Local Planning Strategy;
- b. It is considered to have minimal impact on land in the Scheme area that is not the subject of the amendment; and
- c. It is not considered a complex or basic amendment.

The regulations also specify the manner and form in which the amendment must be advertised.

Budget Implications:

There are no budget implications for this proposal aside from the cost of advertising the scheme amendment within existing budget allocations.

Communications Requirements: (Policy No. CS 1.7)

The proposal will undergo public advertising in accordance with the following Council policy objectives:

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

Following referral to and a decision from the EPA, the amendment will be advertised in the local newspaper to seek comment for a minimum of 42 days. Letters will be sent to service authorities, relevant government agencies and any affected land holders seeking comment within this submission period. Referral to the EPA, other government agencies and impacted stakeholders and the general advertising of the Scheme Amendment will be done in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Strategic Community Plan/Corporate Business Plan Implications:

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

Outcome 4.1 Appropriate Land Use, Development and Heritage Conservation;

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

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Relevant Precedents:

This proposed omnibus amendment is the first amendment to Local Planning Scheme No. 6. A total of six amendments were made to the previous Local Planning Scheme No.5, the last one being in 2020.

Comment:

The purpose of this omnibus amendment is to address a range of issues identified during the application of Local Planning Scheme No. 6 and include updates that ensure Local Planning Scheme No. 6 is flexible, easy to implement and meeting the Shire and community's needs. A total of 23 changes (19 textual and 4 mapping) are proposed in this omnibus amendment.

The proposed rezoning of Lot 51 and Lot 2 Patstone Road, Collie has been canvassed with land owners over a number of years, and the matter has also arisen in SAT mediations discussions in respect to No. 650 Scenic Drive, Collie.

On 24 August 2022 an application for a scheme amendment was received from the owners consultant for Lot 51 Patstone Road, Collie owned by Smargiassi Nominees PTY LTD, Jenny Lee, David Churches (refer Appendix 13.5.B). This was supported by a structure plan that was lodged on 22 October 2021 over the same land, which contains information on services, traffic, bushfire and environment. Officers had received the structure plan but informed the applicant that there was insufficient information to be accepted for processing (advertising and referral) and requested further information to enable it to be fully assessed. Officers have spoken to the land owner's consultant and agreed to include the proposed scheme amendment into this omnibus amendment using the unapproved structure plan as supporting information for the rezoning.

The owners of Lot 2 (Jason and Gemma Miles) at this stage have no intention to develop the land for industrial purposes and wish to continue to use it for rural pursuits. This can occur notwithstanding a change to the land zoning.

The two land parcels are considered together as a single planning precinct for future industry in the Local Planning Strategy and therefore it follows that they are both considered for rezoning. Rates for the land will not be subject to an increase until the land uses change, i.e. the land is developed for industrial purposes.

Amendment procedure

The proposed omnibus amendment will be progressed in accordance with the *Planning and Development Act 2005* (sections 75 and 84) and *Planning and Development (Local Planning Schemes) Regulations 2015*.

Upon a Council resolution to adopt the amendment to the Local Planning Scheme, it will be referred to the EPA (a requirement under section 81 of the *Planning and Development Act 2005*) for assessment under section 48A of the *Environmental Protection Act 1986*.

It is expected that the proposed omnibus amendment will not require an environmental review, in accordance with section 48C(1)(a) of the *Environmental Protection Act 1986*, as there are no known significant environmental impacts generated by the proposed amendments. The rezoning of Lots 2 and 51 Patstone Road, Collie to Industrial

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Development is expected to receive some consideration however the draft structure plan and the amendment report received from the landowner for this land will be used to support the change of zoning request.

Subject to formal assessment not being required by the EPA, the amendment will be referred to relevant government authorities and stakeholders for comment and the public advertising process will commence in accordance with Regulations 47 and 76A of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Following public advertising and in accordance with Regulation 50 of the Regulations, the amendment proposals, together with any submissions received, shall be returned to Council for its further consideration.

The resolution (recommendation) of Council, together with the amending documentation and all submissions are then submitted to the WAPC for the Commission's determination and referral to the Minister for Planning.

Conclusion

The omnibus amendment proposes minor changes to text and scheme maps that are partly a result of administrative errors when the Scheme was first introduced or as a result of observations made in the application of the scheme since its gazettal last year.

The omnibus amendment also provides revision and updates to the land use permissibility in the Zoning Table to allow the local government increased flexibility in applying its discretion to receiving and approving development applications for different land uses in the different zones. However, the proposed land uses changes are still consistent with the objectives of the zones.

The rezoning of Lots 2 and 51 Patstone Road from Rural to Industrial Development is consistent with the Local Planning Strategy and supported by a draft Structure Plan for Lot 51, including supporting documents. Land uses and development requirements the Industrial Development zone have also been included to allow guidance and decision making on the use and development of land within this zone where a structure plan does not exist or is silent on this.

All of the proposed amendments aim to improve the application of Local Planning Scheme No.6 and ensure it remains effective and up to date.

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8. PREVIOUS MEETINGS OF COUNCIL MINUTES

9071

Officer's Recommendation/Council Decision:

Moved: Cr Scoffern

Seconded: Cr Kearney

That Council confirms the Minutes of the Ordinary Meeting of Council held on 13 September 2022, subject to part 1.b) of resolution 9065 being corrected to read as follows:

from 1 February 2023 to 12 March 2023 on the following days and times:

Monday from 4:30pm to 6:00pm

Wednesday from 4:30pm to 6:30pm

Saturdays all day

CARRIED 8/0

9. BUSINESS ARISING FROM THE PREVIOUS MINUTES

Only items that have been deferred from a previous Ordinary Council Meeting for either further consideration by Councillors or for additional background information may be dealt with under this item. Details of Business Arising items will always be listed on the Agenda.

Nil

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

Nil

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11. CEO REPORTS

11.1 Local Government Reforms – Ward and Representation Review

Reporting Department:	Chief Executive Office
Reporting Officer:	Stuart Devenish – Chief Executive Officer
Accountable Manager:	N/A
Legislation:	<i>Local Government Act 1995</i>
File Number:	GOV/001
Appendices:	Nil
Voting Requirement	Simple Majority

Report Purpose:

To consider whether to undertake a Ward and Representation Review for the Shire of Collie.

9072

Officer's Recommendation/Council Decision:

Moved: Cr Miffling

Seconded: Cr Smith

That Council:

1. **advise the Department of Local Government, Sport and Cultural Industries that the Shire of Collie intends to undertake a Ward and Representation Review with intentions to:**
 - a) **consider a reduced number of offices of councillor from 11 to 9;**
 - b) **retain whole of community representation by councillors in lieu of a ward system;**
 - c) **transition to a reduced number of offices of councillors over two election cycles; 2023 and 2025 respectively; and**
 - d) **finalise a report and proposal to the Local Government Advisory Board before 14 February 2023;**
2. **resolve:**
 - a) **pursuant to clause 5(a) of Schedule 2.2 of the *Local Government Act 1995*, to carry out a Ward and Representation Review for the Shire of Collie;**
 - b) **to prepare a Discussion Paper addressing Ward and Representation Review for the Shire of Collie; and**
 - c) **pursuant to clause 7 of Schedule 2.2 of the *Local Government Act 1995*, give public notice that a review is to be carried out and that submissions may be made within a period not less than 6 weeks.**
3. **resolve that a further report be provided to Council after the public notice period referred to in 2(c) above, for Council to consider:**
 - a) **submissions received during the public notice period;**
 - b) **endorsement of a report to the Local Government Advisory Board;****and**

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c) a proposal to the Local Government Advisory Board concerning Shire of Collie representation.

