



Shire of  
**Collie**

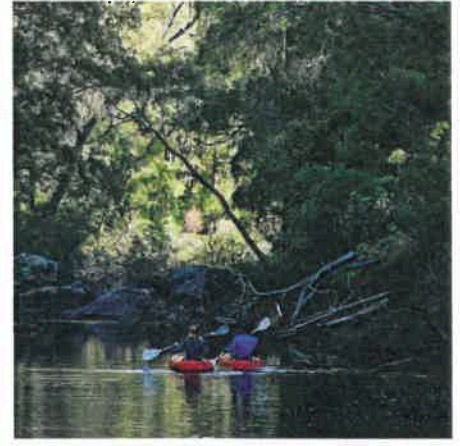
# AGENDA

for the

## ORDINARY MEETING OF COUNCIL

to be held on

**Tuesday, 8 August 2023**



## Our Vision

**Collie** - *A progressive community, rich in opportunities and as diverse as its heritage and landscape.*

## Our Values

The core values at the heart of the Council's commitment to the community are:

*Integrity*

*Transparency*

*Accountability*

*Collaboration*

*Respect*

## Our Commitment to Community

***We will lead the delivery of our vision***

***We will support local business wherever possible***

***We will consult and engage with our community on issues that affect them***

***We will encourage, welcome and value feedback***

***We will encourage, support and advocate for our community***

# NOTICE OF MEETING

Please be advised that the



## Ordinary Meeting of Council

commencing at **7:00pm**

will be held on

**Tuesday, 8 August 2023**

in Council Chambers at 87 Throssell Street, Collie WA

A handwritten signature in blue ink, appearing to read "Stuart Devenish", is written over a horizontal line.

Stuart Devenish  
Chief Executive Officer

3 August 2023

**PLEASE READ THE FOLLOWING DISCLAIMER BEFORE  
PROCEEDING**

Members of the public are cautioned against taking any action on Council decisions, on items on this evening's Agenda in which they may have an interest, until such time as they have been advised in writing by Council staff.

**DISCLAIMER**

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

Please note this agenda contains recommendations, which have not yet been adopted by Council.



## **MEETING SCHEDULE**

### **August 2023**

Councillors are reminded of the following meetings. Please note that other meetings may be planned that are not shown here. Councillors are advised to contact the Committee's Presiding Member/Chairperson if in doubt.

**Tuesday 8 August 2023**

**Ordinary Meeting of Council**

7.00pm in Council Chambers



## **Local Government Act 1995 - SECT 5.23**

### **Meetings generally open to the public**

- 5.23. (1) Subject to subsection (2), the following are to be open to members of the public
- (a) all Council meetings; and
  - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a Council or by a committee referred to in subsection (1) (b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following --
- (a) a matter affecting an employee or employees;
  - (b) the personal affairs of any person;
  - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
  - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
  - (e) a matter that if disclosed, would reveal --
    - (i) a trade secret;
    - (ii) information that has a commercial value to a person; or
    - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;
  - (f) a matter that if disclosed, could be reasonably expected to --
    - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
    - (ii) endanger the security of the local government's property; or
    - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
  - (g) information which is the subject of a direction given under section 23 (1a) of the *Parliamentary Commissioner Act 1971*; and
  - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.



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Agenda for the Ordinary Meeting of the Collie Shire Council to be held in Council Chambers, 87 Throssell Street Collie, on Tuesday, 8 August 2023 commencing at 7:00pm.

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

- 1.1 Councillors granted Leave of Absence at previous meeting/s.
- 1.2 Councillors requesting Leave of Absence for future Ordinary Meetings of Council.
- 1.3 Councillors who are applying for Leave of Absence for this Ordinary Meeting of Council.

**2. PUBLIC QUESTION TIME**

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

Council Consideration towards the Public:

When public questions necessitate resolutions of Council, the matter is to be dealt with immediately to allow the public to observe the determination of the matter (obviates need for the public to wait an indeterminate period of time).

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

**4. DISCLOSURE OF FINANCIAL INTEREST**

Councillors in attendance at meetings must disclose to the meeting any Agenda items upon which they have a Financial Interest. Section 5.65 of the *Local Government Act 1995* requires Councillors to: a) give written notification of a financial Interest before the meeting; or b) at the meeting immediately before the particular matter is discussed (notification can be given verbally).

A Disclosure of Financial Interest Form is attached to this Agenda (immediately behind the Index) and can be used by Councillors for disclosure purposes - simply tear out and hand to the Chief Executive Officer. Additional forms will always be available at Council/Committee meetings.

Should Councillors be unsure on Disclosure of Financial Interest matters, further clarification can be obtained by reading Sections 5.53 to 5.59 inclusive of the Act.

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

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

**5.1 PETITION – MINNINGUP POOL**

The following petition was received by the Shire administration on 31 July 2023. The petition reads:

“We the undersigned are against the redevelopment plans, in their entirety, known as Minningup Pool Day Use Area Masterplans (“the Plans”), endorsed by Collie Shire Council during Ordinary Meeting of Council 15 December 2020, and are requesting that the decision to endorse “the Plans” be revoked until further community consultation has been undertaken.

We suggest such consultation be held by means of survey, community vote, local referendum or the like, and that such consultation be widely advertised within the local community by means, not limited to, physical notices in multiple Shire and non-Shire owned locations (eg Shop windows), through local media outlets (radio and newspaper) and also on multiple social media platforms so as to reach a broader and majority cross-section of Collie residents.

Minningup Pool is an area of significant cultural importance to local indigenous people, significant social and lifestyle importance to the general community. We believe the previous advertising for community comment, that being one month between 13 August to 14 September 2020, was grossly inadequate for the scale, nature and impact “the Plans” may have on the cultural, social and current lifestyle use of this location to the local Collie community.”

A cover letter with the petition reads in part:

“We, the representatives for the attached signed documents, formally submit to you a petition requesting the stoppage to any proposed developments at Minningup Pool, Collie WA, and that all planning discontinue until more comprehensive community and Indigenous people’s consultation occurs. The numbers in this petition (1000 citizens) are solid evidence that the Collie Community is not in favour of the proposed development at Minningup Pool and that any previous consultation was inadequate.”

It is noted the petition satisfies clause 5.10 of the Shire of Collie *Standing Orders Local Law 2017* and is in order to be received.

The number of signatures counted on the petition by the Shire administration is 972, including 784 with a declared Collie address, 24 with address not stated and 164 with addresses in other areas including eastern states and overseas.

**Recommendation:**

That Council receives the petition in relation to Minningup Pool as tabled at the Council meeting held 8 August 2023 and the petition be referred to the Chief Executive Officer for a report to Council.

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

Councillors may disclose at this point any matters which they wish to have discussed ‘behind closed doors’ ie the meeting is closed to members of the public. Section 5.23 of the *Local Government Act 1995* applies and the meeting may only go behind closed doors for matters expressly prescribed in the Act - see section of the Act appended immediately after the Disclosure of Financial Interest form.

Any decision (of the meeting) to close the meeting or part of the meeting and the reasons for the decision are to be recorded in the Minutes of the meeting.

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

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

**8.1 Ordinary Council Meeting – 11 July 2023**

**Officer's Recommendation:**

*That Council confirms the Minutes of the Ordinary Meeting of Council held on 11 July 2023.*

**8.2 Special Council Meeting – 25 July 2023**

**Officer's Recommendation:**

*That Council confirms the Minutes of the Special Meeting of Council held on 25 July 2023.*

**8.3 Special Council Meeting – 26 July 2023**

**Officer's Recommendation:**

*That Council receives the Minutes of the Special Council Meeting held on 26 July 2023.*

**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.

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

**11. CEO REPORTS**

11.1 Annual Review of Delegations	
<b>Reporting Department:</b>	Chief Executive Office
<b>Reporting Officer:</b>	Stuart Devenish – Chief Executive Officer
<b>Accountable Manager:</b>	Stuart Devenish – Chief Executive Officer
<b>Legislation:</b>	<i>Local Government Act 1995</i>
<b>File Number:</b>	GOV/043
<b>Appendices:</b>	Appendix 11.1.A – Description of delegation amendments and purposes Appendix 11.1.B – 2023-2024 Proposed Delegations Register – 2023/24
<b>Voting Requirement:</b>	Absolute Majority

**Report Purpose**

To review the terms of authorities delegated by Council, enabling the effective administration of Shire functions.

**Officer's Recommendation**

*That Council resolve by absolute majority:*

1. *To receive the report as the review of delegated authorities for the financial year 2023/24, pursuant to s.5.46(2) of the Local Government Act 1995;*
2. *Pursuant to:*
  - a) *s.5.42, s.5.16 and s.7.1B of the Local Government Act 1995;*
  - b) *s.127 of the Building Act 1911;*
  - c) *s.48 and s.59 of the Bush Fires Act 1954;*
  - d) *s.44 of the Cat Act 2011;*
  - e) *s.10AA of the Dog Act 1974;*
  - f) *s.118 of the Food Act 2008;*
  - g) *s.16 of the Graffiti Vandalism Act 2016;*
  - h) *s.21 of the Public Health Act 2016;*
  - i) *r.15D of the Health (Asbestos) Regulations 1992;*
  - j) *s.214 of the Planning and Development Act 2005;*
  - k) *Schedule 2, Pt10, cl.82(1) of the Planning and Development (Local Planning Schemes) Regulations 2015;*

*delegate the authorities as set out within the Delegations Register 2023/24 at Appendix 11.1.B.*

**Background:**

The *Local Government Act 1995* is the primary legislation governing the operations of local government. Other related legislation such as the *Bush Fires Act 1954* also enable specific functions undertaken by local government. To enable effective functioning of the Shire, the various Acts allow decision-making to be delegated to a Committee of Council or the Chief

Executive Officer. The Chief Executive may then (within limits) further delegate powers and duties to Council Officers.

