



Shire of
Collie

AGENDA

for the

ORDINARY MEETING OF COUNCIL

to be held on

Tuesday, 14 November 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, 14 November 2023

in Council Chambers at 87 Throssell Street, Collie WA

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

Stuart Devenish
Chief Executive Officer

9 November 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

November 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 14 November 2023

Ordinary Meeting of Council

7.00pm in Council Chambers

Tuesday 21 November 2023

Special Meeting of Council

To consider the development application for the Synergy BESS

6.00pm in Council Chambers

DISCLOSURE OF FINANCIAL INTEREST AND INTERESTS AFFECTING IMPARTIALITY

File ref: GOV/062

To: Chief Executive Officer

As required by section 5.65(1)(a) or 5.70 of the *Local Government Act 1995* and Council's Code of Conduct, I hereby declare my interest in the following matter/s included on the Agenda paper for the Council meeting to be held on _____ (Date)

Item No.	Subject	Details of Interest	Type of Interest Impartial/Financial	*Extent of Interest (see below)

* Extent of Interest only has to be declared if the Councillor also requests to remain present at a meeting, preside, or participate in discussions of the decision making process (see item 6 below). Employees must disclose extent of interest if the Council requires them to.

Name (Please Print)

Signature

Date

NB

1. This notice must be given to the Chief Executive Officer prior to the meeting or at the meeting immediately before the matter in which you have declared an interest is discussed, Section 5.65(1) (a) & (b).
2. It remains Councillors'/Employees' responsibility to make further declarations to the Council if a matter arises during the course of a meeting and no previous declarations have been made.
3. It is a Councillor's/Employee's responsibility to ensure the interest is brought to the attention of the Council when the Agenda item arises and to ensure that it is recorded in the minutes.
4. It remains the Councillor's responsibility to ensure that he/she does not vote on a matter in which a declaration has been made. The responsibility also includes the recording of particulars in the minutes to ensure they are correct when such minutes are confirmed.
5. It is recommended that when previewing Agenda, Councillors mark Agendas with items on which an interest is to be declared and complete the declaration form at the same time.
6. Councillors may be allowed to remain at meetings at which they have declared an interest and may also be allowed to preside (if applicable) and participate in discussions and the decision making process upon the declared matter subject to strict compliance with the enabling provisions of the Act and appropriately recorded resolutions of the Council. Where Councillors request consideration of such Council approval the affected Councillor must vacate the Council Chambers in the first instance whilst the Council discusses and decides upon the Councillor's application.

Remember: The responsibility to declare an interest rests with individual Councillors/Employees. If in any doubt seek legal opinion or, to be absolutely sure, make a declaration.

Office Use Only:

Date/Initials

1. Particulars of declaration given to meeting
2. Particulars recorded in the minutes
3. Signed by Chief Executive Officer

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, 14 November 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.

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 – 10 October 2023****Officer's Recommendation:**

That Council confirms the Minutes of the Ordinary Meeting of Council held on 10 October 2023.

8.2 Special Council Meeting –24 October 2023**Officer's Recommendation:**

That Council confirms the Minutes of the Special Meeting of Council held on 24 October 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

Nil.

11. CEO REPORTS

11.1 Outcomes of Referendum for an Indoor Pool

Reporting Department:	Chief Executive Office
Reporting Officer:	Stuart Devenish – Chief Executive Officer
Accountable Manager:	Stuart Devenish – Chief Executive Officer
Legislation	<i>Local Government Act 1995 s4.99</i>
File Number:	CMG/268
Appendices:	11.1.A – Ballot Paper 11.1.B – Results of Referendum 11.1.C – Indoor pool decision history from 2016
Voting Requirement	Simple Majority

Report Purpose

To receive and consider the outcomes of the referendum for an Indoor Pool.

