



Shire of  
**Collie**

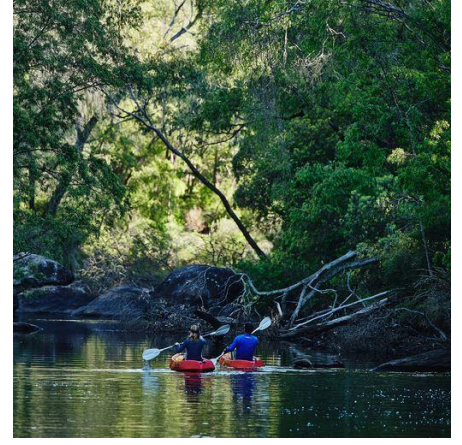
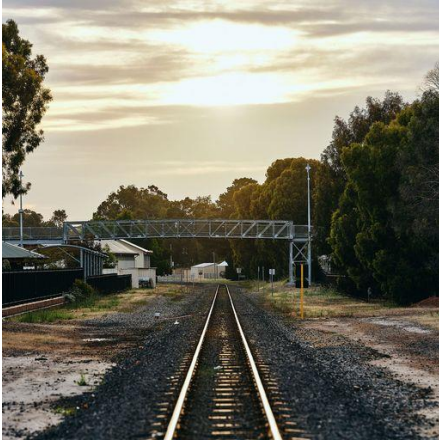
# AGENDA

for the

## ORDINARY MEETING OF COUNCIL

to be held on

**Tuesday, 13 February 2024**



## 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, 13 February 2024**

in Council Chambers at 87 Throssell Street, Collie WA

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

Stuart Devenish  
Chief Executive Officer

8 February 2024

**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**

### **March 2024**

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.

**Thursday 15<sup>th</sup> February 2024**

**Audit Committee**

2.00pm in the Council Chambers

**Tuesday 20<sup>th</sup> February 2024**

**Tourism & Marketing Advisory Committee (TMAC)**

10.00am in the Council Chambers

**Tuesday 12 March 2024**

**Ordinary Meeting of Council**

7.00pm in Council Chambers

**Tuesday 26 March 2024**

**Council Forum**

6.00pm in Council Chambers

*(Subject to endorsement of report 11.3)*



Shire of  
**Collie**

## 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<br>Impartial/Financial | *Extent<br>Interest<br>(see below) | of |
|----------|---------|---------------------|---|------------------------------------|----|
|          |         |                     |   |                                    |    |
|          |         |                     |   |                                    |    |
|          |         |                     |   |                                    |    |
|          |         |                     |   |                                    |    |

\* 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.



## Contents

|      |   |    |
|------|---|----|
| 1.   | OPENING/ATTENDANCE/APOLOGIES & LEAVE OF ABSENCE .....   | 2  |
| 2.   | PUBLIC QUESTION TIME .....  | 2  |
| 3.   | RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE .....  | 2  |
| 4.   | DISCLOSURE OF FINANCIAL INTEREST .....  | 2  |
| 5.   | PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS.....  | 2  |
| 6.   | NOTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC.....  | 2  |
| 7.   | ITEMS BROUGHT FORWARD DUE TO INTEREST BY ATTENDING PERSONS  | 3  |
| 8.   | CONFIRMATION OF THE PREVIOUS MEETINGS OF COUNCIL MINUTES .....  | 3  |
| 8.1  | Ordinary Council Meeting – 12 December 2024.....  | 3  |
| 9.   | BUSINESS ARISING FROM THE PREVIOUS MINUTES.....   | 3  |
| 10.  | RECEIPT OF MINUTES OF COMMITTEE MEETINGS HELD SINCE THE PREVIOUS MEETING OF COUNCIL.....  | 3  |
| 11.  | CEO REPORTS.....  | 4  |
| 11.1 | Corporate Business Plan – Quarterly Progress Report .....   | 4  |
| 11.2 | Communications Policy Review and Proposed Corporate Communication Plan 2024 .....   | 6  |
| 11.3 | Budget Preparation for 2024/25 Financial Year.....  | 9  |
| 12.  | CORPORATE SERVICES REPORTS .....  | 11 |
| 12.1 | Accounts Paid – December 2023.....  | 11 |
| 12.2 | Accounts Paid – January 2024 .....  | 13 |
| 12.4 | Financial Management Report – December 2023 .....   | 17 |
| 13.  | DEVELOPMENT SERVICES REPORTS .....  | 19 |
| 13.1 | Collie River Revitalisation Strategy .....  | 19 |
| 13.2 | Scheme Amendment No.2 to Local Planning Scheme No.6 to rezone portion of No. 323, Lot 2977 Patstone Road from ‘Rural’ to ‘Light Industry’ ..... | 22 |
| 14.  | OPERATIONS REPORTS .....  | 28 |
| 14.1 | Tender 01/2023 Widening and Sealing of Shoulders on Gastaldo and Mornington Roads .....   | 28 |
| 15.  | MOTIONS FOR WHICH PRIOR NOTICE HAS BEEN GIVEN.....  | 31 |
| 16.  | QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN ....   | 31 |
| 17.  | URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION .....   | 31 |
| 18.  | ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS.....  | 31 |
| 19.  | STATUS REPORT ON COUNCIL RESOLUTIONS.....   | 31 |
| 20.  | CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC .....   | 31 |
| 21.  | CLOSE.....  | 31 |



Agenda for the Ordinary Meeting of the Collie Shire Council to be held in Council Chambers, 87 Throssell Street Collie, on Tuesday, 13 February 2024 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 – 12 December 2024****Officer's Recommendation:**

*That Council confirms the Minutes of the Ordinary Meeting of Council held on 12 December 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**

| <b>11.1 Corporate Business Plan – Quarterly Progress Report</b> |  |
|---|--|
| <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/001  |
| <b>Appendices:</b>  | Appendix 11.1.A – Corporate Business Plan Quarterly Progress Report – October to December 2023 |
| <b>Voting Requirement:</b>                                      | Simple Majority  |

**Report Purpose**

To receive the quarterly report on progress of actions set out in the Corporate Business Plan 2022/23 – 2026/27.

