



Shire of
Collie

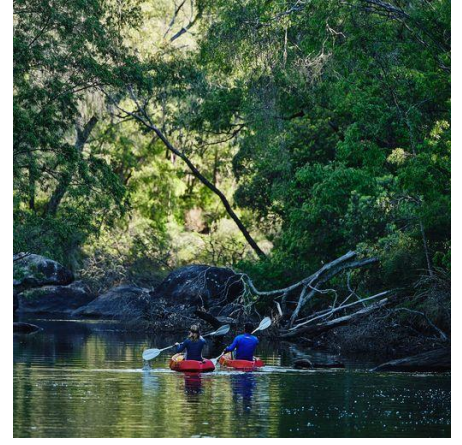
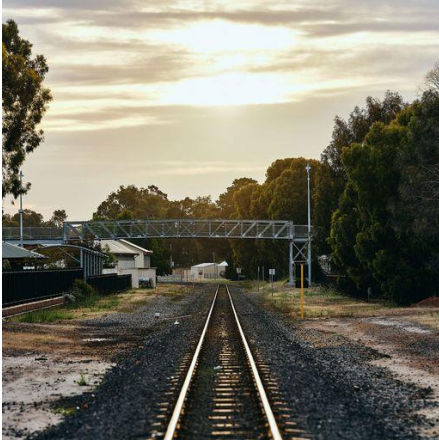
AGENDA

for the

ORDINARY MEETING OF COUNCIL

to be held on

Tuesday, 12 March 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, 12 March 2024

in Council Chambers at 87 Throssell Street, Collie WA

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

Stuart Devenish
Chief Executive Officer

7 March 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 meeting. 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 26 March 2024

Councillor Forum

6.00pm in Council Chambers



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 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, 12 March 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.

Cr Scoffern has requested a Leave of Absence for this meeting.

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

Nil.

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.

APPEAL – LOCAL PLANNING POLICY 2.5 – RESIDENTIAL DEVELOPMENT FRONTING EXISTING RIGHTS-OF-WAY (LANEWAYS)

The following appeal was received by the Shire administration on 3 January 2024. The appeal reads:

“Petition to the Shire of Collie AGAINST taking laneway”

The number of signatures counted on the appeal by the Shire administration is 164, including 163 with a declared Collie address and 1 with address not stated.

It is noted that the appeal does not satisfy all requirements of clause 5.10 of the Shire of Collie *Standing Orders Local Law 2017* and is therefore not considered a petition under the *Standing Orders Local Law*. The *Standing Local Law 2017* outlines that petitions are to:

- *Be addressed to the President;*
- *Be made by electors of the local government;*
- *State the request on each page of the petition;*
- *Contain the name, address and signature of each elector making the request, and the date each elector signed;*
- *Contain a summary of the reasons for the request; and*
- *State the name of the person whom, and an address at which, notice to the petitioners can be given.*

The appeal received is not addressed to the President, does not include the date the elector signed, does not contain reasons for the request, and does not state the name of the person whom, and an address at which, notice to the petitioners can be given. Therefore, this correspondence from the community is considered to be an appeal.

Officer's Recommendation:

That Council notes the appeal in relation to Local Planning Policy 2.5 as tabled at the Council meeting held 11 July 2023.

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 Annual Electors Meeting - 6 February 2024****Officer's Recommendation:**

That Council receives the Minutes of the Annual Electors Meeting held on 6 February 2024.

8.2 Ordinary Council Meeting – 13 February 2024**Officer's Recommendation:**

That Council confirms the Minutes of the Ordinary Meeting of Council held on 13 February 2024.

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**10.1 Audit Committee (Compliance Return) – 22 February 2024*****Committee Recommendations:***

That Council receive the minutes of the Audit Committee and consider adoption of the Annual Compliance Return.

11. CEO REPORTS

11.1 Communications Policy Review and Proposed Corporate Communication Plan 2024	
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</i>
File Number:	GOV/001
Appendices:	Appendix 11.1.A – Existing Policy – CS1.7 Communication Policy Appendix 11.1.B – Proposed Revised Policy – CS1.7 Media and Communications Policy Appendix 11.1.C – Proposed Corporate Communications Plan 2024
Voting Requirement:	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 11.1.B, superseding Policy CS1.7 as adopted on 2 October 2018; and*
2. *endorse the proposed Corporate Communications Plan 2024 as included at Appendix 11.1.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 11.1.A.