Officer's Recommendation

That the Council resolve:

- 1. to receive and note the results of the referendum for an indoor pool held 21 October 2023;*
- 2. having regard for the results of the referendum, not to proceed with the indoor pool project; and*
- 3. authorise the Shire President, Deputy Shire President and Chief Executive Officer to liaise with MLA Jodie Hanns with a view to achieving support for the repurposing of funds otherwise allocated for an indoor pool.*

Background:

At its meeting on 8 August 2023 (resolution 9235 refers), Council resolved to conduct a referendum on the provision of a heated pool in conjunction with the Local Government elections in October 2023. Subsequent to this, Council resolved on 29 August 2023 to approve the information to be included on a ballot paper for the referendum.

The referendum on the provision of an indoor pool was undertaken by the Western Australian Electoral Commission in conjunction with the October 2023 ordinary elections.

The ballot paper distributed by the Commission is included at Appendix 11.1.A.

The question put to electors was:

Would you support the Shire of Collie proceeding with the construction of an indoor heated pool if: all capital costs of \$4.5 million to \$8 million could be externally funded; and the ongoing operational and renewal costs were met from Shire general revenue which would result in an additional increase in Shire rates of between 5% and 15%?

The responses were:

Responses	Votes	Percentage
Yes	1,050	44.74%
No	1,297	55.26%
Total valid votes	2,347	100%

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. The results of a poll are not binding on the Council.

Budget Implications:

The financial capacity to construct and operate an indoor pool is a central consideration to the provision or otherwise of the facility.

Communications Requirements: (Policy No. CS 1.7)

The referendum has been widely communicated, yielding a return rate of 35% of possible returns (2,362 papers including informal papers).

Strategic Community Plan/Corporate Business Plan Implications:

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

Relevant Precedents:

Council has previously resolved to not proceed with an indoor heated pool in March 2019, June 2019 and October 2021 respectively.

Comment:

The results suggest the benefits of an indoor pool are recognised by a good proportion of electors who submitted ballot papers. On balance however, the majority of elector responses indicated they did not support the Shire proceeding with the project.

Having regard for the referendum result and the cost implications of an additional pool, the recommendation is to not proceed with the indoor pool project. This recommendation is consistent with previous decisions of Council.

Should Council support the recommendation, further consideration should be given to a request of Government that the funding previously allocated for a pool be repurposed to the benefit of the Collie community. To this end, it is recommended that further conversations

now be held with the local member after which the matter would be reported further to Council.

11.2 Schedule of Ordinary Council Meetings and Forum Arrangements 2024

Reporting Department:	Chief Executive Office
Reporting Officer:	Amber Nikola – Executive Assistant
Accountable Manager:	Stuart Devenish – Chief Executive Officer
Legislation	<i>Local Government Act 1995</i>
File Number:	GOV/049
Appendices:	Nil
Voting Requirement	Simple Majority

Report Purpose

To decide on the schedule of Ordinary Meeting dates of Council for 2024 and arrangements for Councillor Forums.

Officer's Recommendation

That Council resolve to:

- 1. approve the Meeting Schedule for the 2024 Ordinary Council Meetings to be held at the Shire of Collie Council Chamber on the second Tuesday of each month, commencing February 2024;*
- 2. open the Ordinary Council meetings at 6pm OR 7pm; and*
- 3. authorise the meeting details referred to in 1 and 2 above to be published.*

Background:

Currently, Ordinary Council meetings are held on the second Tuesday night of each month (except January), with agenda papers provided to Councillors and made available publicly no later than the preceding Friday.

On 10 October 2023, Council resolved to hold Councillor forums every quarter in accordance with adopted Councillor Forum Meeting Procedure, with such meetings open to the public.

Statutory and Policy Implications:

Regulation 12(2) of the *Local Government (Administration) Regulations 1996* require details of public meetings to be published on the Shire's website. Details include meeting date, time and place.