CARRIED 8/0

Background:

On 8 February 2022, Council considered a report addressing wide ranging proposals to reform local government. The reform package proposed by the Minister for Local Government was based on six major themes, namely:

1. Earlier intervention, effective regulation and stronger penalties
2. Reducing red tape, increasing consistency and simplicity
3. Greater transparency and accountability
4. Stronger local democracy and community engagement
5. Clear roles and responsibilities
6. Improved financial management and reporting.

The proposals were subject to broad industry and public consultation. Following his review of all submissions on the proposed changes, Minister Carey announced a final package of proposed local government reforms. Changes are intended to be achieved through amendments to the *Local Government Act 1995*. Work is underway to prepare a Bill for introduction to Parliament in early 2023.

By letter dated 20 September 2022, the Minister has written to the Shire addressing 'Election Transition Arrangements' relevant to Collie. Two particular considerations arise:

Reducing the number of Councillors

One of the proposed changes involves limiting the number of Councillors based on population size. A report of the then Local Government Review Panel in 2020 recommended local governments with a population of between 5,000 and 75,000 have between 5 and 9 Councillors (including the Shire President). This is supported by the Minister.

Noting that the reform reports did not substantiate the reasoning for the reduced levels of representation, Council resolved on 8 February 2022 to adopt a position that:

“the Shire of Collie does not recognise the benefit of reduced representation on Council, and seeks to retain current numbers of elected members.”

Preferential Voting

A further proposal addresses the method of voting for elected members. The introduction of preferential voting was supported by Council in February 2022 as it provides voters with more choice and control over who they elect and is seen as a fairer method. This arrangement is expected to be introduced through legislative amendment.

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It is noted that broader implications arise for other local governments, such as the abolition of wards for band 3 and 4 local governments and the method of electing Mayors or Presidents. These matters do not apply to the Shire of Collie.

Statutory and Policy Implications:

The *Local Government Act 1995* provides for a system of local government in Western Australia, including the constitution of elected local members. More specifically, the Act provides for the following:

- Section 2.18(3) provides for the Governor, on the recommendation of the Minister, to make an order changing the number of offices of councillor on a council.
- Section 2.18(4) provides that the Minister can only make a recommendation to the Governor if the Local Government Advisory Board has recommended that the order should be made.
- Clause 5(a) of Schedule 2.2 allows a local government to carry out a review of whether or not an order under section 2.18 should be made.
- Clause 7 of Schedule 2.2 requires, before carrying out a review, local public notice to be given advising; the review is to be carried out, and that submissions may be made within a period of not less than 6 weeks. Submissions are to be considered when carrying out the review.
- Clause 9 of Schedule 2.2 provides that on completing a review, the local government is to make a report to the Advisory Board and may propose to the Board the making of any order it thinks fit.

Budget Implications:

Any representation review would be undertaken utilising internal resources.

Communications Requirements:

Should Council elect to undertake a review, public notice of the review is required under clause 7 of Schedule 2.2 of the *Local Government Act 1995*.

Strategic Community Plan/Corporate Business Plan Implications:

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

Outcome 5.1: Good governance and leadership.

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

Relevant Precedents:

Nil

Comment:

In anticipation of legislative changes, the Minister advises of two pathways that Council may consider:

Voluntary Pathway

Council may decide to implement changes on a voluntary basis. This would involve identifying the preferred number of Councillors (between 5 and 9) and indicating how the transition down from 11 Councillors would be implemented.

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Implementation could be phased through two ordinary election cycles: 2023 and 2025 respectively.

Reform Election Pathway

As alternate to the voluntary pathway, the legislation is intended to bring changes to the 2023 election with all positions becoming vacant and the Minister determining the number of offices of councillor. The Minister advises specific provision will be made for local governments that do not elect the voluntary pathway.

Minister Carey has requested Council advise the Department of Local Government, Sport and Cultural Industries of the intended pathway for the Shire of Collie no later than 28 October 2022. If the voluntary pathway is chosen, a high-level plan outlining how the transition is proposed is required.

There are advantages to electing a voluntary pathway to implement changes intended by the Minister. These include:

1. The ability for the community to provide input to a review process before a proposal is made to the Advisory Board;
2. The ability to recommend a transition over two election cycles, avoiding a full spill in a single election; and
3. An opportunity to propose the number of offices of councillors in accordance with procedures of the Act.

Taking these factors into account, a voluntary pathway is recommended. If this approach is supported by Council, a 'Ward and Representation Review' is to be undertaken in accordance with the current statutory provisions (outlined above). In summary, the following steps are required:

1. Council resolution to undertake a review of representation;
2. Preparation of a Discussion Paper addressing representation;
3. A public submission period of at least 6 weeks, with the Discussion Paper available to the public;
4. Consideration of submissions received;
5. Council resolution to adopt a report to the Local Government Advisory Board; and
6. Council resolution to make a proposal to the Advisory Board.

It should be noted that a review should address all relevant representation considerations. This includes the advantages and disadvantages of a ward system along with differing numbers of offices of councillors. The Minister requests a Ward and Representation Review be completed by 14 February 2023 where a voluntary pathway is chosen.

The terms of the recommendation address the Ministers request and provide for the initiation of a review process on a voluntary basis.

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12. CORPORATE SERVICES REPORTS

12.1 Accounts Paid – August and September 2022

Reporting Department:	Corporate Services
Reporting Officer:	Hasreen Mandry – Finance Manager
Accountable Manager:	Nicole Wasmann – Director Corporate Services
Legislation:	<i>Local Government Act 1995 & Financial Management Regulations 1996</i>
File Number:	FIN/024
Appendices:	Appendix 12.1.A – Accounts Paid – August 2022 Appendix 12.1.B – Accounts Paid – September 2022
Voting Requirement	Simple Majority

Report Purpose:

To present the accounts paid during the month of August and September 2022.

9073

Officer’s Recommendation/Council Decision:

Moved: Cr White

Seconded: Cr Kearney

That Council accepts the Accounts as presented in:

- 1. Appendix 12.1.A being vouchers 41878-41882 totalling \$1,860.69 and direct payments totalling \$1,070,192.80 authorised and paid in August 2022; and**
- 2. Appendix 12.1.B being vouchers 41883-41886 totalling \$808.37 and direct payments totalling \$1,127,453.91 authorised and paid in September 2022.**

CARRIED 8/0

Background:

In accordance with Delegation 14 adopted by Council on 9 August 2022, the Chief Executive Officer 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.

Month	2022/23		
	Cheques	Electronic Transfer	Total Payment
July	3,583.29	771,047.53	774,630.82
August	1,860.69	1,070,192.80	1,0720,53.49
September	808.37	1,127,453.91	1,128,262.28

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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:

N/A

Comment:

For a detailed listing of payments see Appendix 12.1.A and Appendix 12.1.B

Please raise any queries prior the meeting to enable questions to be investigated and a response prepared.