Section 5.46(2) of the *Local Government Act 1995* requires the Shire to review delegations at least once each financial year. The last review was undertaken in August 2022. This report represents the required review for financial year 2022/23.

**Statutory and Policy Implications:**

Section 5.42 of the *Local Government Act 1995* provides broad discretion for delegated authority to be granted to the Chief Executive Officer who in turn, may delegate to officers of the Shire. Limitations apply to matters that can be delegated (s5.42 and 5.43, *Local Government Act 1995*). Matters that cannot be delegated include decisions requiring an absolute majority, various financial matters such as borrowing money and other decision. Various other Acts and Regulations separately provide specific authority to delegate decision-making.

**Budget Implications:**

Delegations enable the cost effective and timely administration of local government functions.

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

N/A

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

STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022		
<b>GOAL:</b>	5	Our Organisation
<b>Objective:</b>	5.1	Innovative leadership, forward planning, and mutually beneficial partnerships.

**Relevant Precedents:**

The delegations are reviewed and adopted annually.

**Comment:**

The purpose of delegations is to improve the operational efficiency of the Shire. While the Council itself will predominantly deal with higher level policy matters, the administration can implement operational matters in a timely and efficient manner.

The existing delegations have been subject to a substantive review. This has included a restructure of all arrangements in-line with the framework and template recommended by the WA Local Government Association (WALGA). Each delegation is now structured to identify the specific legislative references, the powers or duties delegated, specific functions and any conditions that may be appropriate.

The review sees many existing delegations separated into specific delegations to reflect discrete functions. In addition, there are 27 new delegations proposed that address a range of specific matters to ensure clear authorities are in place and best administrative practices are observed. The total number of proposed delegations is increased from 44 to 98. It is important to note that the parameters of existing delegated arrangements have been translated to the proposed delegations.

A schedule is included at Appendix 11.1.A. This schedule identifies the proposed delegations and those that are new delegations. The relationship to existing delegations is identified and a summary of the functions of each is also provided.

The recommended delegation register is included at Appendix 11.1.B. The register now includes introductory explanations to assist understandings.

By adopting the framework recommended by WALGA, the Shire will benefit from WALGA's ongoing review of legislative amendments that have consequential implications for delegated arrangements.

The revised schedule of delegation is recommended for Council adoption by absolute majority resolution.

12. **CORPORATE SERVICES REPORTS**

**12.1 Accounts Paid – July 2023**

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Hasreen Mandry – Finance Manager
<b>Accountable Manager:</b>	Nicole Wasmann – Director Corporate Services
<b>Legislation:</b>	<i>Local Government Act 1995 &amp; Financial Management Regulations 1996</i>
<b>File Number:</b>	FIN/024
<b>Appendices:</b>	Appendix 12.1.A – Accounts Paid – July 2023
<b>Voting Requirement:</b>	Simple Majority

**Report Purpose**

To present the accounts paid during the month of July 2023.

**Officer's Recommendation**

*That Council accepts the Accounts as presented in Appendix 12.1.A being vouchers 41930 - 41934 totalling \$919.23 and direct payments totalling \$1,640,941.51 authorised and paid in July 2023.*

**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	2023/24		
	Cheques	Electronic Transfer	Total Payment
July	919.23	1,640,941.51	1,641,860.74

**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.

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

**12.2 Financial Management Report – June 2023**

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Hasreen Mandry – Finance Manager
<b>Accountable Manager:</b>	Nicole Wasmann – Director Corporate Services
<b>Legislation:</b>	<i>Local Government Act 1995 &amp; Financial Management Regulations 1996</i>
<b>File Number:</b>	FIN/024
<b>Appendices:</b>	Appendix 12.2.A – Financial Report – June 2023
<b>Voting Requirement:</b>	Simple Majority

**Report Purpose**

To provide a summary of the financial position for the Shire of Collie for the month ending June 2023.

**Officer's Recommendation**

*That Council resolve to accept the Financial Management Report for June 2023 as presented in Appendix 12.2. A.*

**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.

In accordance with section 6.8 of the *Local Government Act 1995*, a local government is not to incur expenditure, not included in the annual budget for an additional purpose unless the expenditure is (b) authorised in advance by absolute majority.

**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.

Please note that there may be changes to the June 2023 figures as the end of year processing and audit for the 2022-23 financial year is yet to be completed.

### 12.3 Adoption of the 2023/24 Budget

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Hasreen Mandry – Finance Manager
<b>Accountable Manager:</b>	Nicole Wasmann – Director Corporate Services
<b>Legislation:</b>	<i>Local Government Act 1995</i>
<b>File Number:</b>	FIN/055
<b>Appendices:</b>	Appendix 12.3.A – Annual Budget 2023/24
<b>Voting Requirement:</b>	Absolute Majority

#### Report Purpose

To consider and adopt the Budget for the 2023/24 financial year together with supporting schedule, including imposition of rates and minimum payment, adoption of fees and charges, setting of elected members fees for the year, establishment of new reserve funds, and other matters arising from the budget papers.

#### Officer's Recommendation

##### **Recommendation 1 – Budget for 2023/24 (absolute majority required)**

Pursuant to Section 6.2 of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulation 1996*, Council adopts the budget contained in Appendix 12.3.A for the Shire of Collie for the 2023/24 financial year which includes the following:

- Statement of Comprehensive Income by Nature and Type
- Statement of Cash Flows
- Statement of Financial Activity
- Notes to the budget

##### **Recommendation 2 – General rates, minimum payment, instalment payment arrangements and interest (absolute majority required)**

1. For the purpose of yielding the deficiency disclosed by the Budget for 2023/24 in Recommendation 1 and pursuant to Section 6.32, 6.34 and 6.34 of the *Local Government Act 1995*, the Shire of Collie imposes the following general rates and minimum payments on Gross Rental and Unimproved Values

###### 1.1 General Rates

- Gross Rental Value 10.9987 cents in the dollar
- Unimproved Value 0.5359 cents in the dollar

###### 1.2 Minimum Payments

- Gross Rental Value (Developed) \$1,120
- Gross Rental Value (Vacant) \$950
- Unimproved Value \$950

2. Pursuant to Section 6.45 of the *Local Government Act 1995* and regulation 64 (2) of the *Local Government (Financial Management) Regulations 1996*, council nominates the following due dates for the payment in full by instalments:
  - 2.1 Option 1 – payment in full of rates and charges made on or before 29 September 2023.
  - 2.2 Option 2 - four instalments
    - First instalment to be made on or before 29 September 2023
    - Second instalment to be made on or before 08 December 2023
    - Third instalment to be made on or before 16 February 2024
    - Fourth instalment to be made on or before 26 April 2024
3. Pursuant to Section 6.45 of the *Local Government Act 1995* and regulation 67 of the *Local Government (Financial Management) Regulations 1996*, council adopts an instalment administration charges where the owner has elected to pay rates and service charges through an instalment option of \$6 for each instalment after the initial instalment is paid.
4. Pursuant to Section 6.45 of the *Local Government Act 1995* and regulation 68 of the *Local Government (Financial Management) Regulations 1996*, council adopts an interest rate of 5% where the owner has elected to pay rates and service charges through an instalment option.
5. Pursuant to Section 6.51 (1) and subject to section 6.51(4) of the *Local Government Act 1995* and regulation 70 of the *Local Government (Financial Management) Regulations 1996*, council adopts an interest rate of 10% for rates and service charges and costs of proceedings to recover such charges that remains unpaid after becoming due and payable.

**Recommendation 3 – Fees and Charges for 2023/24 (absolute majority required)**

Pursuant to Section 6.16 of the *Local Government Act 1995* and other relevant legislation, council adopts the *Fees and Charges* contained in Appendix 12.3.A for the Shire of Collie for the 2023/24 financial year.

**Recommendation 4 – Elected Members' Fees and Allowance for 2023/24 (absolute majority required)**

In accordance with the *Local Government Act 1995*, *Local Government (Financial Management) Regulation 1996* and the *Salaries and Allowance Act 1975*, Council adopts:

1. Annual attendance fees of \$8,800 per elected member
2. Annual ICT allowance of \$660 per elected member
3. Annual Shire President allowance of \$8,000 and
4. Annual Deputy Shire President allowance of \$2,000

**Recommendation 5 – Material Variance reporting for 2023/24 (simple majority)**

In accordance with regulation 34(15) of the *Local Government (Financial Management) Regulations 1996*, the level to be used in statements of financial activity in 2023/24 for reporting material variance shall be 10% or \$10,000, whichever is the greater.

**Background:**

The budget for the 2023/24 financial year has been compiled based on the principles contained in the Strategic Community Plan.

From March until July 2023, a number of budget workshops were held with councillors to determine the parameters of the 2023/24 budget.

The budget has been prepared in accordance with the draft budget presented to Council at the Special Meeting of Council on 25 July 2023 with the following changes:

1. Carry forward of grant funding and expenditure from Local Roads and Community Infrastructure (Phase 3) (increase in capital grants and expenditure of \$25,660)
  - Lions Park Toilet Upgrade of \$3,160
  - Recreation ground (tennis) upgrade of \$9,500
  - Soldiers Park playground upgrade of \$8,000
  - Wallsend Ground power pole upgrade of \$5,000
2. Elected member training expenses of \$8,000

The proposed changes above have decreased the surplus by \$8,000 to \$14,856.

**Statutory and Policy Implications:**

Section 6.2 (1) of the *Local Government Act 1995* states that by no later than 31 August each year, each local government is to prepare and adopt (by absolute majority), in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.

Divisions 5 and 6 of Part 6 of the *Local Government Act 1995* refer to the setting of budgets and raising of rates and charges. The *Local Government (Financial Management) Regulations 1996* details the form and content of the budget and the budget presented in Appendix 12.3.A is considered to meet the requirements.