Clause 2.1 of the *Shire of Collie Standing Orders Local Law 2017* requires an ordinary meeting of the Council to be held on a monthly basis or otherwise as determined by the Council. The clause also allows a special meeting of the Council for business that is urgent, complex in nature, for a particular purpose or confidential.

Budget Implications:

Nil

Communications Requirements: (Policy No. CS 1.7)

A primary intent of Policy CS1.7 is to ensure regular and consistent communication on Council's project and activities to all stakeholders. This report seeks to establish meeting arrangements that ensure effective conduct of business.

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022		
GOAL:	5	Our Business
Outcome:	5.1	Good governance and leadership
Strategy:	5.1.2	Promote the role of Council by informing, resourcing, skilling and supporting Elected Members

Relevant Precedents:

Meetings are scheduled on an annual basis.

Comment:

Consistent with the arrangements for 2023, it is recommended that the ordinary meeting of Council be held each second Tuesday of the month commencing in February 2024 as per the schedule below:

COUNCIL MEETING SCHEDULE
13 February 2024
12 March 2024
9 April 2024
14 May 2024
11 June 2024
9 July 2024
13 August 2024
10 September 2024
8 October 2024
12 November 2024
10 December 2024

The schedule of Council meetings comply with Standing Orders and will allow for the conduct of business, with special meetings held if necessary.

Noting that a light meal is provided at the conclusion of the meeting, consideration can be given to commencing the meeting at 6pm in lieu of 7pm. The recommendation includes two options.

It is recommended that Councillor forums be called on a quarterly basis and scheduled to meet requirements at the time.

11.3 Fee for Objections

Reporting Department:	Chief Executive Office
Reporting Officer:	Stuart Devenish – Chief Executive Officer
Accountable Manager:	Stuart Devenish – Chief Executive Officer
Legislation	<i>Local Government Act 1995 s4.99</i>
File Number:	GVR/033
Appendices:	11.3.A – Consultation Paper; Fee for Objections
Voting Requirement	Simple Majority

Report Purpose

To consider a proposal to introduce fees for the lodgement of objections in relation to mining related applications.

Officer's Recommendation

That the Council resolve to lodge a submission with the Department of Mines, Industry and Regulation objecting to the imposition of charges for the lodgement of objections to mining related applications as set out within report 11.3.

Background:

The Department of Mines, Industry Regulation and Safety (DMIRS) is inviting public submissions on a proposed amendment to the Mining Regulations 1981 to introduce a prescribed fee for lodgement of objections under the *Mining Act 1978*.

At present, objections can be lodged with the Department without charge in relation to applications that have been made for:

- Prospecting licences
- Exploration licences
- Retention licence
- Mining lease
- General purpose lease
- Restoration of a mining tenement after forfeiture
- Exemption from expenditure conditions
- Survey of a mining tenement

The proposed regulatory amendment is to introduce a \$859 fee. This follows changes to the *Mining Act 1978* of 1 November 2022 that allow fees to be prescribed. The amount of the prescribed fee is intended to be finalised following consultation. It is expected the fee will be included in the annual review of fees and charges for the 2024-25 financial year to come into effect on 1 July 2024.

DMIRS identify an increase in number of objections received and the associated processing costs incurred for the Department as the basis for the charge. The Department considers charging parties who wish to lodge an objection to an application made by another party is a suitable cost recovery policy.

Submissions will be received until 21 November 2023.

Statutory and Policy Implications:

Should the Government proceed with the Regulation amendment, payment of fees for lodgement of objections would become essential.

Budget Implications:

A fee to lodge an objection on behalf of the community would be subject to payment of a fee.

Communications Requirements: (Policy No. CS 1.7)

Nil.

Strategic Community Plan/Corporate Business Plan Implications:

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

Relevant Precedents:

Nil.

Comment:

The Mining Act in Western Australia governs mining activities in the state and sets out the legal framework for the acquisition of mining tenements (licences and leases). Mining leases can provide exclusive right to mine, land access, land rehabilitation obligations, rent and royalty payments, duration and other matters.