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12.2 Financial Report – August 2022

Reporting Department:	Corporate Services
Reporting Officer:	Hasreen Mandry – Finance Manager
Accountable Manager:	Nicole Wasmann – Director Corporate Services
Legislation:	<i>Local Government Act 1995 & Financial Management Regulations 1996</i>
File Number:	FIN/024
Appendices:	Appendix 12.2.A – Financial Report – August 2022
Voting Requirement	Simple Majority

Report Purpose:

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

9074

Officer's Recommendation/Council Decision:

Moved: Cr Woods

Seconded: Cr Scoffern

That Council resolve to accept the Financial Management Report for August 2022 as presented in Appendix 12.2.A.

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 12.2.A.

Statutory and Policy Implications:

Section 34 (1) (a) of the *Local Government (Financial Management) Regulations 1996* states that a Local Government is to prepare monthly statement of financial activity including annual budget estimates; budget estimates to the end of the month to which the statement relates; actual amounts of expenditure, revenue and income to the end of the month to which the statement relates, material variances between monthly budget and actual figures, and net current assets on a monthly basis.

In accordance with section 34(5) of the *Local Government (Financial Management) Regulations 1996* each year a local government is to adopt a percentage or value to be used in statements of financial activity for reporting material variances. In this case, the Shire of Collie has adopted the material variance of 10% or \$10,000, whichever is greater, for reporting variations to the 2022/23 Budget in the monthly statement of financial activity reported to Council.

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Budget Implications:

Nil

Communications Requirements: (Policy No. CS1.7)

Nil

Strategic Community Plan/Corporate Business Plan Implications:

Nil

Relevant Precedents:

N/A

Comment:

The financial statements provided in Appendix 12.2.A reports on the following information for the reporting period:

- Rate Setting Statement by Nature and Type
- Material Variances
- Statement of Financial Positions
- Cash and Investments
- Receivables & Payables
- Capital Projects
- Other Projects
- Budget Amendments

Commentary for the material variances identified is included in Appendix 12.2.A.

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12.3 Roche Park – Modification to Fees and Charges

Reporting Department:	Corporate Service
Reporting Officer:	Nicole Wasmann – Director Corporate Services
Accountable Manager:	Stuart Devenish – Chief Executive Officer
Legislation	<i>Local Government Act 1995</i>
File Number:	FIN/024
Appendices:	Appendix 12.3.A – Roche Park Fees and Charges
Voting Requirement:	Absolute Majority

Report Purpose:

To consider changes to the fees and charges for the use of Roche Park.

Officer’s Recommendation:

That Council approve the following fees and charges for Roche Park following the statutory advertising period:

<u>Fee #</u>	<u>Charge Detail</u>	<u>Current Fee</u>	<u>New Fee</u>
166	Stadium major weekday	\$400 per day	\$350 per day
170	Minor stadium school booking	\$155 per day	\$130 per day
182	Major stadium w/end single day	\$150 per event	\$200 per event
187 & 203	Additional staffing	\$150 per event	\$60 per hour
188 & 204	Additional cleaning	\$50 per hour	\$60 per hour
197	Major stadium multi day	\$450 per event	\$260 per day
198	Minor stadium multi day	\$220 per event	\$150 per day
199	Function room multi day	\$160 per event	\$120 per day
200	Kitchen multi day	\$160 per event	\$120 per day
202	External changerooms multi	\$522 per event	\$100 per day

Weekend after 6pm use fees to be removed and day event rate to apply to all bookings for a single event on a weekend.

The Director Corporate Services tabled an amended recommendation as follows:

(Amended) Officer’s Recommendation:

That Council approve the following **amendments to the** fees and charges for Roche Park following the statutory **advertising notice** period:

<u>Fee #</u>	<u>Charge Detail</u>	<u>Current Fee</u>	<u>New Fee</u>
166	Stadium major weekday	\$400 per day	\$350 per day
170	Minor stadium school booking	\$155 per day	\$130 per day
182	Major Minor stadium w/end single day	\$150 per event	\$200 per event
187 & 203	Additional staffing	\$150 per event	\$60 per hour

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188 & 204	Additional cleaning	\$50 per hour	\$60 per hour
197	Major stadium multi day	\$450 per event	\$260 per day
198	Minor stadium multi day	\$220 per event	\$150 per day
199	Function room multi day	\$160 per event	\$120 per day
200	Kitchen multi day	\$160 per event	\$120 per day
202	External changerooms multi	\$522 per event	\$100 per day

Weekend after 6pm use fees to be removed and day event rate to apply to all bookings for a single event on a weekend.

9075

Officer's Recommendation/Council Decision:

Moved: Cr Smith **Seconded: Cr Kearney**

That Council approve the following amendments to the fees and charges for Roche Park following the statutory notice period:

Fee #	Charge Detail	Current Fee	New Fee
166	Stadium major weekday	\$400 per day	\$350 per day
170	Minor stadium school booking	\$155 per day	\$130 per day
182	Minor stadium w/end single day	\$150 per event	\$200 per event
187 & 203	Additional staffing	\$150 per event	\$60 per hour
188 & 204	Additional cleaning	\$50 per hour	\$60 per hour
197	Major stadium multi day	\$450 per event	\$260 per day
198	Minor stadium multi day	\$220 per event	\$150 per day
199	Function room multi day	\$160 per event	\$120 per day
200	Kitchen multi day	\$160 per event	\$120 per day
202	External changerooms multi	\$522 per event	\$100 per day

Weekend after 6pm use fees to be removed and day event rate to apply to all bookings for a single event on a weekend.

CARRIED 8/0

Background:

Increased use of Roche Park for weekend events has identified inconsistencies and the need for clarification in the fees and charges for use of the facility.

The present fee structure presents a number of anomalies and complications which will benefit from rationalisation. These include:

- Weekday stadium major (9am to 6pm) – currently \$400 per day. Use on a weekend is \$350 per event. It is proposed to change the day rate on a weekday to \$350.
- School bookings minor stadium use is \$155 per day, being only \$20 lower than major stadium use for school use. The difference between the fee for major and minor stadium use is significantly higher under other categories. It is proposed to reduce the minor stadium charge for school bookings to \$130 per day, which will still provide sufficient

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income to cover costs associated with use whilst being more comparable to the difference between major and minor for other user groups.

- Use on a single day on a weekend is currently divided between prior to 6pm and after 6pm. For events held on a weekend day that commence prior to 6pm and finish after 6pm, there is uncertainty as to what fee should be charged. It is proposed to have one fee for use on any one day on a weekend, with the major stadium use to be \$350 per event (same as the previous daytime use on a weekend), and minor stadium to be \$200 per event (in between the previous fees charged for daytime and evening and the same as the weekday fee charged per day).
- The current \$150 fee for staff on a weekend is proposed to be changed to an hourly rate of \$60, so that the cost is reflective of the level of service provided. The hourly rate for cleaning has been increased to \$60 to cover actual cost.
- Multiple day use on a weekend can be two or three days depending on the event and when it is held. Fees are currently based on “per event”. It is proposed to change the fees to “per day” as per the following:

Major stadium multi day	\$450 per event	\$260 per day
Minor stadium multi day	\$220 per event	\$150 per day
Function room multi day	\$160 per event	\$120 per day
Kitchen multi day	\$160 per event	\$120 per day
- The fee currently charged for use of the external changerooms over multiple days is not consistent with other use fees. It is proposed to change it from \$522 per event to \$100 per day.