**Officer's Recommendation**

*That Council resolve to receive the quarterly progress report on actions to give effect to the Strategic Priorities of the Corporate Business Plan 2022/23 – 2026/27 as contained at Appendix 11.1.A.*

**Background:**

At its meeting on 14 March 2023, Council resolved to adopt the Corporate Business Plan 2022/23 – 2026/27. The Plan sets out 56 actions that serve to give effect to the 28 strategic priorities. The strategic priorities are those set out in the adopted Strategic Community Plan, and address the themes of:

- Our Community
- Our Economy
- Our Built Environment
- Our Natural Environment
- Our Organisation

A quarterly progress report is an effective means to update Council and the community on progress against agreed priority actions.

**Statutory and Policy Implications:**

Corporate Business Plans are prepared and adopted under the terms of the *Local Government (Administration) Regulations 1996*.

**Budget Implications:**

Resourcing to deliver on the terms of the Corporate Business Plan are provided for in annual budget allocations.

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

The Strategic Community Plan was subject to communications through the community engagement process. This report will be published on the Shire website.

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

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

**Relevant Precedents:**

The Strategic Community Plan and Corporate Business Plan are adopted in accordance with the terms of the Act and Regulations. The report on progress against these plans is scheduled to occur quarterly.

**Comment:**

The progress report appended to this report identifies the status of each of the 56 actions, along with a commentary on the progress. It is noted that 66% of items are on track or complete and 18% are pending (either scheduled for a subsequent year, or pending outcome of another action). Two items are identified as behind target with five identified as 'critical'. The critical actions relate to the Minningup Pool project and the Williams Road Bush Fire Brigade building project.

Commentary in relation to each action is included within the quarterly progress report which is recommended for noting.

| 11.2 Communications Policy Review and Proposed Corporate Communication Plan 2024 |  |
|--|--|
| <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/001  |
| <b>Appendices:</b>   | Appendix 11.2.A – Existing Policy – CS1.7 Communication Policy<br>Appendix 11.2.B – Proposed Revised Policy – CS1.7 Media and Communications Policy<br>Appendix 11.2.C – Proposed Corporate Communications Plan 2024 |
| <b>Voting Requirement:</b>   | Simple Majority  |

### Report Purpose

To review the existing Communication Policy and consider adoption of a revised policy along with endorsement of a Corporate Communications Plan.

### Officer's Recommendation

*That Council resolve to:*

1. *adopt, pursuant to section s.7(2)(b) of the Local Government Act 1995, the proposed CS1.7 Media and Communications Policy as included at Appendix 11.2.B, superseding Policy CS1.7 as adopted on 2 October 2018; and*
2. *endorse the proposed Corporate Communications Plan 2024 as included at Appendix 11.2.C.*

### Background:

As part of its broader governance framework, the Council determines the local government policies. Established policies addressing corporate services, technical and planning services are reviewed from time to time. Existing policy CS1.7 – Communication Policy was adopted by Council on 2 October 2018. A copy of this policy is included at Appendix 11.2.A.

The existing policy has been reviewed, assessing the function of a policy and that of an operational plan. To this end, it is recommended that the matters addressed in the existing policy be separated into a policy and a plan. The respective scope of each document can be cover matters as follows:

### *Policy Scope*

- Establish Council position on communications with the media.
- Set out how the provisions of the *Local Government Act 1995* will be implemented, including the roles of Elected Members and staff in relation to representation, communications, record keeping and use of information.

### *Communications Plan Scope*

- Sets out the intentions for communications, including communication principles, objectives, audiences, tools and channels.
- The role of communications in context of broader stakeholder engagements.
- Communications actions to be pursued.

The proposed revised policy and a recommended Corporate Communications Plan 2024 are included at Appendix 11.2.B and 11.2.C respectively. The documents have been prepared having regard for legislative requirements and recognised practices across the local government sector generally. The terms of each document are broadly described:

### **Proposed Media and Communications Policy**

In line with Council's adopted values of transparency and accountability, the policy terms advocate open disclosure with the media, with intention of maximising opportunity to present a positive image of the Shire.

The Policy provide clearly describes the role of the Shire President as spokesperson for the Shire, and the requirements of Elected Members and staff in relation to representation of the organisation and their private capacities.

Communication protocols are also addressed along with obligations to avoid improper use of information.

### **Proposed Corporate Communications Plan 2024**

This document, described as an operational plan, aligns with the Strategic Community and Corporate Business Plans and the identified priority of improving how we communicate with the community and other stakeholders (Corporate Business Plan action 1.2.3.1 refers). A series of principles aim to optimise effectiveness of all communications. Similarly, objectives are identified to help the delivery of messaging. The relationship between communication and stakeholder engagements is explained, along with tools and channels. Twelve enduring actions are identified to guide communications to achieve best advantage for the community.