A report was presented to the Ordinary Council meeting on 13 February 2024 where Council resolved to defer the matter to allow aspects of the policy to be clarified.

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 the Shire President, 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 11.1.B and 11.1.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.

Following consideration of the matter by Council on 13 February, amendments have been made to the proposed policy to more clearly define the arrangements for the Shire President and those of the Elected Members. Similarly, the capacity and obligations of employees are more clearly set out. A new part has also been added to more fully explain the overriding duty of fidelity that applies in all circumstances.

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		
GOAL:	1	Our Community
Objective:	1.2	Community connection, engagement and participation

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.

11.2 Proposed Policy – Councillor Forum Meeting Procedures	
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</i>
File Number:	GOV/001
Appendices:	Appendix 11.2.A – Forum Procedures adopted February 2021 Appendix 11.2.B – Proposed Policy CS1.11 Councillor Forum Meeting Procedures
Voting Requirement:	Simple Majority

Report Purpose

To review the existing adopted procedures for Councillor Forums considering the changes made to the meeting frequency and public attendance, and to consider adoption of a new policy addressing arrangements.

Officer's Recommendation:

That Council resolve to adopt, pursuant to section s.7(2)(b) of the Local Government Act 1995, the proposed CS1.11 Councillor Forum Meeting Procedure Policy as included at Appendix 11.2.B, superseding the procedures endorsed by Council on 9 February 2021.

Background:

In February 2021, Council endorsed meeting procedures for Councillor Forums (as at Appendix 11.2.A). Forums were held at 6pm on the first Tuesday of each month.

On 10 October 2023, Council revised arrangements by resolving to hold a Councillor Forum every quarter that will be open to the public. Recognising the change to meeting frequency and to allow public attendance, it is necessary to amend the adopted forum meeting procedures.

Review of Procedures

Changes to the arrangements for forums as resolved by Council introduces a number of matters to be considered including:

- Public notices for forums
- Determining agenda content
- Publishing of agendas for public review
- Publishing records of meetings for public review
- Management of public questions
- Authority of the chair to manage meeting conduct
- Dealing with confidential items

In addition to these points and in view of a public audience for meetings, it would be helpful for the procedures to further explain the meeting arrangements. To this end, it is proposed to

formalise arrangements through adoption of a new policy. The proposed policy at Appendix 11.2.B provides statements that address meeting purposes, principles, conduct and administration.

The proposed policy provides guidance on how meetings would be managed by the Chair, ensuring suitable order can be maintained.

Statutory and Policy Implications:

Part 5 of the *Local Government Act 1995* sets out the framework whereby Elected Members meet as the governing body for the purpose of decision-making on behalf of the Shire. It is the intention of the Act that Council conducts business and make decisions:

- Openly and transparently;
- With a high level of accountability to their community;
- Efficiently and effectively;
- With due probity and integrity;
- Acknowledging relevant community input;
- With all available information and professional advice; and
- With the fullest possible participation of Elected Members.

The Act provides for ordinary meetings of Council, special meetings, and committee meetings. Forums are meetings that are outside the meetings prescribed by the Act. Most local governments however do convene forums which are guided by adopted procedures.

It is noted the next scheduled forum is Tuesday 26 March 2024.

Budget Implications:

Nil.

Communications Requirements: (Policy No. CS 1.7)

Public notice of Councillor Forums is addressed within the proposed amended procedures as at Appendix 11.2.B.

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:

Councillor Forum procedures were adopted by Council on 9 February 2021.

Comment:

The terms of the proposed policy will enable forums to function effectively while allowing members of the public to be suitably informed and to attend if desired. Adoption of the policy under the provisions of the Local Government Act is recommended accordingly.