A full list of proposed changes to the fees is included in Appendix 12.3.A

Statutory and Policy Implications:

Section 6.16 of the *Local Government Act 1995* (the Act) stipulates that a local government may impose a fee or charge for providing use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government.

Fees and charges are imposed when adopting the annual budget but may be amended from time to time during a financial year.

In accordance with Section 6.17 of the Act, in determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration

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

Local public notice is required prior to the imposition of the changed fees in accordance with Section 6.19 of the Act.

Budget Implications:

The proposed changes are minimal and will not have an impact on the budget.

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Communications Requirements:

In accordance with statutory requirements, any changes to fees and charges must be advertised.

Strategic Community Plan/Corporate Business Plan Implications:

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

Outcome 4.5: Council buildings and service related assets that support community needs.

Strategy 4.5.1: Manage and maintain public buildings, facilities and public amenities.

Relevant Precedents:

The current fees and charges were adopted in June for the 22/23 financial year.

Comment:

The proposed changes simplify the current schedule of fees and charges for Roche Park and address current inconsistencies. The changes will provide clarity around what prices should be charged for weekend use and address anomalies.

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13. DEVELOPMENT SERVICES REPORTS

13.1 Proposed Bed and Breakfast – Lot 63; 31 Evans Street, Collie

Item 13.1 was brought forward due to interested attending persons.

13.2 Request for Support - Collie-Williams Road Upgrade (Road Widening and Closures)

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:	RDS/013
Appendices:	Appendix 13.2.A – MRWA Road Widening/Closure Plans
Voting Requirement	Simple Majority

Report Purpose:

For Council to consider a proposal by Main Roads WA to improve the seal width and improve traffic safety by undertaking road widening and closures on parts of the Collie-Williams Road.

9076

Officer's Recommendation/Council Decision:

Moved: Cr Italiano

Seconded: Cr Scoffern

That Council resolves:

- 1. To close those portions of Collie-Williams Road shown stippled on Main Roads drawings 202002-0212-1, 202002-0214-1, 202002-0215-1 in accordance with section 58 of the *Land Administration Act 1997* and for the portions of closed road to be included into State Forest 24;**
- 2. To advertise a notice of motion in relation to 1. above in a newspaper circulating in the district for a period of 35 days;**
- 3. Subject to no objections being lodged in respect to 2. above, request the Department of Planning Land and Heritage on behalf of the Minister for Lands to close the portions of road reserve;**
- 4. Should there be any objections lodged in respect to 2. above, the matter be reported back to Council for consideration; and**
- 5. Advise Main Roads that it supports the dedication of those portions of Collie-Williams Road stippled on Main Roads drawings 202002-0212-1, 202002-0214-1, 202002-0215-1 (shown grey) from State Forest 24.**

CARRIED 8/0

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Background:

Main Roads WA is progressing its project to upgrade the Collie-Williams Road from Collie through to the Shire of Williams boundary. The existing seal width is approximately 6.2m wide, with an unsealed shoulder that gives limited roadside recovery opportunities for errant vehicles to stop. This project aims to improve the seal width and improve traffic safety by undertaking road widening implementing a 9-10m wide seal on a 10m wide pavement.

Necessary road widening and road closure amendments to accommodate the road upgrade are depicted on Land Dealings Plans, refer Appendix 13.2.A (202002-0210, 202002-0211, 202002-0212-1, 202002-0213, 202002-0214-1 and 202002-0215-1).

These tenure amendments comprise the widening and deviation of the existing road reserve (shown grey) together with closure of part of the road reserve where it is being realigned (shown stippled). The intention is to excise the widenings and deviation from State Forests 15 and 24 and include the redundant closed road into State Forest 24. Main Roads has requested the Department of Biodiversity, Conservation and Attractions pursue the changes to the State Forests in accordance with the *Conservation and Land Management Act 1984 (WA)*.

With changes to the way Main Roads and the Department of Lands practically deal with these matters, Main Roads WA has requested that the Local Government formally requests that the affected portions of road be permanently closed pursuant to Part 5, Division 1, section 58 of the *Land Administration Act 1997*. This requires a resolution from the Shire of Collie to make a request to the Minister for Lands to close the relevant portions of road and to indicate its support for the dedication of the new road reserves within the State Forest.

Main Roads WA has undertaken to cover all costs associated with the tenure amendments, including indemnity, survey and registration costs as required by legislation.

Statutory and Policy Implications:

Land Administration Act 1997- Part 5; Division 1; Section 58- Closure of Roads

- (1) *When a local government wishes a road in its district to be closed permanently, the local government may, subject to subsection (3), request the Minister to close the road.*
- (2) *When a local government resolves to make a request under subsection (1), the local government must in accordance with the regulations prepare and deliver the request to the Minister.*
- (3) *A local government must not resolve to make a request under subsection (1) until a period of 35 days has elapsed from the publication in a newspaper circulating in its district of notice of motion for that resolution, and the local government has considered any objections made to it within that period concerning the proposals set out in that notice.*
- (4) *On receiving a request delivered to him or her under subsection (2), the Minister may, if he or she is satisfied that the relevant local government has complied with the requirements of subsections (2) and (3) —*
 - (a) *by order grant the request;*

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- (b) *direct the relevant local government to reconsider the request, having regard to such matters as he or she thinks fit to mention in that direction; or*
 - (c) *refuse the request.*
- (5) *If the Minister grants a request under subsection (4) —*
 - (a) *the road concerned is closed on and from the day on which the relevant order is registered; and*
 - (b) *any rights suspended under section 55(3)(a) cease to be so suspended.*
- (6) *When a road is closed under this section, the land comprising the former road —*
 - (a) *becomes unallocated Crown land; or*
 - (b) *if a lease continues to subsist in that land by virtue of section 57(2), remains Crown land.*

Budget Implications:

Main Roads WA has requested that the Shire undertake advertising in a local newspaper.

Communications Requirements:

The permanent closure of portions of the Collie-Williams Road requires advertising of a notice of motion for that resolution, in a newspaper circulated in the district, and following no objections, a request to DPLH to close the road on behalf of the Minister for Lands. Public advertising is to run for a period of 35 days.

Strategic Community Plan/Corporate Business Plan Implications:

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

Outcome 4.1 Appropriate Land Use, Development and Heritage Conservation;

Strategy 4.1.4: Support and promote the conservation and maintenance of heritage buildings, sites and places of interest.

Comment:

The proposal does not impact on any privately owned parcels of land, only lots that are State Forest. The proposal will increase safety for users of Collie-Williams Road and rectify anomalies where the road has not been constructed within the road reserve.

The Shire's Technical Services Department has advised they have no objections to the proposal.

It is recommended that Council formally requests that the road be permanently closed in accordance with plans provided by Main Roads WA. Similarly, the dedication of new parcels of land to facilitate the road upgrades are recommended for support.