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

Section 2.7(2)(b) of the *Local Government Act 1995* provides that the Council is to 'determine the local government's policies'.

It is good practice to review policies periodically. The Communication Policy was last considered by Council in October 2018.

### **Budget Implications:**

Nil.

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

The proposed policy and communications plan directly address intended arrangements for corporate communications.

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

| STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022 |     |  |
|--|-----|--|
| <b>GOAL:</b>                                     | 1   | Our Community                                      |
| <b>Outcome:</b>                                  | 1.2 | Community participation connection, engagement and |

**Relevant Precedents:**

Council policies are subject to periodic review.

**Comment:**

The revised Media and Communications Policy CS1.7 provides clear statements that support and implement good governance practices. It also provides principles for appropriate use of, and access to communication systems and information managed by the Shire. The policy is supported by the proposed Corporate Communications Plan 2024 that sets out how communication efforts will deliver the objectives set out in the Shire’s Strategic Community Plan and Corporate Business Plan.

Together, the two documents are considered to represent the best interests of the community by encouraging transparent, timely and appropriate communications. The policy is recommended for adoption and the plan for endorsement accordingly.

| 11.3 Budget Preparation for 2024/25 Financial Year |   |
|--|---|
| <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/001   |
| <b>Appendices:</b>                                 | Appendix 11.3.A – 2024/25 Budget Process Timeline<br>Appendix 11.3.B – Document Preparation – Budget Parameters Paper – 2024/25 |
| <b>Voting Requirement:</b>                         | Simple Majority   |

### Report Purpose

To endorse the arrangements for the preparation of the budget for year 2024/25.

### Officer's Recommendation

*That Council resolve to endorse the timetable and intentions for the preparation of the budget for year 2024/25.*

### Background:

The adoption of the annual budget for the Shire is a significant decision of Council as it determines rate payment obligations, services provided to the community and works to be undertaken. It also determines the ability of the Shire to financially sustain operations on an ongoing basis.

The setting of the budget involves a balance of revenue and expenditure while ensuring adequate funds are put aside in reserve to meet future obligations.

A strategic approach to budget preparations for the coming financial year is important to ensure sound practices are applied that will progressively improve financial health. It is important to ensure the overarching parameters of a budget are established that will ensure financial sustainability. To achieve this, a program has been prepared (refer Appendix 11.3.A) that will see a 'Budget Parameters' paper prepared. The intent of this paper is to outline key factors that influence revenue and expenditure. It enables rate increase requirements to be considered in context of inflation, grant expectations, workforce costs, asset renewal requirements, service scope and reserve provisioning. An outline of the Budget Parameters paper is included at Appendix 11.3.B. The outline identifies the paper's structure, scope, input requirements, methodology and timing.

With budget parameters established, preparations can proceed on constructing budget provisions. This includes setting capital and operational allocations along with financing arrangements.



The suggested program will allow the budget papers to be progressively prepared, discussed and considered for adoption. Councillors will be engaged throughout the process via;

1. Input through survey response;
2. Consider and endorse budget parameters (consider at public forum and Council meeting);
3. Consider and adopt fees and charges;
4. Consider draft capital and operational budget allocations;
5. Consider Long Term Financial Plan;
6. Adopt draft budget; and
7. Adopt statutory budget.

Matters will be addressed at forums and Council meetings. Councillor forums, open to the public, are proposed for 26 March and 28 May, representing the forums for the first and second quarters of the year respectively.

It should be noted that while every endeavour will be made to maintain the program as outlined, variations may occur where unforeseen circumstances arise.

**Statutory and Policy Implications:**

Annual budgets are prepared and adopted under the provisions of the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*.

**Budget Implications:**

This report addresses budget preparations and associated provisions.

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

N/A.

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

| STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022 |       |  |
|--|-------|--|
| GOAL:  | 5     | Our Business   |
| Outcome:   | 5.1   | Innovative leadership, forward planning and mutually beneficial partnerships |
| Strategic Priority                               | 5.1.2 | To progressively improve the Shires financial health indicators              |

**Relevant Precedents:**

N/A.

**Comment:**

The proposed arrangements for budget preparation will allow a strategic approach to be taken, ensuring financial health of the Shire improves. It will also ensure line-by-line consideration is given to budget detail as it is progressively prepared. Endorsement of the proposed arrangements is recommended accordingly.

**12. CORPORATE SERVICES REPORTS**

**12.1 Accounts Paid – December 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 – December 2023                              |
| <b>Voting Requirement</b>    | Simple Majority  |

**Report Purpose**

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

**Officer's Recommendation**

*That Council accepts the Accounts as presented in Appendix 12.1.A being vouchers 41953-41956 totalling \$726.18 and direct payments totalling \$1,378,940.84. 12 authorised and paid in December 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       |
| <b>July</b>      | 919.23   | 1,640,941.51        | <b>1,641,860.74</b> |
| <b>August</b>    | 155.02   | 1,122,377.12        | <b>1,122,532.14</b> |
| <b>September</b> | 1,086.36 | 800,154.20          | <b>801,240.56</b>   |
| <b>October</b>   | 234.95   | 924,946.44          | <b>925,181.39</b>   |
| <b>November</b>  | 881.65   | 1,788,936.83        | <b>1,789,818.48</b> |
| <b>December</b>  | 726.18   | 1,378,214.65        | <b>1,379,606.31</b> |

**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 Accounts Paid – January 2024**

|                              |  |
|------------------------------|--|
| <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 – Accounts Paid – January 2024                               |
| <b>Voting Requirement</b>    | Simple Majority  |

**Report Purpose**

To present the accounts paid during the month of January 2024.