12. CORPORATE SERVICES REPORTS

12.1 Accounts Paid – February 2024

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 – February 2024
Voting Requirement	Simple Majority

Report Purpose

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

Officer's Recommendation:

That Council accepts the Accounts as presented in Appendix 12.2.A being cheque 41959 totalling \$291.40 and direct payments totalling \$1,361,552.69 authorised and paid in February 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
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
November	881.65	1,788,936.83	1,789,818.48
December	726.18	1,378,214.66	1,378,940.84
January	246.25	1,077,387.18	1,077,633.43
February	291.40	1,361,552.69	1,361,844.09

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 – January 2024

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 – January 2024
Voting Requirement	Simple Majority

Report Purpose

To provide a summary of the financial position for the Shire of Collie for the month ending January 2024.

Officer's Recommendation

That Council resolve to accept the Financial Management Report for January 2024 as presented in Appendix 12.2.A.

Background:

In accordance with Council policy and the provisions of the *Local Government Act 1995*, the Financial Report and budget amendments required for the end of the period is presented to Council for information. Refer to Appendix 12.3.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

12.3 Budget Review – 2023/24

Reporting Department:	Corporate Services
Reporting Officer:	Hasreen Mandry – Finance Manager
Accountable Manager:	Nicole Wasmann – Director Corporate Services
Legislation:	<i>Local Government Act 1995</i>
File Number:	FIN/047
Appendices:	Appendix 12.3.A – Budget Review 2023/24
Voting Requirement	Absolute Majority

Report Purpose

To consider the Shire’s financial position as at 31 January 2024 for the period 1 July 2023 to 31 January 2024, in relation to the adopted budget, and projections estimated for the remainder of the financial year.

Officer’s Recommendations:

That Council adopts by absolute majority the;

- 1) *budget review for the period ending 31 January 2024 included in Appendix 12.3A; and*
- 2) *the following budget amendments to the 2023/24 adopted annual budget:*

<i>Operating revenue</i>	<i>Operating grants</i>	<i>Increase provision by</i>	<i>\$35,262</i>
<i>Operating expenditure</i>	<i>Materials and contracts</i>	<i>Increase provision by</i>	<i>\$397,500</i>
<i>Capital revenue</i>	<i>Capital grants</i>	<i>Decrease provision by</i>	<i>\$79,533</i>
<i>Capital expenditure</i>	<i>Property plant & equip</i>	<i>Increase provision by</i>	<i>\$86,000</i>
<i>Capital expenditure</i>	<i>Infrastructure</i>	<i>Decrease provision by</i>	<i>\$48,000</i>
	<i>Surplus carried forward</i>	<i>Increase provision by</i>	<i>\$419,233</i>
	<i>Transfer from Plant Reserve</i>	<i>Increase provision by</i>	<i>\$70,000</i>
	<i>Transfer to Plant Reserve</i>	<i>Increase provision by</i>	<i>\$50,000</i>
	<i>Transfer to ICT Reserve</i>	<i>Increase provision by</i>	<i>\$50,000</i>

Background:

In accordance with Regulation 33A of the *Local Government (Financial Management) Regulations 1996*, a local government is to conduct a review of the annual budget between 1 January and 31 March each year.

The budget review has been prepared to include information required by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards. The report for the period 1 July to 29 February shown in the attachment has been prepared incorporating year to date budget variations and forecasts to 30 June and is presented for council’s consideration.

A review of the status of various projects and programs was undertaken to ensure any anticipated variances were captured within the review document where possible.

The materiality variance levels, which have been reported for the budget review, are the same levels as monthly reporting, namely variance of 10% or \$10,000, whichever is greater.

The review report includes at Note 2 a summary of predicted variance by nature and type contained within the rate setting statement, including whether the variances are considered to be permanent (where a difference is likely between the current budget and the expected outcome to 30 June) or due to timing (e.g. where a project is likely to be delayed).

Statutory and Policy Implications:

Section 33A of the *Local Government (Financial Management) Regulations 1996* requires:

- (1) Between 1 January and the last day of February in each financial year a local government is to carry out a review of its annual budget for that year.
 - (2A) The review of an annual budget for a financial year must —
 - (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
 - (b) consider the local government's financial position as at the date of the review; and
 - (c) review the outcomes for the end of that financial year that are forecast in the budget; and
 - (d) include the following —
 - (i) the annual budget adopted by the local government;
 - (ii) an update of each of the estimates included in the annual budget;
 - (iii) the actual amounts of expenditure, revenue and income as at the date of the review;
 - (iv) adjacent to each item in the annual budget adopted by the local government that states an amount, the estimated end-of-year amount for the item.
 - (2) The review of an annual budget for a financial year must be submitted to the council on or before 31 March in that financial year.
 - (3) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review. *Absolute majority required.
 - (4) Within 14 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

Section 6.8(1) (b) of the *Local Government Act 1995* provides that expenditure can be incurred when not included in the annual budget provided it is authorised in advance by resolution.