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13.3 Extended Retail Trading Hours

Reporting Department:	Development Services
Reporting Officer:	Isabel Fry - Town Planner
Accountable Manager:	Matt Young – Director Development Services
Legislation	<i>Retail Trading Hours Act 1987</i>
File Number:	EDV/012
Appendices:	Nil
Voting Requirement	Simple Majority

Report Purpose:

For Council to consider a proposal for a change to the approved retail trading hours in the Shire of Collie over the 2022/23 summer period and for various public holidays in 2023.

9077

Officer's Recommendation/Council Decision:

Moved: Cr Smith

Seconded: Cr Woods

That Council resolves to:

- 1. make formal application to the Minister for Commerce for variations to the approved retail trading hours in the Shire of Collie for the 2022/23 summer period and in 2023, as set out in Table 2 of the report; and**
- 2. note the recommendation of the Collie Chamber of Commerce and Industry for extended trading hours.**

CARRIED 8/0

Background:

Local government authorities outside the Perth metropolitan area can apply to Consumer Protection to extend the trading hours for general retail shops in their district beyond those stipulated in the Act. The Minister for Commerce may approve extended retail trading hours for the Shire of Collie upon request.

Retail trading businesses within the Shire of Collie have approval from the Minister for Commerce to trade between the following hours in 2022:

TABLE 1 – Approved Trading Hours

Day	Normal Trading Hours
Mondays, Tuesdays, Wednesdays and Fridays	8.00 am - 8.00 pm
Thursdays	8.00 am to 9.00 pm
Saturdays	8.00 am to 6.00 pm

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Day	Normal Trading Hours
Sundays and public holidays, other than Christmas Day, Good Friday and ANZAC Day, which are closed days	11.00 am to 5.00pm
The following extended hours also apply for 2022:	
26 January (Australia Day)	10.00am to 5.00pm
7 March (Labour Day public holiday)	8.00am to 5.00pm
18 April (Easter Monday)	8.00am to 5.00pm
6 June (Western Australia Day)	8.00am to 5.00pm
26 September (Queen's Birthday)	8.00am to 5.00pm

Officers have liaised with the Collie Chamber of Commerce and Industry regarding extending the retail trading hours over the 2022/23 summer period and beyond. The Collie Chamber of Commerce and Industry have provided the following recommended extended trading hours.

TABLE 2 – Proposed Trading Hours

Day	Dates (2022/2023)	Christmas trading hours recommended by CCCI
Mondays, Tuesdays, Wednesdays and Fridays		8.00 am - 8.00 pm
Thursdays		8.00 am to 9.00 pm
Saturdays		8.00 am to 6.00 pm
Sundays (other than public holidays as set out below, and Christmas Day, Good Friday and ANZAC Day, which are closed days)		11.00 am to 5.00pm
Christmas 2022		
<i>Mondays, Tuesdays, Wednesdays, Thursdays and Fridays</i>	<i>Various dates, commencing 5 December 2022 and ending 31 December 2022(inclusive).</i>	<i>7.00 am – 9.00 pm</i>
<i>Saturdays</i>	<i>10, 17, 24 and 31 December</i>	<i>7.00 am – 6.00 pm</i>
<i>Sundays</i>	<i>11 and 18 December</i>	<i>8.00 am – 6.00 pm</i>
<i>Christmas Day</i>	<i>Sunday 25 December</i>	<i>CLOSED</i>
Summer 2023 Public Holidays		
<i>New Year's Day</i>	<i>Sunday 1 January 2023</i>	<i>8.00 am – 6.00 pm</i>
<i>Observed New Year's Day</i>	<i>Monday 2 January 2023</i>	<i>8.00 am – 6.00 pm</i>
<i>Australia Day</i>	<i>Wednesday 26 January 2023</i>	<i>8.00 am – 6.00 pm</i>
Public Holidays 2023		

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Day	Dates (2022/2023)	Christmas trading hours recommended by CCCI
<i>Labour Day</i>	<i>Monday 6 March 2023</i>	<i>8:00am- 5:00pm</i>
<i>Good Friday</i>	<i>Friday 7 April 2023</i>	<i>CLOSED</i>
<i>Easter Monday</i>	<i>Monday 10 April 2023</i>	<i>8:00am- 5:00pm</i>
<i>Western Australia Day</i>	<i>Monday 5 June 2023</i>	<i>8:00am- 5:00pm</i>
<i>ANZAC Day</i>	<i>Tuesday 25 April 2023</i>	<i>CLOSED</i>
<i>King's Birthday</i>	<i>Monday 25 September 2023</i>	<i>8:00am- 5:00pm</i>

When considering extended trading hours for the 2021/22 period, Council also included the addition of extended hours for all public holidays. The days that were approved by the Minister for extended trading have again been reflected in Table 2 to be included in the request.

Statutory and Policy Implications:

Ministerial approval is required for retail trading hours in accordance with Part III, section 12E of the *Retail Trading Hours Act 1987*.

Budget Implications:

Nil

Communications Requirements: (Policy No. CS 1.7)

Officers have consulted with the Collie Chamber of Commerce and Industry and sought their recommended trading hours for this period. Once Ministerial approval is obtained, Officers will inform local traders and the public of the approved extended trading hours via the Collie Chamber of Commerce and Industry.

Strategic Community Plan/Corporate Business Plan Implications:

Goal 2: Our Economy: To promote a strong and diversified economic base, providing a range of business and employment opportunities.

Outcome 2.2: A strong business and services sector.

Strategy 2.2.2: Work with the Collie Chamber of Commerce and Industry to promote improved retail facilities and encourage local shopping.

Relevant Precedents:

Each year the Minister for Commerce approves retail trading hours over Christmas and New Year periods. In recent years, after consultation with the Collie Chamber of Commerce and Industry the Shire has generally applied for extended trading hours over the Christmas and New Year period. In addition, last year the Council also requested extended trading hours for all other public holidays throughout the year. The times and days that were approved by the Minister have again been reflected in this request for a variation to the trading hours for retail shops.

Comment:

The Collie Chamber of Commerce and Industry has recommended that trading be permitted as per Table 2, which is supported. The added attraction and convenience

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of having retail outlets able to be open across a lengthened trading period is important for the community and assists the local economy.

It is recommended that Council make a request to vary the retail trading hours in the Shire of Collie as per the report.

13.4 Trading Permit Application for the campsites adjacent to the Collie River Valley Tourist Park

Item 13.4 was brought forward due to interested attending persons.

13.5 scheme Amendment No. 1 to Local Planning Scheme No. 6

Item 13.5 was brought forward due to interested attending persons.

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13.6 Collie Town Centre Car Parking Survey

Reporting Department:	Development Services
Reporting Officer:	Matt Young - Director Development Services
Accountable Manager:	Stuart Devenish – Chief Executive Officer
Legislation	<i>Shire of Collie Parking Local Law</i>
Appendices:	Appendix 13.6.A – Parking Survey Summary Appendix 13.6.B – Car Parking Survey - Detailed Comments to Questions
Voting Requirement	Simple Majority

Report Purpose:

For Council to receive the results of the Collie town centre car parking survey.