Section 67 of the *Waste Avoidance and Resource Recovery Act 2007* enables a local government to impose an annual charge in respect to premises provided with a waste service by the local government.

Section 5.98 of the *Local Government Act 1995* sets out fees payable to council members and section 5.98A sets out fees and allowances payable to deputy presidents. Section 7B (2) of the *Salaries and Allowances Act 1975* requires the Tribunal, at intervals not more than 12 months, to inquire into and determine:

- The amount of fees paid to council members;
- The amount of expenses to be reimbursed to council members; and
- The amount of allowances to be paid to council members.

Regulations 30-34AD of the *Local Government (Administration) Regulation 1996* set the limits, parameters and types of allowance can be paid to elected members.

In accordance with section 6.2 of the *Local Government Act*, a local government may change the purpose or proposed use of a reserve if disclosed in the annual budget. A reserve account is to have a title that clearly identifies the purpose for which the money in the account is set aside.

Section 34(5) of the *Local Government (Financial Management) Regulations 1996* require that each year a local government is to adopt a materiality level for the purpose of reporting variances in the monthly Statement of Financial Activity.

**Budget Implications:**

The adopted budget will guide all expenditure and income for the 2023/24 financial year.

**Communications Requirements: (Policy No. CS1.7)**

Nil

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

STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022		
<b>GOAL:</b>	5	Our Organisation
<b>Objective:</b>	5.1	Innovative leadership, forward planning and mutually beneficial partnerships

**Relevant Precedents:**

Council adopts a budget each year in accordance with statutory requirements.

**Comment:**

The budget has been prepared to include the information required by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards. The main features of the budget include:

1. The budget has been prepared with an overall rate increase of 6.94%
2. An increase in waste collection charges to \$405 per property for 3 bin services (\$388 for pensioners) and rural waste levy of \$179 per property for rural residential properties.
3. The recurrent operating expenditure with an overall increase of 12.88% (although individual line items may vary from this based on specific factors) and continues the focus on improved service delivery.
4. There is an increase in staff establishment for a communications and grants officer.
5. A capital works programs totalling of \$2,649,448 of infrastructure renewal, \$768,160 for land and buildings and \$209,000 for plant, furniture and equipment is planned.
6. New borrowings of \$1,100,000 is budgeted with \$600,000 for a self-supporting loan for the Collie Golf Club for reticulation upgrades and \$500,000 for land acquisition, which relates to acquisition of land, outside of the urban area of Collie, for future economic development or community purposes. Investigations into the acquisition are in the early stages.
7. A new reserve account - Information and Communication Technology is established to set aside funds for ICT replacement including computers, telephone systems, and other electronic equipment and software.
8. A change to the purpose for the Parks and Ovals Reserve from "To facilitate renewals and replacement of major parks and gardens infrastructure and equipment" to "To support renewals, replacement and upgrade of major parks, gardens and sport and recreation infrastructure", this is to broaden the reserve to capture sport and recreation facilities.

9. An estimated surplus of \$2,786,895 is anticipated to be brought forward from the 30 June 2023 which includes a prepayment of the Financial Assistance Grant. This figure is unaudited and may change, with any changes addressed at a future budget review.
10. Notable funding for the year is included in the budget are:
  - Local Roads and Infrastructure Program (Phase 4)
  - Regional Road Groups
  - Roads to Recovery
  - South 32 – Tourism Partnership & River Rehabilitation

The budget continues the focus on the long-term financial sustainability of the Shire. It is affordable, financially responsible, and will assist to improve the financial health of the Shire while maintaining levels of service that meet community expectations.

**12.4 Agencies for South West Accommodation Inc.- Request for Rating Exemption**

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Hasreen Mandry – Finance Manager
<b>Accountable Manager:</b>	Nicole Wasmann – Director Corporate Services
<b>Legislation:</b>	<i>Local Government Act 1995 &amp; Financial Management Regulations 1996</i>
<b>File Number:</b>	A1880
<b>Appendices:</b>	N/A
<b>Voting Requirement:</b>	Absolute Majority

**Report Purpose**

To consider an application for rating exemption from Agencies South West Accommodation Inc.(trading as Accordwest) for ongoing charitable rating exemption for Assessment 1880 (22-24 Wallsend Street, Collie WA 6225) effective from 1 July 2022.

**Officer's Recommendation**

*That Council, by ABSOLUTE MAJORITY approves the request to grant ongoing charitable status rating exemption to 22-24 Wallsend Street, Collie WA 6225 (Assessment 1880) owned by Agencies South West Accommodation Inc.(trading as Accordwest) effective from 1 July 2022.*

**Background:**

An application for rating exemption for assessment 1880 (22-24 Wallsend Street) was received from Accordwest on 23 June 2023. Accordwest is an incorporated not-for-profit community housing organisation with Charitable Organisation Status. Under section 6.26(2)(g) of the *Local Government Act 1995*, land that is used exclusively for charitable purposes and owned by a not for profit entity can be granted non-rateable (charitable) status. The property was acquired by Accordwest on 30 June 2022 and they are seeking the exemption from 1 July 2022.

The property is currently a vacant block however a development application has been approved with works to commence in 2023. The development will consist of units that provide transitional accommodation for people experiencing or at risk of homelessness.

**Statutory and Policy Implications:**

Under section 6.26(2)(g) of the *Local Government Act 1995* land that is used exclusively for charitable purposes and owned by a not-for-profit entity can be granted non-rateable (charitable) status.

Where an application is refused, the applicant may object under section 6.76 of the *Local Government Act 1995* to the rate record, on the basis that the land or part of the land was not rateable land. The applicant has the right to appeal a decision made under Section 6.76 to the State Administrative Tribunal (SAT).

**Budget Implications:**

Should Council support the request, the financial impact in the 2023/24 financial year will be:  
2022/23 rates previously raised to be credited \$884.  
2023/24 rates of \$950.

An amount has been included in the draft 2023/24 Budget for interim and back rates which will offset the reduction in income.

**Communications Requirements: (Policy No. CS1.7)**

Nil

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

Nil

**Relevant Precedents:**

At the Ordinary Council Meeting on 15 December 2020, Resolution 8637, ongoing charitable status rating exemption was granted to properties: A1761, A1877, A1181, A2769 and A1600 owned by Southern Aboriginal Corporation.

The Shire has previously provided charitable status to Riverview Residence, CWA, RSL, Red Cross and a number of other community operated properties.

**Comment:**

Accordwest are registered with the Australian Charities and Not-for-profits Commission as a charitable organisation and the development on the property will be used for transitional housing, which complies with section 6.26(2)(g) of the *Local Government Act 1995*.

It is recommended that Council support the request by granting rate exemption status.

**12.5 CSRFF – Application for Funding Collie BMX Club – New Start Gate System**

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Nicole Wasmann – Director Corporate Services
<b>Accountable Manager:</b>	Nicole Wasmann – Director Corporate Services
<b>Legislation</b>	Nil
<b>File Number:</b>	RCS/004
<b>Appendices:</b>	Nil
<b>Voting Requirement</b>	Simple Majority

**Report Purpose**

To seek Council endorsement of an application to the Community Sport and Recreational Facilities Fund Small Grants program and a commitment of financial assistance from the Shire for a new starting gate system at the BMX Club.

**Officer's Recommendation**

*That Council:*

- a) endorses the application to Department of Local Government Sport and Cultural Industries for 2023/24 Community Sport and Recreation Facilities Fund for the Collie BMX Club; and*
- b) does not support the request for a financial contribution from the Shire towards the project.*

**Background:**

The Department of Local Government Sport and Culture Industries (DLGSCI), Community Sport and Recreation Facilities Fund (CSRFF) provides financial assistance to community groups and local government authorities to develop infrastructure for sport and recreation.

The small grants program provides funding for project costs up to \$500,000. Generally funding of up to one third of project costs is provided, however in 2023/24 applicants are able to apply for up to half of all eligible costs up to a maximum grant of \$200,000.

Projects cannot commence prior to grant announcement and should be completed by 15 June 2024. Applicants will be notified of the outcome of their application in October or November 2023.

Council endorsement of applications is required. Where more than one application is received by a local government, local governments are required to rank the applications.

The Shire of Collie has received one application for this funding round from the Collie BMX Club seeking funding to support the replacement of their starting gate system.

The total project cost is estimated to be \$43,600, excluding GST, and the Club is applying for CSRFF funding of \$21,750. The Club has requested a cash contribution from the Shire of \$1,750. Funding has been secured from Bendigo Bank (\$5,000), subject to a successful CSRFF application, and Synergy (\$5,000). The Club is contributing cash of \$5,000 and in kind works of \$5,100.

Elected members and staff visited the Club's facility on 26 June 2023 and viewed the existing starting gate system during practice. According to the Club, the existing gate is heavy, outdated and beginning to fail regularly. Due to the weight of the current gate, it poses a safety risk to users and the noise it makes when it falls is intimidating to some riders. The Club believes that new gates will encourage more participation and increase the opportunity for more regional or larger events.

The Club has 101 active members and holds regular events throughout the year. The BMX Club is on land managed by the Shire and leased to the Club until 2030. As lessee, the Club is responsible for costs associated with management of the facility.

**Statutory and Policy Implications:**

There are no relevant policies or legislation.

**Budget Implications:**

The Club has requested a contribution from the Shire of \$1,750.

The Shire has not made a direct budget allocation for this purpose in the draft 2023/24 Budget. The amount could potentially be funded from the public parks expense accounts.

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

Nil.

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

STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022		
<b>GOAL:</b>	1	Our Community
<b>Outcome:</b>	1.1	Community health, safety and wellbeing.

**Relevant Precedents:**

The Shire of Collie has previously endorsed a number CSRFF applications including the Collie Racing Driver's Association, Collie Soccer Club, Collie Swim Club, and the Collie BMX Club.