Council policy CS3.13 identifies that untied surplus at the end of a financial year will be limited to transfer to a reserve, allocated to a "one-off" capital project or used to retire debt.

Budget Implications:

The budget review details the implications to the predicted financial position at Note 2.

Due to the combined value of the identified adjustments within the attached budget review, the closing position has increased from \$14,856 to \$3,518, reflected in the Statement of Financial Activity in Appendix 12.3A.

Communications Requirements: (Policy No. CS1.7)

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:

Council has considered a budget review annually. The 2022/23 budget review was adopted by Council on 11 April 2023.

Comment:

Following the finalisation of the accounts for 2022/23 and after the audit of the annual financial statements, an additional \$419,233 is recognised to the opening surplus.

Of this \$88,738 is for expenditure that was inadvertently excluded in the 2023/24 budget including:

- \$28,185 for liability recognition of swimming pool clubrooms
- \$10,553 for liability recognition of Roche Park soccer improvements
- \$50,000 for Shire contribution towards aerodrome project

Following completion of the budget review and to properly consider the impact of estimated projections at 30 June 2024, some items have been identified as requiring a budget amendment to properly account for these variances, where appropriate, and document Council approval. Variances are considered to be permanent (where a difference is likely between the current budget and the expected outcome to 30 June) or due to timing (i.e. where a project is likely to be delayed to a future financial year).

The forecast end of year surplus at 30 June 2024 is \$364,146.

Details of the required budget amendments have been included in Note 2 of Appendix 12.3A, with some notable amendments being:

1. Acquisition of second-hand compactor including purchase, transport and any required refurbishment - \$75,000

The Caterpillar track loader, which is used at the waste site for compaction of landfill material, is not currently operable. The cost to repair the track loader is estimated to be \$63,000 plus GST, however the machine is not considered practical for the use due to its limited compaction performance attributable to its relatively light weight, at 16 tonnes, and limited manoeuvrability.

An interim arrangement has been in place with a local contractor to use their loader for compaction since July 2023, however this arrangement is not suitable as a long-term solution for a number of reasons, including the statutory prescribed daily compaction regime and budget implications.

It is proposed to acquire a used landfill compactor to replace the track loader. Depending on the condition of the machine, minor refurbishment may be required. In consultation with the plant panel an amount of \$75,000, to be funded from the plant reserve, is recommended for budget purposes.

2. Planning legal fees - \$253,500

The legal representation fees for the Supreme Court case for Scenic Drive has resulted in expenditure of \$253,500 over budget. Some of these fees will be reimbursed next financial year.

3. Fencing at the Recreation Ground facing Medic Street (adjacent to the Bowling Club) - \$30,000

In 2022, the Shire replaced some of the fencing around the Recreation Group with garrison fencing. The fencing near the Bowling Club is in significant disrepair and it is proposed to replace this with, garrison fencing at a cost of \$30,000. This will be partially funded using the balance of \$9,467 of the LRCI phase 2 funding provided to the Shire.

4. Soldiers Park upgrade - \$20,000

In the current budget \$78,000 was allocated from the LRCI phase 4 funding towards stage 2 of the Soldiers Park upgrade. This is deferred to 2024/25 as the project is likely to be funded by other grant sources.

To enable the project to be undertaken in 2024/25, a detailed design will be required which is estimated to cost \$20,000. It is proposed that this is funded from general revenue surplus funds. Design costs are generally eligible under LRCI funding as part of the overall project cost, however given that this project is now likely to be funded from other sources, the guidelines that would need to be adhered to if LRCI funding is used (including project completion date of 30 June 2025) and the complexity of having multiple funding partners, it is appropriate to withdraw this project from LRCI phase 4.

The LRCI funds can be reallocated to another worthy renewal project as part of the 2024/25 budget determination.