**Officer's Recommendation**

*That Council accepts the Accounts as presented in Appendix 12.2.A being voucher 41957 totalling \$246.25 and direct payments totalling \$1,077,387.18 authorised and paid in January 2024.*

**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       |
| <b>July</b>      | 919.23   | 1,640,941.51        | <b>1,641,860.74</b> |
| <b>August</b>    | 155.02   | 1,122,377.12        | <b>1,122,532.14</b> |
| <b>September</b> | 1,086.36 | 800,154.20          | <b>801,240.56</b>   |
| <b>October</b>   | 234.95   | 924,946.44          | <b>925,181.39</b>   |
| <b>November</b>  | 881.65   | 1,788,936.83        | <b>1,789,818.48</b> |
| <b>December</b>  | 726.18   | 1,378,214.66        | <b>1,378,940.84</b> |
| <b>January</b>   | 246.25   | 1,077,387.18        | <b>1,077,633.43</b> |

**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 12.2.A.

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

**12.3 Financial Management Report – November 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 12.3.A – Financial Report – November 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 November 2023.

**Officer's Recommendation**

*That Council resolve to accept the Financial Management Report for November 2023 as presented in Appendix 12.3. 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 12.3.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 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:**

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 12.3.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 12.3. A

**12.4 Financial Management Report – December 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 12.4.A – Financial Report – December 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 December 2023.

**Officer's Recommendation**

*That Council resolve to accept the Financial Management Report for December 2023 as presented in Appendix 12.4.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 12.4.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 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:**

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 12.4.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 12.4.A

**13. DEVELOPMENT SERVICES REPORTS**

| 13.1 Collie River Revitalisation Strategy |  |
|---|--|
| <b>Reporting Department:</b>              | Development Services   |
| <b>Reporting Officer:</b>                 | Mikaela Kerwin – Consultant Strategic Planner                |
| <b>Accountable Manager:</b>               | Matt Young – Director Development Services                   |
| <b>Legislation</b>                        | N/A  |
| <b>File Number:</b>                       | ENV/010  |
| <b>Appendices:</b>                        | Appendix 13.1.A – Draft Collie River Revitalisation Strategy |
| <b>Voting Requirement</b>                 | Simple Majority  |

**Report Purpose**

To seek Council support to adopt the Collie River Revitalisation Strategy 2023-2028.

**Officer's Recommendation**

*That Council:*

1. *Adopt of the Collie River Revitalisation Strategy 2023-2028, to supersede the Collie River Revitalisation Strategy 2018-2022; and*
2. *Authorise officers to advise the public that the Collie River Revitalisation Strategy 2023-2028 has been adopted.*

**Background:**

In 2023, the Shire commenced a review of the Collie River Revitalisation Strategy 2018-2022. GFG Consulting were engaged to undertake the review, including:

- Update on the existing river condition;
- Assess the current state and management of the river; and
- Review existing and determine any new recommendations.

Following early key government agency and community consultation in February and March 2023, GFG Consulting undertook site inspections and water monitoring in preparation of drafting the Strategy.

At the 10 October 2023 Ordinary Council Meeting, Council resolved '*That the Council adopts the draft Collie River Revitalisation Strategy for a 28 day public advertising period.*' (Resolution number 9279).

The 28 day public advertising period closed on 3 January 2024, and no submissions were received in relation to the draft Strategy.

**Statutory and Policy Implications:**

- Country Areas Water Supply (CAWS) Act 1947
- Water Services Act 2012

- Aboriginal Cultural Heritage Act (Bill) 2021
- Environmental Protection Act 1986

**Budget Implications:**

The Collie River Revitalisation Strategy review project will be delivered through existing budgets.

The implementation of the Strategy as outlined in the recommendations and River Maintenance Plan (contained in Appendix 1 of the Strategy, see Appendix 13.1.A) will have ongoing budget implications into the long term.

**Communications Requirements:**

Initial key agency and key community consultation occurred on 8 & 9 February 2023, together with site inspections and water monitoring.

A well-attended community workshop was held on the 18 April 2023. The outcomes of this engagement were to inform the drafting and recommendations of the draft Strategy.

The Department of Water and Environmental Regulation has responsibilities over all of Western Australia’s waterways and has already reviewed the draft Strategy and its comments have been incorporated into the report.

The Collie River Revitalisation Strategy is a non-statutory document and it was for Council to determine whether it would be advertised. The draft strategy has been advertised for a period of 28 days as a result of the level of community interest in the river and its future management.

This advertising period closed on 3 January 2024, and no submissions were received in relation to the River Revitalisation Strategy. With this in mind, officers recommend that the Collie River Revitalisation Strategy 2023-2028 is adopted without further modification.