The Shire does not normally provide a financial contribution to CSRFF applications, however in the past local sporting organisations have been successful in receiving funding through the Shire's small grants program. The Shire has provided the following small grants to the BMX Club in the past ten years: **2014:** \$5,000 **2016:**\$5,000 **2017:**\$2,273 **2019:**\$2,000

**Comment:**

The Collie BMX Club provides opportunities for children, youth and adults to participate in sport. The Club has a good reputation at a local, regional and state level.

The new starting gate system will provide a safer environment for volunteers and riders and increase the potential for regional and state events.

The financial contribution requested from the Shire is minimal and a commitment from the Shire would demonstrate strong support and recognition of the value of the project, which may assist the application, however it would also set a precedence. The Shire has many sporting clubs in the community with limited capacity to support them financially.

Council is asked to endorse the application, however it is recommended that the request for a financial contribution not be supported.

**12.6 Referendum for Indoor Pool**

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Nicole Wasmann – Director Corporate Services
<b>Accountable Manager:</b>	Nicole Wasmann – Director Corporate Services
<b>Legislation</b>	<i>Local Government Act 1995 S4.99</i>
<b>File Number:</b>	CMG/268
<b>Appendices:</b>	Nil
<b>Voting Requirement</b>	Simple Majority

**Report Purpose**

To determine the question for the referendum for an indoor heated pool.

**Officer's Recommendation**

**OPTION A**

*That Council resolve that the question to be asked at the referendum to be held in conjunction with the 2023 local government election be:*

*If the Shire of Collie was successful in attracting funds of up to \$8M for the construction of an indoor pool facility with:*

*i. a 25 metre, six lane, heated pool;*

*ii. a 9 metre by 5 metre warm water pool, and*

*if you own property in the Shire of Collie, would you be prepared to pay an additional 12% (average of \$200 per residential property) of rates each year for the ongoing running and maintenance of the indoor pool facility?*

**OPTION B**

*That Council resolve that the question to be asked at the referendum to be held in conjunction with the 2023 local government election be:*

*Would you support the Shire of Collie proceeding with the construction of an indoor heated pool if:*

- all capital costs could be externally funded; and*
- the ongoing operational and renewal costs were to be met from Shire general revenue which would result in an increase in Shire rates?*

**Background:**

At the June 2023 Ordinary Meeting of Council, Council resolved to conduct a referendum on the provision of a heated pool in conjunction with the local government elections in October.

Council resolved

2. *That the Shire of Collie conducts a referendum on the provision of a heated pool in conjunction with the Local Government Elections in October and that the referendum be prepared in consultation with the Indoor Pool Project Working Group.*
  - a. *If the Shire of Collie was successful in raising up to \$8M for the construction of:*

- i. a 25 metre, six lane, heated pool; and
- ii. a 9 metre by 5 metre warm water pool

*Would you be prepared to pay an additional \$200 (average per residential property) each year\* for the ongoing running and maintenance of the heated pool and warm water pool (yes/no)*

*\*annual charge would be subject to normal rises, as set by Council each year.*

3. *Allow the Indoor Pool Project Working Group to continue its meetings ahead of the referendum in October 2023 to further its investigations.*
4. *If the referendum does not produce a successful outcome with the result being less than 51%, and/or if the capital is unable to be raised within 24 months Council resolve not to proceed with an Indoor Pool for the following reasons:*
  - a. *Rate increases that would be necessary to sustain operations, combined with other factors leading to rate escalation, are beyond the reasonable expectation of the community to absorb;*
  - b. *An indoor pool would have a detrimental impact on the financial health rating of the Shire of Collie and consequent capacity to sustain services; and*
  - c. *The performance of an indoor pool in Collie is expected to be well below recognised benchmarks for aquatic facilities.*

The ordinary council election will be held on 21 October 2023. In February 2023, Council determined that the election and any other elections or polls would be held as a postal election conducted by the Western Australian Electoral Commission (WAEC).

The WAEC has advised that the Shire will need to determine the question and produce the balanced for and against arguments before the end of August.

**Statutory and Policy Implications:**

In accordance with Section 4.99, of the *Local Government Act 1995* Council has the power to hold a poll of electors.

Regulations 88-92 of *Local Government (Election) Regulations 1996* apply.

In accordance with Regulation 90, the Electoral Commissioner may, on behalf of the local government conduct polls and referendums.

**Budget Implications:**

With regards to holding a referendum, the Western Australian Electoral Commission has provided an estimate of additional \$2,500 to conduct the referendum in conjunction with the October 2023 election.

Sufficient funds have been allowed in the draft budget for the cost of the referendum.

Should Council decide to proceed with the construction of the indoor heated pool, there are substantial long term financial implications.

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

Members of the Indoor Pool Working Group were consulted with regards to the question to be asked at the referendum. Group members asked that an alternative question, to that originally proposed, be considered with the costs and financial implications included in the supporting information rather than the question itself.

Members tabled two suggested questions that could be used for the referendum:

1. If the Shire of Collie was successful in raising the full capital costs for construction of an indoor pool in conjunction with the 50 metre memorial pool would you vote for this pool?

2. Do you want an indoor heated pool built in conjunction with 50 metre memorial pool at no cost to the Shire of Collie.

Group members indicated that they would prefer no referendum take place if the question included in the June Council minutes is the one to proceed.

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

STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022		
<b>GOAL:</b>	1	Our Community
<b>Objective:</b>	1.1	Community health, safety and wellbeing
<b>GOAL:</b>	3	Our Built Environment
<b>Objective:</b>	3.1	Safe and well-maintained Shire <sup>s</sup> owned facilities and infrastructure
<b>GOAL:</b>	5	Our Organisation
<b>Objective:</b>	5.1	Innovative leadership, forward planning and mutually beneficial partnerships

**Relevant Precedents:**

Prior community surveys have been held with regards to an indoor heated pool.

**Comment:**

The outcome of a referendum is not binding on Council, however the vote will allow the Council to clearly establish community sentiment and assist Council to make a decision on whether to pursue an indoor heated pool project.

It is noted that the indicative construction and operational costs of an indoor pool facility have been calculated through a desk top exercise using comparisons with other local governments and past feasibility studies and the actual costs may be higher.

Option A

With consideration for the question included in the June Council decision, the following adjustments are suggested:

If the Shire of Collie was successful in raising-attracting funds of up to \$8M for the construction of an indoor pool facility with:

- i. a 25 metre, six lane, heated pool; and
- ii. a 9 metre by 5 metre warm water pool

If you own property in the Shire of Collie, would you be prepared to pay an additional \$200 12% (average of \$200 per residential property) of rates each year for the ongoing running and maintenance of the heated pool and warm water pool indoor pool facility.

Option B

When the decision was made in June 2023 to hold a referendum Council included a requirement to consult with the Indoor Pool Working Group.

Following consultation with the Group, the following question is presented for Council consideration. This question incorporates the wishes of Group members, whilst clearly acknowledging the ramifications to rates. This question also leaves the option open for an alternative pool if the amount of capital raised is not sufficient to construct the preferred pool option.

Would you support the Shire of Collie proceeding with the construction of an indoor heated pool if

- all capital costs could be externally funded; and
- the ongoing operational and renewal costs were to be met from Shire general revenue which would result in an increase in Shire rates.

The additional information provided with the ballot paper will include the arguments “for” and “against” the question. The information to be printed on the ballot paper will be worded to appropriately correspond with the wording selected by Council, and may include the following:

For

- Health and social benefits
- Attract people to Collie, both visitors and new residents

Against

- Financial impact on Shire operations
- Limited ability for the Shire to progress other projects
- Impact on rates – i.e. 12% or \$200 on average residential property per annum

Recognising Council’s previous resolution and the inputs from the Working Group members, two alternative referendum wordings are presented for Council’s consideration.

**13. DEVELOPMENT SERVICES REPORTS**

**13.1 Application for Development Approval - Extractive Industry (Gravel) - Lot 1123, No. 81 Lawson Road, Palmer**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	Isabel Fry - Town Planner
<b>Accountable Manager:</b>	Matt Young - Director Development Services
<b>Legislation</b>	<i>Planning and Development Act 2005</i> <i>Shire of Collie Extractive Industries Local Law 2015</i>
<b>File Number:</b>	A3549
<b>Appendices:</b>	13.1.A - Application 13.1.B - Location Map 13.1.C - Summary of Submissions
<b>Voting Requirement</b>	Simple Majority

**Report Purpose**

For Council to consider an application for development approval and associated licence for a proposed Extractive Industry (Gravel) at Lot 1123, No. 81 Lawson Road, Palmer.