5. Purchase of a new turf cutter - \$11,000

This piece of equipment has been hired to maintain the sporting grounds and park surfaces. The initial cost of the purchase will pay for itself over a few years by virtue of the saving in turf and in saving contractor costs by allowing works to be completed in-house.

6. Transfer to reserve -\$100,000.

To progressively increase reserve balances, a budget amendment of \$100,000 is proposed to transfer \$50,000 to the plant reserve and \$50,000 to the information and technology reserve.

Council is asked to review and adopt the budget review and consider the requested budget amendments.

12.4 Collie Men's Shed 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:	L47297
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 the Collie Men's Shed Inc. 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 Men's Shed Inc. as shown of Appendix 12.4.A;*
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 Collie Men's Shed Inc*

Background:

The Collie Men's Shed Inc. is requesting an extension to their existing lease area for storage purposes. The Group has indicated that the storage of wood inside the shed is becoming a danger to members working in the shed.

The current lease, expiring in 2025 with an option to renew for a period of five years, is located on Reserve 47297 which is managed by the Shire for municipal, tourist and community purposes. Other portions of the reserve are leased to the Collie Rail Heritage Group Inc.

The primary lease areas are bordered red below, with the sites identified as 'A', Goods Shed, and 'B', Bill Weir Rolling Stock Shed, leased to the Collie Rail Heritage Group Inc. and site 'C' leased to the Collie Men's Shed Inc. An extension to building C has taken place since this image was captured, with the building footprint now matching the lease area. The area bordered yellow is a common area on the leases of both user groups and is for the purpose of ingress and egress from the leased premises and for activities in conjunction with other user groups.



A plan with the area of the proposed leased expansion is shown at appendices 12.4.A. The area is east of the existing shed and abuts the disused railway line. The group currently has a sea container on the site. Subject to approval of the lease expansion, formal applications for approval of the sea container and construction of a shed will be made.

The Collie Rail Heritage Group currently has used railway line stored in this location which would require removal.



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 reserve, 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)

The Collie Rail Heritage Group is being consulted with regards to alternative options for relocation of the used railway material on the site.

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022		
GOAL:	1.0	Our Community
Outcome:	1.2	Community connection, engagement and participation.

Relevant Precedents:

Council has previously granted variations to lease areas most recently for the Western Riders and the Collie Cycle Club.

Comment:

The expansion of the lease area will allow for storage of wood and materials which are currently stored in the Men's Shed building restricting the area available for workshop use.

Should the lease extension be approved, development approval will be required separately for the sea container and shed.

There may be a requirement to the signing of the extension for a period of time to enable the Collie Rail Heritage Group Inc. to remove their material from the proposed lease extension area. This will be negotiated with the parties.

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

13. DEVELOPMENT SERVICES REPORTS

13.1 Local Planning Policy LPP 2.5 – Residential Development Fronting Existing Rights-of-Way (Laneways) - Consent to Adopt

Reporting Department:	Development Services
Reporting Officer:	Matt Young – Director Development Services
Accountable Manager:	Matt Young – Director Development Services
Legislation	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i>
File Number:	LUP/019
Appendices:	<p>Appendix 13.1.A – Advertised LPP 2.5 – Residential Development Fronting Existing Rights-of-Ways (Laneways)</p> <p>Appendix 13.1.B – Modified LPP 2.5 – Residential Development Fronting Existing Rights-of-Ways (Laneways)</p> <p>Appendix 13.1.C – Table of submissions</p> <p>Appendix 13.1.D – Petition</p> <p>Appendix 13.1.E – Draft Local Planning Policy FAQ</p>
Voting Requirement	Simple Majority

Report Purpose

For Council to consider a new draft Local Planning Policy LPP 2.5 – Residential Development Fronting Existing Rights-of-Way (Laneways) in replacement of the existing policy.