9078

Officer's Recommendation/Council Decision:

Moved: Cr Kearney

Seconded: Cr Woods

That Council resolves:

- 1. To receive the results of the Collie town centre car parking survey;**
- 2. To instruct officers to commence work to scope out a Collie town centre car parking strategy and budget, in consultation with the Chamber of Commerce and Industry and local businesses;**
- 3. To instruct officers to address short term parking maintenance (such as re-line marking of car parking bays on Throssell Street) and car parking compliance matters as raised in Appendix 13.6.B; and**
- 4. To instruct officers to liaise with local businesses identified in detailed comments to the survey in respect to the maintenance standard of privately owned car parks.**

CARRIED 8/0

Question Taken on Notice

Cr Italiano requested clarification on bollards displaying the Shire of Collie Logo and stating 'Restricted Access', have been placed in the laneway leading to Woolworths (off Steere Street North).

Mr Miller took the question on notice.

Background:

The Shire recognises that our community is in a state of transition. As part of this the Shire is experiencing traffic and car parking pressures associated with a new influx of tourists and changes to the business offering in the town.

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Officers have been responding to a number of complaints and responses from the public in respect to parking problems, vehicle conflicts, accidents, business feedback on staff/customer parking and the like. The Shire is also needing to better plan for the increased weekend and event-based demands on carparking, in addition to thinking about long term parking coach parking, caravan parking (and the location of associated facilities such as dump sites and ablutions) and the newer issue of long vehicles such as large 4-wheel drive cars with bike racks.

In some cases, such as along Throssell Street, the line-marking and dedication of car parking bays needs to be refreshed, and it is an opportunity to review the appropriateness of how this was laid out at the time.

To first understand issues that the community is experiencing, officers conducted a public survey on the topic of car parking in Collie in order to identify issues that may require further study or investigation.

The survey focussed on the Collie town centre and commercial/mixed use precincts along Throssell Street with the view of developing a strategy that will ensure adequate and suitable parking and associated facilities is provided both now and into the future.

The purpose of the initial scoping survey was to:

- ascertain community and business perceptions of parking issues;
- identify priority issues and priority locations;
- assist defining scope of actions; and
- communicate to stakeholders the Shire's initiative to review the issue and work to improving parking in Collie.

The investigation area was divided into two distinct areas which include the town centre (north of the railway line) and the Throssell Street precinct – roughly in two sub-areas west and east of the swimming pool/Shire offices (see the figure below).

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Statutory and Policy Implications:

Nil

Budget Implications:

Depending on the agreed scope and timing of a parking strategy, and whether it will require external consultant work, budget allocation may need to be provisioned through amendment.

Communications Requirements:

The car parking survey was advertised for public comment between the 28 June and the 22 July 2022 via a link on the website and notified via the Shire's Facebook page, and Collie Bulletin.

Officers specifically advised key stakeholders such as the visitors centre and the Collie Chamber of Commerce and Industry.

A total of 277 people linked to the survey, with 113 people completing the survey (including 51 registered people and 62 anonymous) during the advertising period. A summary of the question responses is contained in Appendix 13.6.A and below. A full extract of detailed comments is contained in Appendix 13.6.B – Parking Survey Detailed Comments to Questions.

The survey responses are summarised below:

- 91% of respondents were residents.
- 79% of respondents experience parking problems in Collie, with 65% being in

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- Forrest Street, 61% in the town centre generally; 10% on Throssell Street east of the swimming pool, 14% west of the swimming pool up to the Collie Ridge Motel
- Beyond those results 36% did experience other parking issues in Collie.
 - 74% of respondents were not in favour of parking restrictions such as timed parking, paid parking.

The public were also asked their preference to remain informed, with 66 responses favouring the Shires' Facebook page, 49 responses via direct email, 13 responses favouring the Shires' website, 11 responses favouring community workshops and 3 responses favouring the Collie Bulletin.

Strategic Community Plan/Corporate Business Plan Implications:

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

Outcome 4.1 Appropriate Land Use, Development and Heritage Conservation;

Strategy 4.1.4: Support and promote the conservation and maintenance of heritage buildings, sites and places of interest.

Comment:

The survey responses and detailed comments contained in Appendix 13.6.A and Appendix 13.6.B suggest that there are specific parking issues that need to be addressed in Collie. Issues range from the location, size and type of parking provided (including disability bays), maintenance of car parks and lines, the need to enforce parking restrictions and to apply times parking in the town centre etc. Some respondents did not think that Collie had a parking problem.

The survey outcomes suggest that a more detailed study should be undertaken to fully identify, discuss and resolve the issues raised by Collie residents and businesses.

Whilst there may be specific and detailed parking issues to be addressed there is no need to undertake a more comprehensive modelling of parking supply and demand. It is acknowledged, however, that public realm improvements along Forrest Street and parts of Throssell Street have not been evaluated since these projects were implemented as to their success in terms of traffic movement and impact on parking.

The scope of a parking strategy could include the following terms:

1. Car parking

Details of all car parking within each survey area. This information should include:

- 1.1 Details of the car parking within each area within the investigation area. This should include both on-street parking bays and private and public carparks;
- 1.2 The estimated occupancy rates within these carparks and identify the periods of peak demand within each area as applicable.
- 1.3 Identify any areas within the two investigation areas where the current provision of parking appears inadequate for the demand on that area. This demand may be from residents, customers, visitors, employees of businesses etc from within or outside the investigation area.

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2. Traffic

Details of traffic demand and movement within the investigation area. This information should include:

- 2.1 Details of existing roads and road priority;
- 2.2 Details of any proposed changes to the road network within the investigation area;
- 2.3 Any proposed transport infrastructure that will have an impact on the investigation e.g railway, trails, bike paths, pedestrian paths;
- 2.4 The anticipated increase in future traffic demand on the investigation area;
- 2.5 Clarification of how changes to the traffic volumes and the road network will impact the investigation area.

3. Development potential

Consideration is required into the potential future parking and traffic demand within the investigation area as a result of development. Clarification is required on:

- 3.1 Any land within the investigation area that has existing development approvals;
- 3.2 Any land which has been identified to have a high development potential;
- 3.3 Any indication of potential parking shortfalls based on development potential for individual land;
- 3.4 Any areas that are likely to be adversely impacted on in the areas of traffic or parking though the development of land within the investigation area.

4. Potential car parking

To ensure the current and future parking demand within the investigation area is satisfied, it will be necessary to identify where and how car parking is able to be established. This information should address:

- 4.1 Any land within the investigation areas that has a potential to provide future car parking. This land shall include road reserves, crown land, crown land vested to the Shire and privately owned land that would be suitable for the establishment of car parking.
- 4.2 The estimated parking capacity for each of the locations identified as future car parking in point 4.1;
- 4.3 The types and styles of parking that could be established with the investigation area. The types of car park designs could include decked parking, underground parking, at-grade parking etc

5. Car parking time limits

To provide clarification with regards to the need for, and implications of, timed parking limitations and/or paid parking

6. Car parking provision costs

To provide clarification with regards to the estimated costs for the provision of parking within the investigation area, estimated costs are required for:

- 6.1 The estimated construction costs to build an at-grade parking bay (per bay).

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- 6.2 The estimated construction costs to build a decked parking bay (per bay);
- 6.3 The estimated value of land within each area within the investigation area suitable for the use as car parking.