**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>                                       | 4.2   | Conservation of our natural environment  |
| <b>Strategic Priority</b>                               | 4.2.1 | To prepare, implement and review Collie River Revitalisation Strategy to improve the health and amenity of the Collie River. |
|   | 4.2.2 | To obtain funding and increase community capacity to remove weeds and pests on Shire reserves.                               |

**Comment:**

The Collie River is a major river system in south west and the premier environmental and cultural heritage asset of Collie. The river has been impacted by a range of land-uses and significantly modified over the past 120 years. A 12km section of the river which runs through the town of Collie is the ‘Study Area’ for the Collie River Revitalisation Strategy. After a major

flood event in 1964, an 8km stretch of the river was dredged, deepened, widened and fringing vegetation removed; significantly altering that section.

Returning the river system to a pre-European state, or even to pre-dredging condition is an unrealistic aim given the competing needs of ecology, community, and industry and the limited funds available. Added to these competing needs are the overarching problems of climate change and salinity and the considerable impact each of them will have on the whole Collie River system in years to come. Despite these limitations, with strategic focus, effort, resources, and time the river can be enhanced through a consistent effort aimed at increasing public amenity, water quality, ecological diversity and recreational opportunities.

The vision for the Strategy is to develop and implement recommendations to improve the health and amenity of the river including enhancing community experience, reducing nutrient runoff, increasing biodiversity, managing weed species and improving water quality. These recommendations benefit not only the local community but also those accessing water further downstream, whilst increasing public amenity to the river.

This draft Strategy focuses on the changes impacting the river since the 2018-2022 Strategy and any anticipated changes over the next five years and beyond. The Strategy includes the gathering and collation of information from stakeholders, community consultation and field investigations.

The draft Strategy raises a number of issues requiring attention to ensure the river is effectively managed by the various agencies entrusted with its care, including the Shire, Water Corporation, Department of Water and Environmental Regulation.

The twenty-one recommendations listed in Table 1 (refer Appendix 13.1.A) are for the Shire to take the lead however they are not all intended for the Shire to implement on its own. The Strategy will be used to advocate priorities with State and Federal agencies to ensure it can be implemented.

Recommendations have been prioritised where possible. Others have been labelled “In context with other Capital Works priorities”. This is in recognition of the Shire’s realistic capacity to implement this Strategy considering its limited resources and competing priorities. The draft Strategy has been advertised to the community for a period of 28 days, and no submissions have been received in relation to this Strategy. It is recommended that the Council adopt the Strategy without modification, superseding the existing Collie River Revitalisation Strategy 2018-2022.

**13.2 Scheme Amendment No.2 to Local Planning Scheme No.6 to rezone portion of No. 323, Lot 2977 Patstone Road from 'Rural' to 'Light Industry'**

|                              |  |
|------------------------------|--|
| <b>Reporting Department:</b> | Development Services                             |
| <b>Reporting Officer:</b>    | Isabel Fry – Manager of Planning and Development |
| <b>Accountable Manager:</b>  | Matt Young – Director Development Services       |
| <b>Legislation</b>           | <i>Planning and Development Act 2005</i>         |
| <b>File Number:</b>          | A3917  |
| <b>Appendices:</b>           | Appendix 13.2.A Scheme Amendment Report          |
| <b>Voting Requirement</b>    | Simple Majority                                  |

**Report Purpose**

For Council to consider a Scheme Amendment request and initiate Amendment No.2 to Local Planning Scheme No.6 to rezone portion of No. 323, Lot 2977 Patstone Road from 'Rural' to 'Light Industry', enabling referral to the EPA, the Minister for Planning and subsequent public advertising.

**Officer's Recommendation**

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

- 1. In accordance with Section 75 of the Planning and Development Act 2005, initiate Amendment No.2 to the Shire of Collie Local Planning Scheme No. 6 to rezone portion of No. 323, Lot 2977 Patstone Road from 'Rural' to 'Light Industry';*
- 2. In accordance with Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations 2015, determines that the amendment referred to in resolution 1. above is a Standard Amendment for the following reasons:*
  - a) It is consistent with the Shire of Collie's Local Planning Strategy;*
  - b) It is considered to have minimal impact on land in the Scheme area that is not the subject of the amendment;*
  - c) It does not result in any significant environmental, social, economic or governance impacts on the land in the scheme area;*
  - d) It is not considered a complex or basic amendment;*
- 3. Refer the amendment to the Environmental Protection Authority for assessment in accordance with the requirements of Section 81 of the Planning and Development Act 2005;*
- 4. Refer the amendment to the Minister for Planning for approval to advertise in accordance with Section 83A of the Planning and Development Act 2005;*
- 5. Subject to the Environmental Protection Authority determining that an environmental review is not required and consent from the Minister is obtained, resolve to proceed to advertise the amendment for a period of 42 days in accordance with Regulation 47 and Regulation 75A of the Planning and Development (Local Planning Schemes) Regulations 2015; Authorise that amendment documentation be signed as required by the Shire President and the Chief Executive Officer.*

**Background:**

The Shire of Collie received a request to amend Local Planning Scheme No.6 (LPS6) on 6 December 2023 (refer Appendix 13.2.A), lodged by Taylor Burrell Barnett on behalf of DComm Energy and Industrial Hub Pty Ltd for No. 323, Lot 2977 Patstone Road.

Following advice from Shire Officers following an initial review of the proposed amendment (No.2), a modified proposal was been lodged on 25 January 2024.