The legal framework is designed to provide the government with the authority to grant mining tenements based on various factors, including mineral potential, economic benefits and environmental considerations. Landowners typically do not have the ability to prevent the issuance of a mining tenement on their property if it aligns with these criteria. Negotiations can lead to access agreements setting out the terms and conditions of access to land and compensation arrangements.

When applications are made for mining tenements, there is a notification and advertising process which provides opportunity for interested parties to raise concerns, lodge objections or provide feedback.

There are a range of legitimate grounds for which a landowner, community members, water rights holders, local government or other may lodge an objection to a mining tenement. These may include:

- Environmental concerns
- Native Title and Aboriginal Heritage
- Land Use conflicts
- Social and community impact
- Economic concerns (eg reducing property values, affecting local business or diminishing value of agricultural activity)
- Compliance with laws and regulations
- Lack of Social License or
- Not in the public interest

Three primary arguments against imposing a fee for lodgement of objections are identified as follows:

Barrier to Informed Decision-Making

The principle underpinning the advertising of applications is to assist a decision-maker in making an informed decision on a matter. The purpose of public submission is to help ensure all relevant matters and views can be taken into account when making a decision.

The imposition of a fee on third parties such as community members or local government is a barrier to submission and does not assist the decision-making process.

Barrier to Natural Justice

The principle of the 'right to be heard' emphasises that individuals who may be adversely affected by a decision have the right to be informed of the matter and to be able to present their side of the story. This principle is fundamental to ensuring administrative and legal processes are just and the rights of individuals are protected.

A fee for objection is a barrier to natural justice.

Wrong Party Charged

It is recognised that a party who derives a benefit from an approval will ordinarily pay a fee to assist offset the costs associated with processing and providing that approval. If additional costs recovery is required, those payments should be made by the party making application for approval and who will derive benefit from that decision.

It is not appropriate to charge a third-party who has not instigated an application and does not derive benefit from an application.

The Western Australian policy framework is based around open engagement and consultation at a no cost basis. This ensures that everyone can access and make comment on proposals that are in the public interest. It would be against these principles, for example, for a local government to impose a fee upon people who may object to a planning or other application. This is especially the case as there are no third party right of appeal for many applications. Similarly, an application under the Mining Act should readily enable public input, serving to ensure balanced considerations through the decision-making processes. It is recommended that a submission be lodged with DMIRS objecting to any charges being imposed on the lodgement of objections.

12. CORPORATE SERVICES REPORTS

12.1 Accounts Paid – October 2023

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

Report Purpose

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

Officer's Recommendation

That Council accepts the Accounts as presented in Appendix 12.1.A being vouchers 41943-41944 totalling \$234.95 and direct payments totalling \$924,946.44 authorised and paid in October 2023.

Background:

In accordance with Delegation 2.2.21- payments from the Municipal or Trust Funds adopted by Council on 8 August 2023, 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
August	155.02	1,122,377.12	1,122,532.14
September	1,086.36	800,154.20	801,240.56
October	234.95	924,946.44	925,181.39

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 – September 2023

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

Report Purpose

To provide a summary of the financial position for the Shire of Collie for the month ending September 2023 and proposed budget amendment.

Officer's Recommendation

That Council resolve

1. *to accept the Financial Management Report for September 2023 as presented in Appendix 12.2. A.*
2. *by Absolute Majority to approve 2023-24 budget amendments as follows:*
 - a. *to increase the budget allocation for the Financial Assistance grant by \$90,000 to recognise the additional grant received; and*
 - b. *to recognise expenditure incurred for the replacement of ice machine at the Shire Depot of \$9,800*

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.

Two budget amendments are proposed.

- 1) At the time of adopting the 2023/23 budget, the final allocation for Federal Government Financial Assistance Grants was not known. The final allocation is approximately \$92,000 above the amount budgeted.
- 2) A new ice machine has purchased for the depot, replacing the existing machine which was not working and not repairable.