7. Other issues

To identify another associated issues including, but not limited to:

- Long stay parking
- Taxi parking
- Long vehicle parking (RVs, trailers, caravans etc.)
- Coach and tuck parking
- Dump sites

It is recommended to:

- commence work to scope out a Collie town centre car parking strategy, in consultation with the Chamber of Commerce and Industry and local businesses,
- address short term parking maintenance (such as re-line marking) and compliance matters raised in the survey, and
- liaise with local businesses identified in the survey in respect to the maintenance of privately owned car parks.

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13.7 Proposed Exploration Licences- Various Locations

Reporting Department:	Development Services
Reporting Officer:	Isabel Fry – Town Planner
Accountable Manager:	Matt Young – Director Development Services
Legislation	<i>Mining Act 1978</i>
File Number:	EDV/001
Appendices:	Appendix 13.7.A – Location of Exploration Licences
Voting Requirement	Simple Majority

Report Purpose:

For Council to provide comment on multiple applications for Exploration Licences by various applicants within the Shire of Collie.

9079

Officer's Recommendation/Council Decision:

Moved: Cr Italiano

Seconded: Cr Woods

That Council advise the Department of Mines, Industry Regulation and Safety, in relation to the proposed Exploration Licences 70/6292, 70/6265, 70/6296, 70/6297, 70/6298, 12/15, 70/6267 that;

- 1. The Shire objects to all proposed Exploration Licences which include exploration of private landholdings, without the consent of the property owner and affected property owners in the vicinity;**
- 2. Licences which include areas containing Registered Aboriginal Heritage Sites should be referred to the Department of Planning, Lands and Heritage Aboriginal Heritage Branch and consultation with Traditional Landowners must be undertaken prior to approval of any licence; and**
- 3. The Department of Biodiversity, Conservation and Attractions should be provided the opportunity to comment on proposed exploration in areas of State Forest.**

CARRIED 8/0

Background:

The Shire of Collie has received 7 separate applications for Exploration Licences lodged by McMahon Mining Title Services Pty Ltd, Rio Tinto and M & M Walter Consulting (refer Appendix 13.7.A. The Shire is not the determining authority on Exploration Licences, therefore is requested to provide comment to the Department of Mines, Industry Regulation and Safety.

The proposed Exploration Licence sites cover areas of State Forest and private land within the Shire of Collie, as well as adjoining local governments.

1. Exploration Licence 70/6292 - McMahon Mining Title Services Pty Ltd
 - Located north and north west of the South32, Worsley site.

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- The portion of this licence that is within the Shire of Collie covers private, Rural zoned land which is owned by South32.
 - The land is heavily vegetated with native vegetation.
 - Registered Aboriginal Heritage Site 17776 (Brunswick River) runs through a portion of the licence area.
2. Exploration Licence 70/6265 - Rio Tinto
- Located directly adjacent to the South32, Worsley site, wrapping the north, east and south of the site.
 - The portion of this licence that is within the Shire of Collie covers predominantly State Forest F15, however also covers some parcels of private, Rural zoned land under mixed ownership. The Applicant has advised that the mining tenement does not cover the first 30m of private land in the application areas and the owners will retain sub-surface rights.
 - The land is heavily vegetated with native vegetation.
 - The licence covers a number of Registered Aboriginal Heritage Sites, including Harris River Dam and associated river areas.
3. Exploration Licence 70/6267 - Rio Tinto
- Located on the eastern boundary of the Shire of Collie, adjoining the Shire of West Arthur.
 - The portion of this licence that is within the Shire of Collie covers predominantly State Forest F24, however also covers some parcels of private, Rural Zoned land under mixed ownership. The Applicant has advised that the mining tenement does not cover the first 30m of private land in the application areas and the owners will retain sub surface rights.
 - The land is heavily vegetated with native vegetation.
 - The licence also covers Registered Aboriginal Heritage Site 15332 (Bucks Graves).
4. Exploration Licence E12/15 - Rio Tinto
- Located south of the Collie townsite, covering the Mungalup, Preston and Cardiff and Lyall's Mill settlements.
 - The portion of this licence that is within the Shire of Collie covers predominantly State Forest F26 and F4, however also covers many parcels of private, Rural zoned land under mixed ownership. The Applicant has advised that the mining tenement does not cover the first 30m of private land in the application areas and the owners will retain sub-surface rights.
 - The land is heavily vegetated with native vegetation.
 - There is a significant number of residents living in the licence area.
5. Exploration Licence 70/6296 - M & M Walter Consulting
- Located on the northern most point of the Shire of Collie, north of Yourdamung Lake. Adjoining the Shires of Boddington and Williams.

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- The portion of the licence that is within the Shire of Collie is entirely State Forest F15.
 - The area is heavily vegetated with native vegetation.
6. Exploration Licence 70/6297 - M & M Walter Consulting
- Located in the vicinity of Yourdamung Lake, in the northern portion of the Shire of Collie.
 - The portion of the licence that is within the Shire of Collie is entirely State Forest F15.
 - The area is heavily vegetated with native vegetation.
 - The licence covers a number of Registered Aboriginal Heritage Sites associated with rivers from Harris River Dam.
7. Exploration Licence 70/6298- M & M Walter Consulting
- Located north of the Collie townsite, covering the areas of Palmer, Yourdamung and Harris River.
 - The portion of this licence that is within the Shire of Collie covers predominantly State Forest F15, however also covers many parcels of private, Rural zoned land under multiple ownership. The Applicant intends to include the private parcels of land in the licence.
 - The area is heavily vegetated with native vegetation.
 - The licence covers a number of Registered Aboriginal Heritage Sites, including Harris River Dam and associated river areas.

No additional details of the purpose of the exploration licences have been made available.

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,

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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

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 a. (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:

Nil

Communications Requirements:

The Shire has been provided a copy of 7 applications by the Department of Mines, Industry Regulation and Safety for comment.

Strategic Community Plan/Corporate Business Plan Implications:

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

Outcome 4.1 Appropriate Land Use, Development and Heritage Conservation;

Strategy 4.1.4: Support and promote the conservation and maintenance of heritage buildings, sites and places of interest.

Comment:

The 7 proposed Exploration Licences will allow for the various applicants the ability 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*.

It is recommended that the Shire provide a response objecting to licences which propose exploration on private land parcels. Additionally, it should be advised that, licences which include areas containing Registered Aboriginal Heritage Sites should be referred to the Department of Planning, Lands and Heritage Aboriginal Heritage

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Branch and consultation with Traditional Landowners be undertaken. The Department of Biodiversity, Conservation and Attractions should be provided the opportunity to comment on proposed exploration in areas of State Forest.

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.

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

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

Responses to questions asked at the September Ordinary Council Meeting, for which an answer has not been provided, are listed below:

16.1 Question from Cr Scoffern regarding payment to Bunbury Tyre and Exhaust

Question:

Cr Scoffern, queried why a muffler was replaced in Bunbury and not locally:

Response:

In reference to payment 34004-29/07/22 to Bunbury Tyre and Exhaust (BTE) for \$865 for works undertaken to replace entire muffler on vehicle CO106. CTEC provided a quote of \$1,690.