Officer’s Recommendation:

That Council in accordance with part 2, clause 4 of the Planning and Development (Local Planning Schemes) Regulations 2015:

1. *Note submissions received by the community in relation to advertised Local Planning Policy 2.5 – Residential Development Fronting Existing Rights-of-Way (Laneways).*
2. *Authorise officers to publish a notice of amended Local Planning Policy 2.5 – Residential Development Fronting Existing Rights-of-Way (Laneways) which has been modified in response to community consultation.*
3. *Authorise officers to publish a notice of revocation of the current Local Planning Policy 2.5 (LPP) Residential Development Fronting Laneways and Rights-of-Ways.*
4. *Authorise officers to investigate the development of a Technical Services Policy which will be used to establish the standards of construction of the laneways.*

Background:

The Shire of Collie Local Planning Scheme No. 6 has coded much of the inner, older laneway lots in Collie at a higher density to allow for infill residential development (R25-R30). These lots are all connected to deep sewer and standard utilities, many of which run along the rear laneways to these lots.

The current Local Planning Policy 2.5 (LPP) Residential Development Fronting Laneways and Rights-of-Ways has had a major review for it to reflect the current need for more infill housing which is affordable and provides a greater diversity of housing types in Collie. The existing LPP has been reviewed with an intent to encourage more development of dwellings fronting laneways.

Council at its Ordinary Meeting of 11 July 2023 (Resolution 9215) resolved to advertise LPP 2.5 – Residential Development Fronting Existing Rights-Of-Way (Laneways) (draft LPP 2.5). Detail of this resolution is as follows:

That Council in accordance with part 2, clause 4 of the Planning and Development (Local Planning Schemes) Regulations 2015):

- 1. Authorise officers to advertise for public comment, the draft Local Planning Policy Local Planning Policy 2.5 – Residential Development Fronting Existing Rights-Of-Way (Laneways) for a minimum period of 21 days;*
- 2. During the public comment period provide a public workshop to address potential community questions and reinforce the voluntary nature of the Policy;*
- 3. Subject to no written objections being received during the advertising process, proceed with the policy without modification;*
- 4. Subject to 3. above, authorise officers to publish a notice of the amended Local Planning Policy LPP 2.5 – Residential Development Fronting Existing Rights-Of-Way (Laneways); and*
- 5. Subject to 3. above, authorise officers to publish a notice of revocation of the current Local Planning Policy 2.5 – Residential Development Fronting Laneways and Rights-Of-Way.*

The reviewed draft Local Planning Policy 2.5 – Residential Development Fronting Existing Rights-Of-Way (Laneways) (draft LPP 2.5) has been advertised, and written objections have been received in relation to the Policy. The version of the draft LPP 2.5 that was advertised can be viewed at Appendix 13.1.A.

In line with the Council resolution, officers are notifying Council of the objections received toward the Local Planning Policy 2.5 – Residential Development Fronting Existing Rights-Of-Way (Laneways). A total of 130 written submissions were received in relation to the Policy. Officer comment on each of these submissions can be viewed at the Table of Submissions at Appendix 13.1.C.

Electors also created a ‘petition’ in relation to the draft Policy. The documents received do not meet the requirements of a petition as defined in the *Standing Orders Local Law 2017*, and therefore Shire officers consider these documents to be an ‘appeal’. Statutorily, there is no requirement for Council to consider this appeal. Despite this, officers recommend the Council consider this appeal a demonstration of the extensive interest from the community in relation to the draft LPP 2.5, and objection to the Policy as it is currently presented. This appeal comprises 163 signatures from residents of the Shire of Collie, and one signature with address not stated. This appeal can be viewed at Appendix 13.1.D.

Officers note that the draft Policy gained attention on social media, with many other residents or interested parties raising informal concerns about the Policy.

Officers note a majority of the submissions received appear to be based on misinterpretation of the Policy. Due to the nature of the document, officers recognise that interpreting the document as intended may be challenging due to the industry jargon used. As a result, the

draft Policy has been modified to provide more context and definitions in relation to the Policy, and to make it clearer in its application and intent.

Attached at Appendix 13.1.B is a copy of the modified LPP2.5.

No changes have been made to the outcomes or objectives of Draft LPP 2.5. The modifications to the policy provide more context in relation to why the policy exists, and some wording has been modified in order to improve clarity of the document.

Statutory and Policy Implications:

The preparation and adoption of adopt a Local Planning Policy is made in accordance with the *Planning and Development (Local Planning Scheme) Regulations 2015* (the Regulations).

Under Schedule 2, Part 2 of the Deemed Provisions of the Regulations, the Shire must have regard to a local planning policy in determining a development application.