The amendment proposes to rezone a portion of Lot 2977, No. 323 Patstone Road, Collie from 'Rural' to 'Light Industry' under the Shire of Collie's LPS6. This is consistent with section 9.1 of the Shire of Collie Local Planning Strategy which in the context of the existing Collie Light Industrial Area states: *"The proposed extension of this industrial area is to include Lots 51, #289, #303, #311, #323, #342 Patstone Road and #199 Harris River Road. This represents a logical expansion of industrial lot supply and will service the medium to long term local light and industrial needs for Collie."*

Lot 2977 is 57.6032ha in area, the solar array facility will occupy 36.7879ha, leaving the remaining 20.8153ha available for industrial use.

The 'Light Industry' zone has been selected to allow for a broad range of industrial, service and storage activities and land uses to be considered within the site, whilst ensuring any potential impacts on the surrounding area, environment or public health are appropriately considered. The proposed rezoning to 'Light Industry' provides flexibility for a broad range of industrial uses to be accommodated within the site, in accordance with the Zoning Table of LPS6. However, given the list of potential uses under the Light Industrial zone is quite wide-ranging, to ensure an appropriate development outcome is achieved, which addresses site specific considerations, it is intended to include additional requirements within Table 8 of LPS6, as set out below.

Additional requirements that apply to specific lots

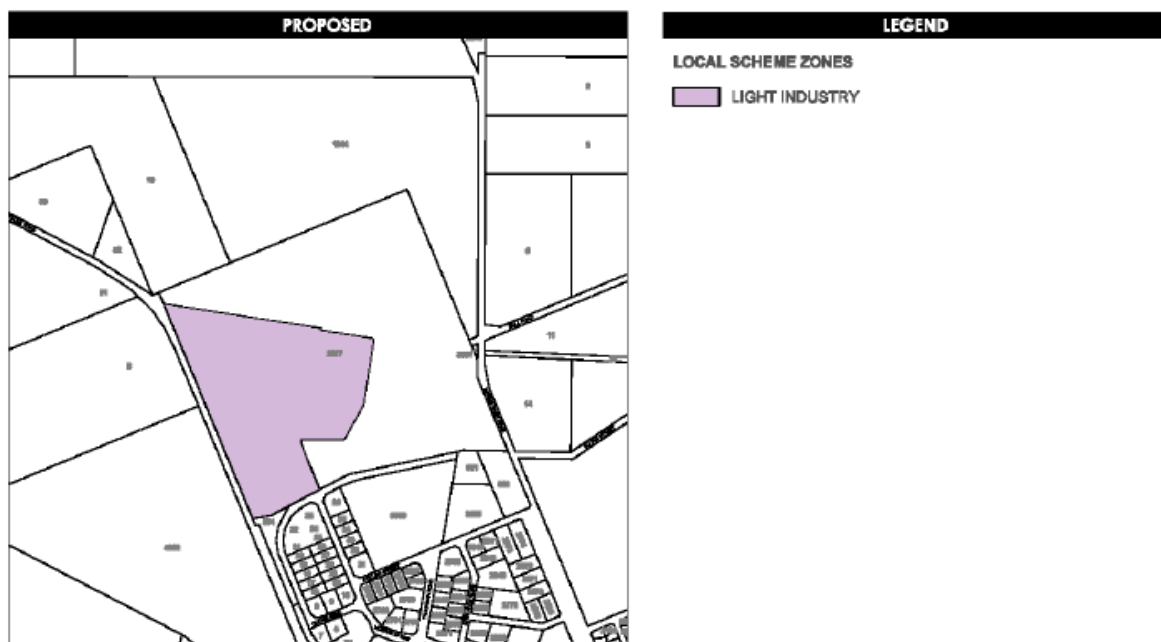
| No.  | Description of land                  | Requirement  |
|------|--------------------------------------|--|
| ASR5 | Lot 2977 (323) Patstone Road, Collie | <p>1. Land use and development is restricted to 'Dry Industry' activities unless the site and development is connected to reticulated sewer.</p> <p>'Dry Industry' means any industrial use permitted by the Shire of Collie Local Planning Scheme No. 6 and where:</p> <ul style="list-style-type: none"> <li>i. it can be demonstrated that the quality and volume of effluent to be disposed of on-site can be successfully disposed of, without adverse environmental or health effects, utilising effluent disposal systems approved by the relevant Government agency; and</li> <li>ii. the development is of a type which is predicted to generate waste water intended for disposal on site at a volume not exceeding 840 litres per day.</li> </ul> |

|  |  |  |
|--|--|--|
|  |  | <p>2. Direct lot access to Patstone Road is not permitted.</p> <p>3. A minimum 10m wide landscape strip shall be provided along the entire length of lot boundaries adjoining Patstone Road.</p> <p>4. The proponent will need to demonstrate to the satisfaction of the local government that the proposed industrial use will not detrimentally impact surrounding uses by way of noise, dust, odour, light spill or visual amenity.</p> |
|--|--|--|

The land owner's intention for development of this site is to establish a solar energy facility and industrial hub. The Applicant intends to construct the previously approved photovoltaic solar energy facility on the northern and eastern portions of the site, with a modified layout. This is the subject of a separate development application that has been lodged with the Shire.

The southwestern portion of the site is intended to be rezoned from 'Rural' to 'Light Industry' in order to facilitate the future subdivision and development of the land for industrial purposes. The indicative Concept Plan as contained in Appendix B of Appendix 13.2.A details the future indicative layout for the industrial subdivision and illustrated the revised location of the solar facility. The industrial subdivision is proposed to be serviced via an internal road, which will provide an extended road connection between Patstone Road and Cockie Bend. This road will be dedicated as a public road and will fall under the management of the Shire. The area of land intended for use as a solar facility is not included in the proposed amendment and is to remain zoned Rural.