In relation to Policy 3.23 Purchasing, the requirements for these purchases were minimum two quotes. Local Price preference (LPP) of 10% applied where applicable.

Supplier (BTE) selected as they offered best value for money for the Shire. Local supplier exceeded 10% allowance and was 95% more expensive.

Question Taken on Notice

Cr Scoffern further requested information on whether a Shire of Collie staff member had taken the vehicle to Bunbury for the works undertaken?

Mr Miller took the question on notice.

16.2 Question from Cr Italiano regarding payments to TJ Depiazzi

Question:

Cr Italiano, asked if local businesses (Chappell's and Mumby) were approached to provide quotes for products purchased from Depiazzi.

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Response:

Officers apply Council's adopted purchase policy in all cases. Officers make a point that for smaller quantities we source locally and direct plant and landscape purchases to Chappells and tools to Henderson's etc. Local purchases are shared as much as possible.

In relation to Policy 3.23 Purchasing, the requirements for these purchases were minimum two quotes. Local Price preference (LPP) of 10% applied where applicable.

- a. In reference to payment 122708-10/06/22 to TJ Depiazzi for \$4,697 for supply of 50m³ Red Mulch and 20m³ soft fall mulch, Chappells were contacted but do not supply large quantities of bulk products nor red mulch. Mumballup Organics did not have red mulch listed as one of their products.

Other suppliers indicated that Depiazzi was the sole supplier of red mulch. Supplier (Depiazzi) selected as they offered best value for money for the Shire and could supply product to Shire requirements.

- b. In reference to payment 122763-14/06/22 to TJ Depiazzi for \$2,172 for supply of 50m³ pine bark (\$66.93), 10 tonne playground sand (\$64.04/t), Chappells were contacted but do not supply large quantities of bulk products. Mumballup were able to provide pine bark (\$132.50m³) but did not supply playground sand.

Supplier (Depiazzi) selected as they offered best value for money for the Shire and could supply product to shire requirements. Local supplier exceeded 10% allowance and was 98% more expensive.

- c. In reference to payment 122791-15/06/22 to TJ Depiazzi for \$5,136 for supply of 50m³ pine mulch and 72m³ budget mix soil (\$36.74/m³), Chappells were contacted but do not supply large quantities of bulk products. Mumballup provide a soil conditioner, which was the closest product to the budget soil mix, for \$96.10/m³.

Supplier (Depiazzi) selected as they offered best value for money for the Shire and could supply product to shire requirements. Local supplier exceeded 10% allowance and was 161% more expensive.

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

Nil

18. ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS

Cr Scoffern

- 5 October Attended the Council briefing on the Strategic Plan Review and Councillor Forum
- 6 October Attended the public forum on the Strategic Plan Review

Cr Kearney

- 5 October Attended the Council briefing on the Strategic Plan Review and Councillor Forum

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Cr Italiano

- 6 October Attended the public forum on the Strategic Plan Review

Cr Miffling

- 1 October Attended the 100th anniversary event for the Collie Arboretum where a tree was planted on behalf of the Council by the Shire CEO Mr Devenish
- 3-4 October Attended, along with the Shire President, the WA Local Government Convention in Perth (the Shire President and Deputy Shire President were Council's voting delegates at the Annual General Meeting of the WA Local Government Association). Attached is a brief report from the Shire President and Deputy Shire President on the Convention
- 5 October Attended the Council briefing on the Strategic Plan Review and Councillor Forum
- 6 October Attended, along with other Councillors, the public forum on the Strategic Plan Review

Cr Smith

- 6 October Just Transition for Collie that leaves no one behind – Edith Cowan University Community Research Project
Just Transition Working Group
Visitor Centre Committee Meeting
Attended the public forum on the Strategic Plan Review
- 11 October Attended the Just Transition – Diversifying the local economy sub-group meeting

Cr Stanley

ANNOUNCEMENTS

- 24 August Attended the opening of the Kylie Trail and Djinang Koorliny Lookout Opening on Scenic Drive
- 26 August WALGA South West Zone Meeting
- 6 September Presented virtually at the 'Pivoting industrial sectors to a net zero pathway' panel at the Better Future Forum
- 14 September Met with prospective investors in Collicrete commercialisation
- 15 September Presented at a South West Jobs and Skills Taskforce meeting at the Collie Tafe
- 20 September Collie River Valley Marketing Group meeting
- 20 September Attended welcome of Tidy Towns judging panel
- 20 September Attended Industry Link forum in Bunbury
- 27 September Met with a prospective manufacturing proponent
- 3-4 October Attended Local Government Week (see joint report with Cr Miffling)

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- 3 October Participated in a discussion on economic development with the Hon. Kristy McBain, Federal Minister for Regional Development, Local Government and Territories, along with one other regional President and two city-based Mayors. Topics raised included barriers to investment for significant job-creating projects in the regions, including the need for more favourable consideration of carbon credits for innovative new projects that reduce global emissions and create value in Australia as well as more agile regulatory frameworks that recognise innovative technologies.
- 6 October Met with potential Main Roads partner for Collicrete commercialisation

UPCOMING EVENTS

- 12 October Community Forum – Collie River South Branch and Lake Kerpwari
- 15 October Mental Health Week Event at Roche Park Recreation Centre
- 15 October Wellington Dam Quarry Dinner
- 18 October Industry Road Safety Alliance South West meeting
- 20 October CCCI Business After Hours featuring the Collicrete project
- 26 October WALGA Municipal Waste Advisory Group
- 26 October City of Albany Elected Members' visit

Mr Devenish

- 15 September Chaired an Enterprise Bargaining Committee meeting
- 15 September Attended a 'Think Future 2022' function hosted by the Shire of Dardanup
- 16 September Meeting with Minister for Lands Chief of Staff regarding lease arrangements for Minningup Pool project
- 20 September Met with the judges of the Tidy Towns awards for 2022
- 27 September Met with potential new manufacturing operator for Collie
- 20 September Met with the proponent for the flight school at Collie airport
- 30 September Attended a facilitated planning session with CEO's of the Bunbury Geographe Group of Councils
- 1 October Attended the 100th Anniversary Celebration of the Collie Arboretum where I was asked to plant a tree on behalf of the Shire
- 3 October Met with Development WA and consultant regarding housing opportunities for Collie
- 5 October Councillor Forum addressing the Strategic Community Plan review
- 6 October Attended the Strategic Community Plan – Community Conversations forum
- 7 October Accepted an E-Waste recycling award on behalf of the Shire
- 11 October Attended the Just Transition – Diversifying the local economy sub-group meeting

SHIRE OF COLLIE
MINUTES - ORDINARY MEETING OF COUNCIL
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Mr Young

- 11 October District Emergency Planning Meeting - Bunbury

19. STATUS REPORT ON COUNCIL RESOLUTIONS

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

- 'Closed Since Last Meeting' at Appendix 19.a.
- 'All Open' at Appendix 19.b.

20. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

Nil

21. CLOSE

The Shire President thanked Council and Staff for their attendance. The Presiding Member declared the meeting closed at 7.36pm.

I certify that these Minutes were confirmed at the Ordinary Meeting of Council held on Tuesday, 8 November 2022.

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Presiding Member

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Date