**Officer's Recommendation**

*That Council, in relation to an application for development approval and application for licence for a proposed Extractive Industry (Gravel) at Lot 1123, No. 81 Lawson Road, Palmer, resolves to:*

1. *Grant development approval, subject to the following conditions:*
  - a) *No extraction works association with this Development Approval shall occur on the property until Conditions D to H of this Development Approval have been achieved to the satisfaction of the Shire of Collie and an Extractive Industry Licence has been issued by the Shire.*
  - b) *This approval is valid for a period of 5 years from the date of the issue of the Extractive Industry Licence*

*Prior to the issuance of an Extractive Industry Licence*

- c) *Prior to the issuance of an Extractive Industry Licence, a reinstatement bond of \$61,000 (12.2ha @ \$5000.00 per hectare) shall be provided to the Shire in the form of a bond or an irrevocable and unconditional Bank Guarantee. See advice note (i).*
- d) *Prior to the issuance of Extractive Industry Licence, the Applicant shall have the approved pit boundaries surveyed and fenced by a suitably qualified surveyor, with the location of the pegs being to the satisfaction of the Shire.*
- e) *Prior to the issuance of an Extractive Industry Licence, detailed design for upgrades/works to the intersection of Norms Road and Collie-Williams Road, including bitumen sealing of the first 50 metres from the Collie-Williams Road, at the full cost of the applicant, shall be submitted and approved in consultation with Main Roads WA, to the satisfaction of the Shire.*
- f) *The proponent is to quantify their water requirements for all aspects of the proposed extraction and provide evidence of a secure water source (commercial source details), to the satisfaction of the Shire.*

Prior to Commencement

- g) *Prior to commencement of development on the site, the approved works/upgrades to Norms Road are to be completed to the satisfaction of the Shire.*

Ongoing

- h) *The approved development shall at all times, comply with the approved Excavation Plans, Water Management Plan, Weed Management Plan, Dust Management Plan, Noise Management Plan and Dieback Management Brochure, to the satisfaction of the Shire.*
- i) *The proposed extraction is to be implemented in accordance with DWER's Water quality protection note (WQPN) no. 15 'Basic raw materials extraction' (July 2019) where appropriate to the site situation to ensure environmental risks are appropriately mitigated, to the satisfaction of the Shire of Collie.*
- j) *Extraction must be undertaken in accordance with the agreed staging plan, as approved by the local government. Commencement of the subsequent extraction stage shall be subject to the previous extraction site having substantially commenced rehabilitation.*
- k) *The rehabilitation measures contained within Section 6 of the Lundstrom EMP is to be implemented to the satisfaction of the Shire consistent with WQPN 15 and the Guidelines for Preparing Mine Closure Plans. The proponent is to ensure successful rehabilitation of the site and management and compliance reporting shall be included to ensure successful implementation, to the satisfaction of the Shire.*
- l) *Management of all activities involving hazardous chemicals (including plant refuelling and/or servicing) shall be in accordance with DWER's WQPN 56 – 'Toxic and Hazardous Substance Storage and Use' (Dec 2018), to the satisfaction of the Shire.*
- m) *The dieback management measures in Section 5.8.2 of the Lundstrom EMP and the Dieback Management Brochure (Appendix 8) is to be approved, and implemented to the satisfaction of the Shire, in consultation with DBCA, consistent with the Best Practice Guidelines for Management of Phytophthora Dieback in the Basic Raw Materials Industries.*
- n) *Stockpiles are to be kept to a maximum height of 5m to avoid visual impact and/or material wind drift.*
- o) *Operating hours are restricted to Monday to Friday 7:00am to 6:00pm. Saturday 7:00am to 4:00pm. No activities are to occur on Sunday or Public Holidays and crushing is not to be undertaken on Saturdays.*
- p) *The pit survey pegs shall remain in place for the duration of the operation to the satisfaction of the Shire.*
- q) *Excavation shall be undertaken to the maximum depth of 3m AHD, unless otherwise approved by the Shire, in consultation with the Department of Water and Environmental Regulation, following groundwater monitoring.*
- r) *A 0.5m separation distance to the groundwater shall be maintained for the life of the development.*
- s) *Groundwater shall not be extracted or dewatered during the life of the development.*
- t) *The Applicant is required to have a Traffic Management Plan prepared, in the instance where haulage campaigns exceed what is proposed in section 4.5 of the development application report, this shall be prepared, approved and implemented to the specifications of Main Roads WA, at the full cost of the Applicant, to the satisfaction of the Shire.*

Advice Notes:

- i. *With respect to the reinstatement bond required by condition d, the Shire:*
- a. *May call on the Bank Guarantee or Bond for the purpose of carrying out or maintaining rehabilitation work detailed in section 6 of the application report, where that work has not been carried out by the Applicant, to the satisfaction of the Shire.*

- b. *May, with one weeks' written notice to the Applicant, enter Lot 1123 for the purpose of carrying out or maintaining the rehabilitation work.*
  - c. *May retain the Bank Guarantee or Bond and/or enter Lot 1123 in accordance with the proceeding paragraph for three years after the expiration of this approval or until the works prescribed by the development application report have been carried out.*
  - d. *Must return the Bank Guarantee or Bond (or balance thereof) to the Applicant at the expiration of that period.*
  - e. *Where rehabilitation is staged, the Shire may return portions of the bond as rehabilitation is completed on a hectare by hectare basis.*
  - ii. *No crushing or screening activities should occur unless a Works Approval has been obtained from the Department of Water and Environmental Regulation as required by Part V of the Environmental Protection Act 1986.*
  - iii. *The Applicant is advised that an application for minor works in the road reserve is to be submitted to Main Roads prior to any works being undertaken.*
  - iv. *The Applicant is advised of their obligations under the Environmental Protection and Biodiversity Conservation Act 1999.*
  - v. *All extraction is to remain compliant with the Shire of Collie Extractive Industry Local Law 2015.*
2. *Issue an Extractive Industry Licence for the extraction of gravel at Lot 1123 Lawson Road, Palmer, once conditions D to G of the development approval have been satisfied.*

**Background:**

The Shire has received a development application (refer Appendix 13.1.A) and an application for an extractive industry licence at Lot 1123, No. 81 Lawson Road, Palmer (refer Appendix 13.1.B). The Application was lodged by Lundstrom Environmental Consultants Pty Ltd, on behalf of ACPH Civil and Plant Hire.

**Site Description**

The subject site is approximately 40ha in size and a portion of approximately 10ha is currently identified as being used for gravel extraction, which was subject to a prior development approvals and licences, which have since expired. The balance of the lot is used by the property owner for cattle and sheep grazing. The subject site is surrounded by State Forest and Rural zoned land, also used for agricultural purposes.

The elevation of the subject site ranges between 301m AHD and 280m AHD, and generally falls from south-east towards the middle of the existing gravel pit, towards the farm dam to the south-west and north-west towards the State Forest. Current slopes across the proposed extraction area range between approximately 1:19.4 (5.15%) and 1:16 (15.63%).

In addition to the existing extractive activities, a small crib house and toilet facility are on the site, to the northern boundary of the pit.

**Application**

To date, ACPH has extracted approximately 7.4ha of the 12.2ha total area of the gravel pit as contained in this application and intends to continue extraction until the mining and rehabilitation of the gravel pit is complete. A feature survey has been provided in Appendix 13.1.1 (Appendix 9 of the report) which details the current land surface. The area currently being worked on is approximately 3ha in area, with a further 1.8ha anticipated to be extracted in the next 5-year period, to a maximum depth of 3m. The application is for a period of 5 years. The proposed activities are summarised as follows:

- Continued extraction of gravel from Area M1 of 3ha, the crusher and screener are currently located in this area as shown in Figure 3 of Appendix 13.1.A.
- Almost half of the available resource has been extracted in previous operations and around 20,000 tonnes is stockpiled, ready for sale.
- For the Areas M2 and M3 which are around 0.8ha and 1ha respectively, approximately 100mm of topsoil will be removed from the extraction area prior to the commencement of each area, with only the area targeted for immediate extraction being open. Topsoil will be stockpiled separately along the edges of the extraction area, with stockpiles being no more than 2 m high and 12m wide, with batter of 1:3 metres.
- Within each current stage of extraction, a bulldozer will rip and blade material to a raw material stockpile. Overburden stockpiles are in various locations within the mined area. The overburden from future excavation areas is likely to be placed in the same areas.
- The raw material is loaded into the 20T jaw crusher and once processed, it is automatically fed into the screening plant to grade the material depending on size required, after which a stacker creates a product stockpile. The product stockpile will be no more than 9m high and 50m wide, with batter of 1:3 metres.
- The excavation campaign which includes the removal of topsoil and overburden, excavation, crushing and screening stockpiling of gravel resource, will occur for 8 weeks during the summer months and material is stockpiled for future use.
- Cartage campaigns involve the removal of material from stockpiles, loading of trucks by front end loader and cartage by road trucks to mainly civil construction sites of private local sales. Cartage operations casually occur 6 days per week November to May.
- A mobile crushing and screening plant will process the material for approximately 8 weeks per year on site. Trucks will enter the pit and be loaded from the stockpile by a front-end loader.
- Product stockpiles will be placed in such a way, that they will act as a noise buffer between the crusher and the sensitive receptors.
- Extraction activity will proceed to a depth of no more than 3m.
- Once extraction in the active area has been completed, topsoil will be respread, and the area ripped on the contour. Batters will be smoothed to 1:4 and the base of the pit levelled out.
- The extraction will be conducted as per the proposed stages of extraction shown in Table 3 and Figure 3. Each stage is progressively rehabilitated back to pasture after completion of extraction activities. This ensures that the area of disturbed land is kept to a practical minimum.
- To minimise open areas exposed to wind erosion as far as practicable, annual assessment of areas suitable for stabilisation is completed, and soil stabilisation works is carried out.
- Trucks will enter the pit from via Norms Road and be loaded from the stockpile by a front-end loader.
- Measures to limit noise and dust from the operations are discussed separately in 5.6 and 5.7 below.
- Rehabilitation and stormwater management measures will be implemented.
- There will be no blasting in this operation.
- Batters of 1:4 will be maintained throughout the operation. Where possible, topsoil will be replaced and seeded with pastures on a progressive basis, in fully extracted areas, prior to the commencement of winter, to blend with the existing landscape as much as possible. The end use of the site is for grazing.

- The gravel operation could be expanded to Stage 2 in future as shown in Figure 3 of Appendix 13.1.A. The Applicant does not seek approval for that area in this application, and separate application will be made for future possible areas.

#### Environmental

The property is situated within a *Rights in Water Irrigation Act 1914 (RIWI)* surface water and irrigation district (Collie River Irrigation District Sub-Area No. 2) overseen by Department of Water and Environmental Regulation (DWER). The subject site is within the Wellington Dam Collie River catchment within the Collie River Basin of the southwest division. The Collie River is located approximately 1km south of the subject site. There is no permanent expression of surface water in the gravel pit. There are two tributaries flowing from the west of Lot 1123, merging further south-west, to flow into the Collie River. The subject site does not fall within a Public Drinking Water Source Area.