Figure 1 – Proposed Scheme Amendment – rezoning portion of



The subject site is opposite Lots 51 and 2 Patstone Road, which have recently been rezoned to Industrial Development. The proposed Concept Plan and supporting documentation relating

to access that has been provided with the amendment request has considered the relationship between these lots and the subject site.

**Statutory and Policy Implications:***Planning and Development Act 2005 (PD Act)*

- Section 75. Amending Scheme  
“A local government may amend a local planning scheme with reference to land within its district, or with reference to land within its district, or with reference to land within its district and other land within any district, by an amendment-  
b) proposed by all or any of the owners of any land in the scheme area, adopted, with or without modifications, by the local government, approved by the Minister and published in the Gazette.”
  
- Division 3- Relevant considerations in preparation or amendment of local planning scheme  
Section 77. State planning policies, effect of on scheme  
Section 81. Referral of proposed scheme or amendment to EPA  
Section 82. Environmental review, when required etc.  
Section 83 Consultation requirements
  
- Division 4- Advertisement and approval  
Section 83A- Proposed scheme or amendment to be submitted to the Minister for approval to advertise

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

- Part 5, Division 1- Amending local planning scheme  
Standard amendment  
Cl.35 Resolution to prepare or adopt amendment to local planning scheme
- Part 5, Division 3- Advertisement of Standard Amendment

*Environmental Protection Act 1986*

- Section 48A- Authority to decide whether or not schemes to be assessed.

**Budget Implications:**

Nil.

**Communications Requirements:**

Sections 81 and 83A of the *PD Act 2005* requires that the proposed amendment be referred to be EPA and also submitted to the Minister for Planning to obtain consent to advertise the amendment. The Minister may:

- a) Approve the proposed scheme or amendment for advertising under s84;or
- b) Require the local government to modify the proposed scheme or amendment in such a manner as the Minister specifies and to resubmit the proposed scheme or amendment to the Minister;
- c) Refuse approval for the proposed scheme or amendment to be advertised.



In accordance with the requirements of S83 of the *PD Act 2005* the local government, before submitting a local planning scheme or amendment to the Minister under s87, is to consult with public authorities and public likely to be affected by the scheme amendment.

Following receiving consent to advertise, the amendment will be advertised in the local newspaper and on the Shire's website for a minimum of 42 days. Direct correspondence will be sent to service authorities, relevant government agencies and any affected landowners, seeking comment during the submission period.

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

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

**Relevant Precedents:**

The proposed amendment is the second amendment to Local Planning Scheme No 6, with the first being gazetted on 22 December 2023.

**Comment:**

The proposed amendment presents a logical expansion of the existing Collie Light Industrial Area (LIA), as contemplated by the Shire's Local Planning Strategy, to supply additional industrial for new industries to locate in Collie and subsequent employment opportunities for the local area. The Concept Plan provided with the scheme amendment responds to market feedback in providing for larger industrial lots (1ha to 2.2ha) than what is presently available in the LIA. It is important to recognise that with the influx of new industry seeking to establish in Collie, much of the current LIA is earmarked for new developments, creating a need for further land to be made available.

This proposal is consistent with the Shire's Strategic Community Plan and broader State objectives in supporting the following objectives:

- *Economic diversification to provide new opportunities for the workforce displaced by changes in the coal mining and coal fired power generation sector.*
- *An expansion of the Collie Light Industrial area through the creation of additional lots and the planning for further heavy industrial land availability.*

The amendment is consistent with the intent of the Shire's Local Planning Strategy, with this site being considered as appropriately isolated from sensitive land uses and being a logical extension of the LIA, to service the medium to long-term local industrial needs of Collie.

The amendment report has been supported by various technical appendices, addressing future lots layout, environmental assessment, engineering servicing, transport, aboriginal heritage and bushfire management which will aid in the assessment of the amendment.

The principle industrial planning issues relevant to this proposal relate to:

- site access and traffic safety on Pastone Road
- road integration with Industrial Development zoned Lots 2 and 51 opposite

- the interface of the industrial development along Patstone Road, where a 10m wide landscape buffer is proposed
- the separation of the industrial area from existing sensitive uses
- planning for bushfire
- environmental protection of existing features
- service infrastructure extension
- land being developed without connection to reticulated sewer on the basis that large 'dry' industrial lots are proposed.

All of these issues are addressed thoroughly in the Scheme Amendment report.

#### Amendment Procedure

The *Planning and Development (Local Planning Schemes) Regulations 2015*, Cl. 35 requires a resolution of the local government to adopt an amendment to a local planning scheme. This resolution is also required to specify whether, in the opinion of the local government, the amendment is a complex, standard or basic amendment and include an explanation of the reason for forming that option.

The proposed amendment is considered to be a 'standard amendment' under the Regulations for the following reasons:

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

Upon a Council resolution to initiate the amendment to the Scheme, it will be referred to the EPA for assessment under section 48A of the *Environmental Protection Act 1986*. The amendment will be referred simultaneously to the Minister and the Department of Planning, Lands and Heritage under S38A of the *PD Act 2005* for approval to advertise. The decision from the Minister will not be made until the EPA has made their determination.

The Applicant's report has indicated that they do not anticipate that the amendment will require an environmental review by the EPA, as there are no known significant environmental impacts generated by the proposed amendment.