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 2023/24 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:

The proposed budget amendments will increase revenue by \$90,000, increase capital expenditure by \$9,800 and increase the budgeted surplus by \$80,200.

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

The recommended budget amendment will allow recognition of the required expenditure for the replacement item.

12.3 Collie Rotary Adventure Race – Request for Sponsorship

Reporting Department:	Corporate Services
Reporting Officer:	Nicole Wasmann – Director Corporate Services
Accountable Manager:	Nicole Wasmann – Director Corporate Services
Legislation	<i>Local Government Act 1995</i>
File Number:	FIN/002
Appendices:	Nil.
Voting Requirement	Absolute Majority

Report Purpose

For Council to consider a request for sponsorship of the Collie Rotary Adventure Race.

Officer's Recommendation

That Council resolves to:

- 1. provide sponsorship of \$4,000 to the Collie Rotary Adventure Race to be held in March 2024; and*
- 2. Approve a budget amendment for the 2023/24 financial year to include an allocation of \$4,000 for the sponsorship funding from additional Financial Assistance Grants allocated to the Shire.*

Background:

The Shire of Collie has received a request from Rotary for sponsorship of \$5,000 for the Collie Rotary Adventure Race, which is to be held on 16 March 2024.

The event was last held in 2019.

Rotary has advised that the Collie Rotary Adventure Race 2024 is a multi-sport event that embraces the adventure spirit of Collie and the South West.

The event is open to all levels of endurance athlete, particularly encouraging the amateur athlete to 'have a go'. Competitors can compete as a solo or team entry. Teams must have a minimum of 2 and max of 4 members. Teams may comprise of friends, family, corporate, schools, sporting clubs and more.

Whilst the Collie Rotary Adventure Race 2024 will offer prizes for first-third place participants, attracting competitive athletes, its main focus is participation. The option of teams and moderate stages makes the Event accessible to a wide audience, promoting both inclusion and achievement. The welcoming nature of the Adventure Race also encourages individuals to enter the solo event. For many solo entries, this means taking up activities they would not usually participate in.

The 4 stages of the Adventure Race: Mountain Bike, Swim, Kayak, and Trail Run are all locally available recreational activities. Recent trail development in the Collie Region has increased awareness and uptake of these activities. The Collie Rotary Adventure Race 2024 will further increase awareness of and participation in these activities.

Further, the Collie Rotary Adventure Race provides opportunities for local schools, sporting clubs and community groups to become involved in the event. Opportunities, beyond participation, include volunteering at marshal points and water points; providing food and beverages – fundraising opportunities; signage of tracks and more.

Statutory and Policy Implications:

In accordance with section 6.8 of the *Local Government Act 1995*, a local government is not to incur expenditure for an additional purpose, that is a purpose for which no expenditure estimate is included in the local government's annual budget, except where the expenditure:

- a) is incurred in a financial year before the adoption of the annual budget,
- b) is authorised in advance by resolution, or
- c) is authorised in advance by the mayor or president in an emergency.

Budget Implications:

There is no unallocated funding in the current budget for community events.

The expense could be funded from the additional income to be received from Financial Assistance Grants. The Financial Assistance Grants allocations were not determined at the time of adopting the budget, and the allocation to the Shire is approximately \$90,000 above that budgeted.

Communications Requirements: (Policy No. CS 1.7)

Nil.

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022		
GOAL:	1	Our Community
Objective:	1.2	Community connection, engagement and participation

Relevant Precedents:

The Shire of Collie previously supported the event with financial contributions of \$4,000 in 2018/19 and 2019/20 and \$5,000 in 2017/18 and prior years.

Other local community groups are currently provided with the following funding to support local events:

Festiv Arty	\$2,000
Collie Agricultural Society	\$4,000
Christmas Pageant	\$4,000

Comment:

The Collie Adventure Race was an iconic event on Collie's and the south west calendar and it is wonderful to see the event return in 2024.