Limited groundwater occurs at approximately 20m below the proposed final ground surface (maximum excavation depths of 1m to 3m), which exceeds the minimum required clearance under regulatory policies and guidelines, as set by DWER.

The proposed extraction area does not contain any native vegetation and there is no clearing proposed on the balance of the site. Following extraction activities, the site will be rehabilitated to grazing/ pasture. Some previously extracted areas are already being rehabilitated. There are no Environmentally Sensitive Areas, as defined by DWER's Clearing Regulations, within or adjacent to the proposed extraction area.

#### Separation Distances

The Environmental Protection Authority (EPA) provides guidance on separation distanced between industrial and sensitive land uses. The guidance document lists a generic buffer for extractive industries where grinding and milling works, but no blasting area proposed as 500m to 1000m, depending on the type of processing. The Applicant has determined the operation to be "low scale", as only western and southern operation areas M1 (current), M2 and M3 involve crushing, and only up to 3ha of area will be disturbed as a time and therefore the Applicant believes a 500m buffer would be sufficient.

The Applicant has provided a list of all structures located within 1km of the subject extraction area in table 2 of Appendix 13.1.A. As detailed in the report, all lots and structures within this distance are in the same ownership as the subject site, with a letter of no objection for these operations being provided.

#### Access and Traffic

The access and egress for the subject site will be via Norms Road, through an already established access.

Operating times for the site are proposed to be 7:00am to 6:00pm Monday to Friday and 7:00pm to 4:00pm Saturdays, excluding public holidays, generally from November to May.

The following estimates are made:

Estimated annual gravel removal	Up to 50,000 tonnes
Number of working days per month	22 days
Vehicle payloads (GAV's <sup>1</sup> )	Semi (30 tonnes) Six wheeler (20 tonnes)
Proportional use	30 tonner (50%), 20 tonner (50%)

It is estimated that on average, 7 trucks will go out per day, with a maximum of 15 trucks, depending on demand. Trucking of gravel off-site varies based on customer orders. On average, gravel is carted off site 1 day a week for small orders and large orders could be for a week averaging 4-5 times a year.

Norms Road is an unsealed road and is currently in a good condition, mainly used by log trucks as well as local traffic. ACPH conducts grading of Norms Road as required, occurring on average 3 to 4 times a year.

There is currently an existing school bus route in the area of the site which travels Norms Road at 8:00am and 4:00pm during school terms. ACPH has advised that on agreement with the bus driver, trucking on Norms Road is avoided during the school bus times, leaving a 15 minute time period before and after these times where trucking does not occur.

#### On-site and Off-site Impacts and Mitigation

The Applicant has provided detailed information and supporting documentation in Appendix 13.1.A in relation to the following key components:

- Flora and Fauna
- Weeds
- Alteration of the land surface
- Visual impact
- Water
- Noise
- Dust
- Dieback
- Heritage
- Acid sulphate soils
- Bushfire
- Contacts/ Emergencies

#### Rehabilitation

The Applicant has provided detailed information and supporting documentation in Appendix 13.1.A in relation to the following key components:

- Proposed rehabilitation measures
- Monitoring and maintenance
- Completion criteria

#### Local Planning Scheme No.6

The subject site is zoned Rural under the Shire's Local Planning Scheme No.6 (LPS6). 'Industry – Extractive' is an 'A' use under LPS6, which means that 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.

The setback requirements pursuant to LPS6 for the Rural zone is 30m front, 15m side and 30m rear. The proposed setbacks for the extraction area are shown as 10m from the north and 10m from the east boundaries, with considerable setbacks from the south and west boundaries. This is a variation to the setbacks as required under the LPS6 and the Local Law, however it should be noted that only the areas referred to as M2 and M3 is new mining area as the rest is existing and planned for rehabilitation.

	<b>Required Setback</b>	<b>Proposed Setback</b>	<b>Comment</b>
Front (south)	30m	450m	Complies.
Rear (north)	30m	10m	This requires a variation to Scheme provisions. This area is an existing extraction site and will not impede further than what has already been undertaken.
Side (east)	15m	10m	This requires a variation to Scheme provisions. This area is an existing extraction site and will not impede further than what has already been undertaken and there is.
Side (west)	15m	100m	Complies.

#### Shire of Collie Extractive Industries Local Law 2015

In addition to a Development Approval, extractive industries are also required to obtain a licence under the Shire's Extractive Industries Local Law. The Local Law provides guidance on the information to be submitted with an application, guides advertising of applications and also guides conditions and fees required for a licence.

The Local Law also prescribes limits on excavation near boundaries, as follows:

- a) 20m from the boundary of any land on which the excavation site is located;
- b) 20m from any land affected by a registered grant or easement;
- c) 50m from any thoroughfare;
- d) 50m from any water course;
- e) 500m from any adjoining residence

These requirements may be varied on approval from the local government. The proposed setbacks are detailed in the previous section of this report.

The Local Law also stipulates the obligations of the licensee and any prohibitions that apply, which are reflected in the recommended conditions of the licence.

#### **Statutory and Policy Implications:**

##### Shire of Collie Local Planning Scheme No. 6

Industry-Extractive is defined in the Scheme as-

*"Means premises, other than a premises used for mining operations, that are used for the extraction of basic raw materials including by means of ripping, blasting or dredging and may include facilities for any of the following purposes-*

- a) *The processing of raw materials including crushing, screening, washing,*

- blending or grading;*
- b) *Activities associated with the extraction of basic raw materials including waste water treatment, storage, rehabilitation, loading, transportation, maintenance and administration.*

Industry-Extractive is considered an 'A' use pursuant to the Scheme and can be considered in the Rural zone following advertising.

Shire of Collie Extractive Industries Local Law 2015

An Industry-Extractive is required to obtain an Extractive Industries Licence (EIL) under the Shire of Collie's Extractive Industries Local Law (Local Law) prior to commencing operation. An application for an EIL forms part of this proposal.

The Shire's Local Law provides guidance on information to be provided with an application for an EIL, matters to be considered when determining an application and conditions that may imposed on a licence. The Local Law also allows for the Local Government to hold a bond, bank guarantee or other security to ensure the site is properly restored or reinstated.

The Local Law allows for the Local Government to issue a licence for a determined period, not exceeding 21 years from the date of issue.

State Planning Policy 2.4 Planning for Basic Raw Materials

State Planning Policy 2.4 Planning for Basic Raw Materials provides guidance on the assessment of extractive industry proposals. Stating that unless exempt, applications to establish, extend or expand an extractive industry require development approval under an applicable local planning scheme. Applications for development approval should be supported by a management plan that demonstrates:

- site description and analysis;
- strategic and statutory planning requirements;
- identification of the environmental values and those requiring protection;
- that extractive industry operations are adhering to designated separation distances and will not impact or be impacted by sensitive land uses;
- proposed transport routes used and site access details;
- sequential land use and a staging plan for the rehabilitation of the site for its intended long-term use; and
- compliance with any other considerations as outlined in the BRM guidelines.

These requirements have been addressed in this application.

EPA Guidance Statement No 3 Separation Distances Between Industrial and Sensitive Land Uses

<b>Industry</b>	<b>Description</b>	<b>Impacts</b>	<b>Buffer Distance</b>
<i>Extractive Industries- No blasting conducted</i>	<i>Grinding and milling works- material processed by grinding, milling or separated by sieving, aerations etc.</i>	<i>Noise Dust</i>	<i>Case by case</i>

**Budget Implications:**

Nil

**Communications Requirements:**

The application was advertised pursuant to clause 64 of the *Deemed Provisions* and the Shire's Local Law. The application was advertised via the following methods from the 13 June 2023 to the 13 July 2023:

- Letters to all property owners within 2km of the subject site;
- One round in the classifieds of the local newspaper;
- Shire website; and
- Referrals to DBCA, DWER, MRWA, Synergy (as an adjoining landholder), DMIRS.

A summary of submissions has been provided in Appendix 13.1.C.

In addition to the advice provided by agencies, one submission from the public was received, which was objecting to the proposed hours of operation.

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

STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022		
<b>GOAL:</b>	3	Our Built Environment
<b>Objective:</b>	3.2	Sound land planning and building strategies and schemes

**Relevant Precedents:**

The subject site has previously obtained approval for gravel extraction.

**Comment:**

Agency Referrals

Referral responses from agencies have not raised any major issues to prevent the application progressing. Generally, the comments received form recommendations for conditions of approval or guide further approval requirements from other agencies. These comments/recommendations related to:

- Obtaining a Works Approval from DWER;
- Stormwater;
- Groundwater interception;
- Water supply;
- Dust suppression;
- Environmental risks;
- Rehabilitation;
- Fuel and chemical management;
- Dieback;
- Dust

The Applicant has reviewed the submissions made and has noted the advice and has not objected to the recommended conditions as contained in these submissions.

Public Consultation

One public submission was received which related to operations on the site occurring on weekends. The Applicant responded to this submission to advice that proposed hours as contained in this application are for operations to occur Monday to Friday from 7:00am to

6:00pm and 7:00am to 4:00pm on Saturdays, excluding public holidays. The Applicant has also clarified that there is no intention for crushing activities to occur on Saturdays. The submission was not clear on the types of machinery that their comments refer to, however machines used for crushing of materials account for a significant portion of the noise associated with these activities.

#### Noise

The Environmental Noise Branch (ENB) of DWER has reviewed the proposal and the proposed noise management measures as detailed in the provided Noise Management Plan. These include surrounding crushing and screening plant with product stockpiles, surrounding loading areas with stockpiles, using broadband reversing alarms, using late model equipment with reduced noise level outputs, pushing topsoil and overburden up in bunds along the edges of the proposed extraction area and maintaining all plant in good condition with efficient mufflers and noise shielding. The ENB has confirmed that these are all effective noise mitigation measures. It was also noted by the ENB that the noisy activities, being stripping, crushing and screening are expected to be limited to 8 weeks per year.