Following advice that formal assessment by the EPA is not required and consent to advertise from the Minister is received, the amendment will be referred to relevant government authorities and stakeholders for comment and the public advertising period will commence.

Following public advertising, all submissions and any amendment proposals shall be returned to Council for further consideration. The resolution (recommendation) of Council, together with the any amended documentation and all submissions will be submitted to the Western Australian Planning Commission (WAPC) for determination and referral to the Minister.

#### Conclusion

The proposed amendment seeks to rezone a portion of Lot 2977, No. 323 Patstone Road from Rural to Light Industry. The amendment is consistent with the overarching planning framework applicable to the site and it is recommended that the amendment be initiated to progress through to referrals, advertising and assessment.

**14. OPERATIONS REPORTS**

| 14.1 Tender 01/2023 Widening and Sealing of Shoulders on Gastaldo and Mornington Roads |   |
|--|---|
| <b>Reporting Department:</b>   | Operations  |
| <b>Reporting Officer:</b>  | Scott Geere – Acting Director Operations  |
| <b>Accountable Manager:</b>  | Scott Geere – Acting Director Operations  |
| <b>Legislation</b>   | Local Government Act 1995 – Section 3.57<br>Local Government (Functions & General) Regulations 1996 |
| <b>File Number:</b>  | CMG/303   |
| <b>Appendices:</b>   | <b>Confidential</b> – Evaluation Report (circulated under separate cover)                           |
| <b>Voting Requirement</b>  | Simple/Absolute Majority  |

**Report Purpose**

For Council consideration to accept or reject Tender 01/2023 Widening and Sealing of Shoulders on Gastaldo and Mornington Roads

**Officer's Recommendation**

*That Council resolve to:*

1. *Accept the tender submission RFT 01/2023 Widening and Sealing of Shoulders on Gastaldo and Mornington Road received from Remote Civils Australia Pty Ltd as the most advantageous, for a lump sum value of \$430,782.50 excl. GST for Gastaldo Road, and a lump sum value of \$403,067.00 for Mornington Road, at a total lump sum value of \$833,849.50 excl. GST;*
2. *Authorise the Chief Executive Officer, in accordance with section 9.49A(4) of the Local Government Act 1995, to execute the contract for Tender 01/2023 Widening and Sealing of Shoulders on Gastaldo and Mornington Road; and*
3. *Authorise the Chief Executive Officer to approve contract variations that will not exceed the total approved 2023/24 budget project value, provided that the works are within the prescribed scope of the Tender.*

**Background:**

Gastaldo Road (between SLK [*'straight line kilometres'*] 0.01 to 7.63) and Mornington Road (SLK 13.32 to 20.08) have both listed as roads of regional significance in the Roads 2040 strategy and therefore eligible for funding under the Regional Road Group program.

The funding approved is two thirds Regional Road Group (\$500,000 each for Gastaldo and Mornington Road), and one third matching contribution from the Shire of Collie (\$250,000 each for Gastaldo and Mornington Road).

The Public Request for Tender (RFT) was advertised 4 December 2023 in the West Australian and the Shire of Collie’s website. It was also advertised through Tenderlink website.

Six (6) submissions were received by the closing of the tender period on the 22 December 2023, with five (5) of the six (6) submissions deemed as compliant. The six (6) submissions were received from:

- Fulton Hogan Industries Pty Ltd;
- Remote Civils Australia Pty Ltd;
- Carbone Bros Pty Ltd;
- Monarch Ventures Pty Ltd T/A Monarch Civil Ventures
- WCP Civil Pty Ltd; and
- Stabilised Pavements of Australia

**Statutory and Policy Implications:**

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

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

Shire Delegation 15 Functions Tenders (excerpt)– e. make minor variations to contract before entering into contract.

**Budget Implications:**

Project is included in the 2022/23 Budget with a funding allocation of \$750,000 for Gastaldo Road, and \$750,000 for Mornington Road. The budget included an allocation of \$647,500 for materials and contracts for each project, with the remainder of the budget for internal labour and plant allocation costs.

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

The proposal has undergone public advertising in accordance with the following policy objectives:

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

Public advertising was undertaken in a statewide publication, Shire website, and made available through the tenderlink supplier network.

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

| STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022 |       |   |
|--|-------|---|
| <b>GOAL:</b>                                     | 3     | Our Built Environment   |
| <b>Outcome:</b>                                  | 3.1   | Safe and well-maintained shire owned facilities and infrastructure                        |
| <b>Strategic Priority</b>                        | 3.1.1 | To increase the Shire’s capability to maintain and improve facilities and infrastructure. |

**Relevant Precedents:**

Contractors are regularly appointed via tender process to undertake major road works for the Shire.

**Comment:**

Overall, the quality of submissions was quite high and all capable of delivering the specified works. Tenderers downloaded the documents through *Tenderlink*.

A panel of three Shire staff individually evaluated the tenders and provided a consensus evaluation and recommendation that is most advantageous to Council and able to deliver with an amended budget and within timeframes.

Details of the evaluation are included in the attached confidential (in commercial confidence) evaluation report. The recommended contractor, *Remote Civils Australia Pty Ltd* was ranked highest based on the advertised qualitative selection criteria:

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

The expected timeframe for completion of the works is early May 2024.

Having regard for the assessment of submissions, appointment of *Remote Civils Australia Pty Ltd* will be recommended.

**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.

**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**