The event complements the focus on Collie of being an adventure destination and encourages local participation.

The Shire has previously supported the event and, through a budget amendment, funding could be made available to support the event in the current financial year.

The recommendation is to provide sponsorship of \$4,000 and allocate funds from the additional Financial Assistance Grants allocations. Whilst the amount requested was \$5,000, the maximum amount currently provided to other local organisations for community events is \$4,000 and it is considered appropriate to match this funding.

12.4 Collie Western Riding Association Inc. Request for Lease Area Extension

Reporting Department:	Corporate Services
Reporting Officer:	Nicole Wasmann – Director Corporate Services
Accountable Manager:	Nicole Wasmann – Director Corporate Services
Legislation	<i>Local Government Act 1995 and Land Administration Act 1997</i>
File Number:	L1519B
Appendices:	Appendix 12.4.A – Map of Proposed Lease Area
Voting Requirement	Simple Majority

Report Purpose

For Council to consider a request for a variation to the lease with Collie Western Riding Association Inc at Wallsend Ground to enable an extension to the lease area.

Officer's Recommendation

That, subject to ministerial consent being provided, Council:

- 1. approve a variation to the area lease to Collie Western Riding Association Inc. as shown of Appendix 12.4.A; and*
- 2. authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal to a lease variation document between the Shire of Collie and Western Riders.*

Background:

Collie Western Riding Association Inc. (CWRA) is requesting an extension to their existing lease area to enable future development of an additional arena.

The Shire has a Management Order for a portion of Reserve 15195 for the purpose of Recreation and Parking.

The boundary of the existing lease between the Shire and CWRA, for a portion of Reserve 15195, is shown in blue on the Appendix 12.4.A. The boundary of the requested lease extension is identified in red on the appendix. The current lease expires in 2027.

Some elected members have met on site with members of CWRA to discuss the proposal.

There is an existing ramp structure on the site which was built by Rotary in the early 1990s for the purpose of providing a stage for the Collie Country and Western Music Club. The stage has not been used for many years. Should the stage be demolished, Rotary will remove the plaque.

Statutory and Policy Implications:

In accordance with the *Local Government (Functions and General) Regulations 1996* Regulation 30, disposal of land is exempt from the public notice requirements of Section 3.58 of the *Local Government Act 1995* where the lease is to a recreational or sporting body and

the members are not entitled or permitted to receive any pecuniary profit from the body's transactions.

The Shire has a management order for the Recreation Ground, Reserve 6684, which requires ministerial consent for any lease or variation in accordance with Section 18 of the *Land Administration Act 1997*.

Budget Implications:

There are no budget implications.

Communications Requirements: (Policy No. CS 1.7)

Members of CRWA discussed the proposal with representatives of the Collie Agriculture Society and Collie Harness Racing Club in July. Both clubs were supportive of the lease extension and potential new arena.

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022		
GOAL:	1	Our Community
Objective:	1.2	Community connection, engagement and participation

Relevant Precedents:

Council has previously granted variations to lease areas most recently for the Collie Cycle Club and the Collie River Valley Little Athletics Club.

Comment:

The expansion of the lease area will allow for future growth of CWRA. The club has advised that membership and participation is increasing.

Potentially affected users of Wallsend Ground support the proposal. Should the lease extension be approved, development approval will be required separately for a new arena.

Council is asked to support the request. If the request is supported by Council, ministerial approval will be requested.

13. DEVELOPMENT SERVICES REPORTS

Nil.

14. TECHNICAL SERVICES REPORTS

Nil.

15. MOTIONS FOR WHICH PRIOR NOTICE HAS BEEN GIVEN

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

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

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

Responses to questions asked at the last Ordinary Council Meeting, for which an answer has not been provided, will be listed.

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**