The ENB and Shire Officers consider that the risk of noise impact associated with the proposed gravel extraction operation as insignificant.

#### Access

Main Road WA has provided commentary surrounding the Norms Road and Collie-Williams Road intersection for access. Their full response has been detailed in Appendix 13.1.C. Generally, Main Roads is comfortable supporting the proposal, notwithstanding some areas of noncompliance relating to sight lines, on the basis that upgrades to the intersection are completed and also that where there is any increase in trucking to what has been proposed, a Traffic Management Plan is to be prepared for these campaigns. Officers support the request from Main Roads WA for upgrades to occur to reduce damage and gravel spill onto Collie-Williams Road to address safety concerns and this has been reflected through conditions. The Applicant is also agreeable to this condition.

Additionally, the Shire supports including a condition within the recommendation that a Traffic Management Plan be prepared, should trucking/ haulage campaigns increase in frequency than what is proposed. The Applicant is agreeable to this condition.

#### Local Planning Scheme No. 6 and State Planning Policy 2.4 Planning for Basic Raw Materials (SPP2.4)

The proposed Industry-Extractive is consistent with the requirements of SPP2.4. The proposal does not raise concerns that are unable to be managed with regard to environmental values, stormwater, rehabilitation, offsite impacts and traffic. The proposed separation distance to the nearest sensitive receptor is compliant with EPA Guidance Statement No.3. The proposed use can be considered in the Rural zone. The existing extraction area which is also included in this application proposes a setback of 10m from the north boundary, which does not meet the required minimum setback. This is also the case for the proposed new extraction area on the eastern boundary of the site. It is not anticipated that the reduction in setback will impact on the adjoining land, which is State Forest.

#### Shire of Collie Extractive Industries Local Law 2015

The information provided with the application through the Development Application report and accompanying documentation is sufficient in addressing the application requirements for a licence under the Local Law. A variation to the setback requirements under the Local Law is required in this instance, as the minimum of 20m from all boundaries has not been met. It is recommended that the licence be issued for a period of 5 years. The 5-year period will

commence from the issue of the licence, which will occur once required conditions of development approval have been satisfied. It is recommended that conditions applicable to the life of the development be applied to not only the development approval but also the licence.

#### On-site and Off-site Impacts and Mitigation

Shire Officers have reviewed the information included in the background section of this report which is further expanded on in the supporting documents provided with the application, as well as taking the advice of DWER on some matters. The information that has been provided to support the proposal is adequate in addressing the key considerations that are applicable to this proposal. Where further detail and implementation is required, it is considered that this can be adequately managed through conditions of approval on the development approval and the licence. This is reflected through the conditions in the recommendation section of this report.

#### Conclusion

The proposed extractive industry is essential in supporting the need for basic raw materials for construction works in and around the Shire. The subject site has previously been used for extraction and does not propose a significant upscale of operations, as much of the previously extracted site is currently being or proposed to be rehabilitated. The licence period applied for is 5 years and rehabilitation will be ongoing as each designated state is completed. Further applications will be required for any future stages or if extraction of these areas extends further than 5 years.

It is recommended that development approval is granted, subject to conditions. Following the relevant conditions of the development approval being satisfied, it is recommended that an Extractive Industry Licence be granted for a period of 5 years.

14. TECHNICAL SERVICES REPORTS

14.1 Soldiers Park Playground – Proposed Expansion/Upgrade	
<b>Reporting Department:</b>	Technical Services
<b>Reporting Officer:</b>	Scott Geere – Manager Building Services
<b>Accountable Manager:</b>	Craig Yardley – Director Technical Services
<b>Legislation:</b>	<i>Local Government Act 1995</i> <i>Local Government (Functions &amp; General) Regulations 1996</i>
<b>File Number:</b>	(File No. to be inserted.)
<b>Appendices:</b>	Appendix 14.1.A – Expanded Playground Footprint Appendix 14.1.B – Estimated Project Schedule
<b>Voting Requirement:</b>	Simple Majority

**Report Purpose**

To seek Council endorsement for the expanded playground footprint, community consultation process and Lotterywest Grant Application submission.

**Officer's Recommendation**

*That Council resolve to endorse:*

- a) the proposed expanded playground footprint layout at Soldiers Park as presented in Appendix 14.1.A;*
- b) the proposed community consultation process for the expansion and upgrade of Soldiers Park Playground, as outlined in this report; and*
- c) the submission of a Lotterywest Grant Application for the proposed expansion and upgrade of Soldiers Park Playground.*

**Background:**

The Shire of Collie have a number of playgrounds that are approaching their end-of-life. Of these, Soldiers Park is a premier park for the Shire of Collie community which serves as a recreational and social focus of the Shire.

The playground equipment and rubber soft fall ground treatment at Soldiers Park were recognised as needing replacement in the 2022/23 financial year budget, where \$50,000 was allocated from Phase 3 of the Local Roads and Community Infrastructure (LRCI) Program for some initial equipment replacement (stage 1 replacement only - swings, and liberty swing).

The swing sets, liberty swing, and soft fall treatment were subsequently removed in May 2023 and the stage 1 equipment replacement was completed in June 2023. This only left the main combination unit in-situ, which is the most substantial piece of equipment at the playground. This unit is in poor condition, being approximately 17 years old. Some medium-scale refurbishment of this unit has occurred in July 2023 (utilising in-house shire resources) to bring it to a satisfactory standard of repair to see out its remaining life in the short-term.

The rubber soft fall matting is intended to be replaced with soft-fall sand using the remaining budget under LRCI Phase 3.

It was originally intended that the central combination unit, rubber soft fall ground treatment pathways (to enable the playground to be disability accessible), and replacement shade sails be budgeted for in the current 2023/24 financial year with an order of magnitude cost of \$130k. This was intended to be procured via grant funding.

A subsequent discussion between Shire officers and Lotterywest occurred in early June 2023. It was made known by Lotterywest that a community playground project would meet their community investment framework, and also that the Shire of Collie have not received any funding for a substantial project from Lotterywest since 2019, therefore this would also favourably factor into their grant decision.

The Lotterywest Grant Application will also require a co-contribution by the Shire. No minimum amount is prescribed, however a larger contribution will strengthen the grant application submission.

The council forum held on the 4<sup>th</sup> July 2023 further informed the nature of the proposed playground project, with the unanimous view that Soldiers Park is the most appropriate site for a proposed substantial Lotterywest funded playground project.

**Statutory and Policy Implications:**

Local Government (Financial Management) Regulations 1996

**Budget Implications:**

Allocation of \$100,000 from the \$339,254 'general works' provision from the Local Roads and Community Infrastructure (LRCI) Phase 4 program for the purposes of the Shire co-contribution required for the *Soldiers Park Playground Upgrade and Expansion* project Lotterywest grant application.

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

Shire officers consider the key stakeholders for the purposes of informing the scope of works for the proposed *Soldiers Park Playground Upgrade and Expansion* project to be as follows:

- Shire of Collie Council;
- Shire of Collie Community, including all primary and secondary schools;
- Collie Disability Reference Group; and
- Lotterywest.

Shire officers therefore wish to carry out consultation in a variety of forums to ensure we meet our obligations as prescribed under part 2.0 ('*How to Consult with Stakeholders*') of Policy CS 1.7. This framework is intended to be as follows:

**1. Shire of Collie Council**

Key elements of decision-making for the *Soldiers Park Playground Upgrade and Expansion* project are to be communicated to council via Ordinary Meetings of Council, and Council Forums (as appropriate). Key benchmarks for Council determination on this project are considered to be:

- a) In principal acceptance of Soldiers Park playground footprint expansion (*this Agenda Item 14.1*);
- b) Endorsement of proposed community consultation process (*this Agenda Item 14.1*);
- c) Endorsement of proposed playground concept plans (*future Council Forum*);

- d) Endorsement of amount of grant funding to be applied for through Lotterywest (*future Council Forum*); and
- e) Authorisation of appointment of successful tender respondent for the future 'Design / Construct / Installation' tender, should the Lotterywest Application be successful, in accordance with the requirements of the *Local Government Act 1995* and *Local Government (Functions and General) Regulations 1996 (future Ordinary Meeting of Council)*

Shire of Collie Community

Shire Officers, in collaboration with the Collie Disability Reference Group, intend to invite the Collie community to provide input for the project from mid-August to mid-September. This is intended to be on the basis of:

- an appropriate and unique playground 'theme' to take inspiration from the past, present, or future of Collie; and
- The type of playground equipment they would like to have provided;

The forums to allow the community to provide this input are proposed to be as follows:

- Ballot boxes at specific strategic locations (i.e. Shire Administration, Library, Roche Park Recreation Centre, Margaretta Wilson/PCYC centre);
- Social Media;
- Shire Website;
- Stall to be setup and manned by Shire Staff at Collie Central Shopping Centre on advertised dates and times; and
- Liaison with all primary and secondary schools in Collie and Allanson to determine appropriate school-specific mediums of obtaining feedback from school participants.

Collie Disability Reference Group

Shire Officers to continue to attend ongoing DRG meetings, and liaise with the group via emails as and when the need arises.

Lotterywest

Ongoing consultation pre-application submission, during the application assessment process, and (should the application be favourably considered) post-award of the grant funding to ensure all funding conditions and acquittal requirements are achieved.

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

<b>STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022</b>		
<b>GOAL:</b>	3	Our Built Environment
<b>Objective:</b>	3.1	Safe and well-maintained shire owned facilities and infrastructure

**Relevant Precedents:**

Nil

**Comment:**

The proposed *Soldiers Park Playground Upgrade and Expansion* project is proposed to address a number of community needs for the Shire of Collie.