As LPP 2.5 – Residential Development Fronting Laneways and Rights-of-Way currently exists this will need to be revoked via a public notice in accordance with clause 87 of the Regulations.

Budget Implications:

Associated advertising and public advertising costs.

The expected cost of the upgrades to the laneways (pavement and drainage) will be required to be budgeted for by Council internally, or grant funded, and a new Technical Services policy will need to be developed to establish the standards to achieve for the laneways. For Council to be able to adequately budget, the policy will need to establish an expected per metre cost for upgrades to laneways. There are several examples of these policies and estimated costs across other Local Governments. Upgrades to Shire infrastructure, such as laneways, are addressed through internal departmental policies and in budget setting.

As infill residential development in Collie progresses it is acknowledged that the residential ratepayer base will increase, and the budget business case to upgrade the laneways will increase.

Communications Requirements: (Policy No. CS 1.7)

The draft policy has undergone public advertising in accordance with Clause 4 of the Regulations for a minimum period of 21 days. The draft policy was advertised from 23 November 2023 to 3 January 2024, a period of 41 days.

The advertising of draft LPP 2.5 satisfied the following objectives of Council Policy CS 1.7:

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

A public workshop was held 28 November to provide members of the public to speak with Shire officers in relation to the proposed policy. No members of the public attended this session in relation to draft LPP 2.5.

Through the advertising period, a total of 130 written submissions were received. Full table of submissions can be viewed at Appendix 13.1.3. Most submissions were made due to

misinterpretation of draft LPP 2.5. To clarify the common questions raised, the Shire released a 'Frequently Asked Questions' information sheet after the submission period had closed. The purpose of this document was to clarify the concerns raised by the community. This document can be viewed at Appendix 13.1.E.

In recognising the volume of misinterpretation that occurred throughout the advertising period, draft LPP 2.5 has been modified accordingly in order to improve clarity of the document.

Electors also created a 'petition' in relation to the draft Policy. The documents received do not meet the requirements of a petition as defined in the *Standing Orders Local Law 2017*, and therefore Shire officers consider these documents to be an 'appeal'. Statutorily, there is no requirement for Council to consider this appeal. Despite this, officers recommend the Council consider this appeal a demonstration of the extensive interest from the community on the matter, and objection to the Policy as it was presented. This appeal comprises 163 signatures from residents of the Shire of Collie, and one signature with address not stated.

A copy of this appeal can be found at Appendix 13.1.D.

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022		
GOAL:	3	Our Built Environment
Objective:	3.1	Sound land planning and building strategies and schemes

Relevant Precedents:

Nil.

Comment:

Draft LPP 2.5 will:

- Facilitate residential laneway development as a means to achieve affordable infill residential development and housing diversity;
- Enable the subdivision of lots, development of grouped dwellings or ancillary accommodation, where sole access to the lot or dwelling is from the existing laneway;
- Improve the use, amenity, character and security of existing lane ways;
- Support the use of laneways as a means of access to new residential developments;
- Ensure laneways provide safe vehicular and pedestrian access to dwellings that front a laneway.

The revised draft LPP 2.5 has been updated to reflect the current and projected future need for additional housing in Collie. Since the consultation period has closed, the wording of draft LPP 2.5 has been updated in order to make the document clearer in its strategic context and outcomes.

The revised policy still requires landowners developing (a new dwelling facing onto a laneway) their land to cede a portion of their land adjoining the laneway to the Shire free of charge. This is to ensure ultimately that a minimum two-way laneway width of 6m can be achieved when only landowners on one side of a laneway develop a dwelling that fronts a laneway. If landowners on both sides of the laneway develop dwellings that front the laneway the final minimum width of the laneway will be 7m. The formula for this is included in the policy and in

most instances the landowner will only have to cede 1m of their property that fronts the laneway.

It is noted that whilst a 1m is required to be given up to widen the laneway, the actual land requirement of an alternative battleaxe driveway would be around 6-times that of a 1m widening.

The 1m ceding outlined in draft LPP 2.5 represents a reduction in the amount of land required to be ceded as a result of subdivision or development of land fronting laneways. The current LPP 2.5 requires 1.5m of land to be ceded at time of subdivision or development for lots fronting laneways. This width was considered to be excessive compared to the need in the area, and therefore the draft LPP 2.5 reduces this requirement accordingly.