In addition to addressing immediate playground improvement needs and enhance community amenity, it is seen to be a fantastic opportunity to provide a facility which:

- will accommodate users of all ages and abilities;
- create a connected cultural experience by implementation of theme/s and interpretive signage; and
- be a destination playground for Collie and surroundings areas due to the unique themes and equipment on offer.

The local Collie Disability Reference Group, chaired by Advocacy WA, has also been strongly in favour of a substantial playground project to meet the needs of a range of potential playground users. Shire officers have met, and will continue to meet, with the group in an effort to combine our efforts to maximise the proposed project outcome.

The proposed footprint area for the expansion of the playground is included in Appendix 14.1.A. It is seen to be a logical progression of the existing playground, whilst maintaining separation from the park war memorial. It includes an indicative fenced off area around the playground to accommodate the safety of children with 'invisible' disabilities, which has been a specific topic of conversation with the Collie Disability Reference Group.

Part of the decision process for the final scope of the playground expansion and replacement at Soldiers Park will be factoring in lifecycle maintenance costing, and what will be practically achievable over the longer term (i.e. 15-20 years) in context of the shire's current overall asset lifecycle replacement/renewal obligations.

The delivery of the *Soldiers Park Playground Upgrade and Expansion* project is proposed to be run as scheduled in the Gantt Chart included in Appendix 14.1.B.

This is generally as follows:

- a) Community consultation to inform theme, and playground offerings;
- b) Collation of feedback to inform concept design via landscape architect;
- c) Concept design to inform Quantity Surveyor estimate on project cost;
- d) Submission of Lotterywest Application;

If 'd' is successful;

- e) Tender for final design and construction; and
- f) Construction

Council will continue to be informed of project progress in accordance with the methodology set out under the *Communication Requirements* part of this agenda item.

**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.

**15.1 Shared Use of Recreation Oval– Collie Eagles Football Club Inc. and Collie River Valley Little Athletics Centre Inc.**

<b>Reporting Department:</b>	Corporate Services
<b>Legislation:</b>	Local Government Act 1995
<b>File Number:</b>	RCS/004
<b>Appendices:</b>	Nil
<b>Voting Requirement:</b>	Simple Majority

**Report Purpose:**

To determine the use arrangements of the Collie Recreation Ground for the Collie River Valley Little Athletics Centre Inc during the 2023/24 season.

**Cr Faries Motion**

1. *That the Council continues to grant use of Collie Recreation Ground and Velodrome to Collie River Valley Little Athletics Centre Inc:*

a) *from 1 October 2023 to 10 February 2024 on the following days and times:*

- *Monday from 4:30pm to 6:30pm*
- *Wednesday from 4:30pm to 6:30pm*
- *Friday from 4:30pm to 7:30pm*

*Further that Shire staff remove the goals prior to the commencement of the Little Athletics season.*

b) *from 11 February 2024 to mid March 2024 on the following days and times:*

- *Monday from 4:30pm to 6:30pm*
- *Wednesday from 4:30pm to 6:00pm*
- *Saturdays all day.*

*The Collie Recreation Ground and Velodrome is to be available to be utilised by other user groups, including the Collie Eagles Football Club, outside of the above times.*

*Collie Eagles Football Club to remove goal posts on Friday nights, commencing the Friday 16 February, after training has been completed and to supply contact phone numbers to Little Athletics, in the event that the goals have not been removed, for Little Athletics to be able to contact Collie Eagles Football Club to remove the goal posts.*

*Collie Eagles Football Club to loan protection pads for goalposts for the Little Athletics for the duration of the Little Athletics season.*

2. *Council to meet with both parties in early April 2024 to review the above and determine if any amendments are required.*

3. *Council to continue to work with Little Athletics and relevant agencies to seek grant funding to establish a long term facility to benefit Little Athletics and the wider community.*

**Background:**

Cr Faries has provided prior notice of his intention to move the following motion.

Elected members have met with representatives of both clubs. The only change to last season is that the Little Athletics are to be given the opportunity to use the recreation ground on the first two Friday nights in February. The Football Club has agreed to this request.

**Report**

The Collie Eagles Football Club Inc. and Collie River Valley Little Athletics Centre Inc. are users of the Collie Recreation Ground.

The Football Club has club rooms on the west side of the main oval and use the main oval for training and games.

Little Athletics use clubrooms and storage facilities on the east side of the main oval. They use the lower area in the velodrome for discuss, shotput, long jump and triple jump. The main oval is used for track events, javelin, and high jump.

Both groups have a lease with the Shire for their facilities and pay an annual fee for use of the recreation ground. The grounds are not leased to any party and the oval is available for public use.

Over the past six years, an overlap in scheduling between the two groups has developed, whereby both groups have sought access to the main oval at the same time and the Football Club raised concern about the football goals being removed from the oval for the duration of the athletics season. The goals are located within the running track which is marked out in accordance with International Association of Athletics Federations (IAAF) 400m standard track specifications. The football goals have been modified so that they are inserted into a sleeve. Installation and removal is relatively easy with two to three people.

The football playing season is from late March to September, subject to finals commitments. Pre season training for football generally commences in December or January. The athletics season runs from October to mid March. Some competitors continue to train after mid March if they are competing in the Australian Track and Field Championships in April. When the Football Club participates in finals, athletics commencement is, at times, deferred where Little Athletics is unable to mark out their track on the oval or there is a clash of use.

In September 2022, Council resolved:

1. *That Council grants use of Collie Recreation Ground and Velodrome to Collie Little Athletics Club:*
  - a) *from 1 October 2022 to 31 Jan 2023 on the following days and times:  
Monday from 4:30pm to 6:30pm  
Wednesday from 4:30pm to 6:30pm  
Friday from 4:30pm to 7:30pm  
Further that shire staff to remove the goals prior to the commencement of the Little Athletics season.*

- b) *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.*

*The Collie Recreation Ground and Velodrome is to be available to be utilised by other user groups, including the Collie Eagles Football Club, outside of the above times.*

*Collie Eagles Football Club to remove goal posts on Friday nights, commencing the first Friday in February 2023, after training has been completed and to supply contact phone numbers to Little Athletics, in the event that the goals have not been removed, for Little Athletics to be able to contact Collie Eagles Football Club to remove the goal posts.*

*Collie Eagles Football Club to loan protection pads for goalposts for the Little Athletics for the duration of the Little Athletics season.*

2. *Council to meet with both parties in early April 2023 to review the above and determine if any amendments are required.*
3. *Council to work with Little Athletics and relevant agencies to seek grant funding to establish a long term facility to benefit Little Athletics and the wider community.*

A number of alternative venues have been assessed for potential relocation of Little Athletics. None of the venues are currently suitable without significant works. The ovals at Roche Park are not large enough to fit the 400m running track, the Wallsend Ground is not large enough to fit the running track and field events and compatibility with horse training is an issue, the high school oval is not large enough for the track and would not have adequate storage and club room facilities, and the oval at the Hockey Grounds would require significant improvement works. If Little Athletics was relocated, new infrastructure would also be required for throws and jumps including sand pits, concrete throw circles, and protective cage.

Little Athletics and the Soccer Club are undertaking investigations as to the feasibility of relocation of both sports to the Hockey Grounds. Potential funding options may be through a State Government election commitment, with the next State Election in March 2025, or the Department of Local Government Sport and Cultural Industries (DLGSC), Community Sport and Recreation Facilities Fund, through an application in August 2024 for funding from 1 July 2025. A significant amount of investigation is required prior to any application for funding. Shire staff have offered to assist the clubs with the investigation process. A representative of Little Athletics and a shire staff member have discussed the proposal with DLGSC.

**Statutory and Policy Implications:**

Nil

**Budget Implications:**

Determining use arrangements of the existing oval is unlikely to have any budget implications. Relocation of Little Athletics to an alternative venue would have significant cost, however this is not proposed in this report.

**Communications Requirements:**

Elected members have met with representatives of the Football Club and Little Athletics.

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

STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022		
<b>GOAL:</b>	1	Our Community
<b>Outcome:</b>	1.1	Community health, safety and wellbeing.

**Relevant Precedents:**

Council's decision in September 2022 has been included in the background to this report.

**Comment:**

The Recreation Grounds are suited to both the Football Club and Little Athletics and it is hoped that the overlap of use issues can be managed so that they may both coexist at the same facility until an alternative viable preferred option is available.

Whilst there may be potential to develop a suitable athletics facility at the Hockey Grounds, it is unlikely that work would commence prior to July 2025, unless a suitable funding source was identified, which means that a facility may not be available until at least early 2026.

Both Little Athletics and the Football Club are important to the Collie community. Athletics had 43 members in 2021/22, is inclusive and caters for all levels of participation. They have produced state and national champions and perform well at regional events. The Football Club has a number of teams, catering for all ages and genders, and also has an active social membership. Since the amalgamation of Mines Rovers Football Club and Collie Saints Football Club in 2002 the Collie Eagle Football Club has been part of the fabric of Collie. In 2022, the Collie Eagles Football Club had more than 100 senior players and 275 junior players.

The main overlap of use is during the end of the athletics season (February to March) and football pre-season.

Cr Faries and Cr Italiano have met with representatives of the groups and the proposal for the 2023/24 season is similar to last season, with the only change being to allow Little Athletics use of the recreation oval on the first two Friday nights in February. The notice of motion received from Cr Faries addresses this change. A further meeting between Council and the Football Club and Little Athletics in early 2024 is proposed.

**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 last Ordinary Council Meeting, for which an answer has not been provided, are listed below:

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

**18. ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS**

**19. STATUS REPORT ON COUNCIL RESOLUTIONS**

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

- 'Closed Since Last Meeting' at Appendix 19.1.A
- 'All Open' at Appendix 19.1.B

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

**21. CLOSE**