It is acknowledged that the implementation of the laneway widening, as new infill residential development is developed, will result in laneways having varying widths, however this is inevitable unless the Shire compulsory acquires this all at one time (which would be cost prohibitive for Collie, and would inhibit the Shire's relationship with the community).

Similarly, it is acknowledged that early beneficiaries of residential infill will live along laneways that may not have been upgraded.

The revised LPP 2.5 does not list all the development requirements of the *State Planning Policy 7.3 - Residential Design Codes (R Codes)*. The policy only lists those requirements that are additional to or a modification to those contained within *the R Codes*.

The revised LPP 2.5 is a tool that can be used to help address a shortage of affordable infill housing now and into the future.

Considering the breadth of submissions received throughout the advertising period, the draft Laneways Planning Policy has been modified to clarify some of the key points which were misinterpreted throughout the advertising period. Officers recommend that Council consider these modifications, and endorse the draft policy at Appendix 13.1.B which provides improved clarity for the community and a measured approach to development of land along laneways, in order to ensure Collie is able to continue meeting the housing needs of current and future residents.

13.2 Amended Application for Development Approval - Renewable Energy Facility - Lot 2977 (No. 323) Patstone Road, Collie

Reporting Department:	Development Services
Reporting Officer:	Isabel Fry – Manager Planning and Development
Accountable Manager:	Matt Young – Director Development Services
Legislation	<i>Planning and Development Act 2005</i>
File Number:	A3917
Appendices:	13.2.A Development Application Report 13.2.B Summary of Submissions
Voting Requirement	Simple Majority

Report Purpose

For Council to consider an application to amend a development approval granted by the Joint Development Assessment Panel, for a Renewable Energy Facility at Lot 2977, No. 323 Patstone Road, Collie.

Officer's Recommendation:

That Council resolve to approve the application to amend the development approval granted by the Joint Development Assessment Panel, for a renewable energy facility at Lot 2977, No. 323 Patstone Road, Collie, subject to the following conditions and advice notes:

1. *This decision constitutes an approval to amend an already granted development approval so as to extend the period within which any development approved must be sustainably commenced and is valid for a period of two years from 12 March 2024. If the subject development is not substantially commenced within this additional two-year period, the approval shall lapse and be of no further effect.*
2. *All other conditions and requirements detailed on the previous amended approval dated 28 May 2019 shall remain, but apply to this amended application.*
3. *All works required to satisfy a condition of this approval are required to be installed/constructed and maintained in accordance with the approved plans and conditions of approval for the life of the development.*
4. *The proposed access way(s) being constructed and drained at the landowner/applicant's cost to the specifications of the Shire of Collie.*
5. *Prior to the commencement of the approved use, the access way(s), car parking and turning area(s) shall be constructed in accordance with the development approval and thereafter maintained to the satisfaction of the Shire of Collie.*
6. *Prior to the commencement of any works, a landscaping plan must be submitted and approved by the Shire of Collie. The landscaping plan is to be prepared and submitted in conjunction with the Bushfire Risk Management Plan.*
7. *Before the development is operational, the landscaped area(s), as identified in the landscape plan, must be planted, established and thereafter maintained to the satisfaction of the Shire of Collie.*
8. *Before the development is operational, the proponent shall provide screening of the*

- development (solar panels, shipping containers and associated infrastructure) from Harris River Road and the northern boundary of the site, to the satisfaction of the Shire of Collie and include a vegetated earth bund along the frontage to Harris River Road of adequate height to provide additional screening to residents' opposite.
9. *Prior to the commencement of any works on site the applicant shall submit to the Shire of Collie a Stormwater and Drainage Management Plan for approval and implemented to the satisfaction of the Shire of Collie.*
 10. *Goods or materials must not be permanently stored within the parking or landscaping area, or within access driveways.*
 11. *External lighting must be designed, baffled and located so as to prevent any adverse effect on adjoining land to the satisfaction of the Shire of Collie.*
 12. *Prior to the commencement of any works a Transport Statement shall be prepared and submitted for approval to the Shire of Collie setting out in detail the management commitments applicable to traffic relevant to all installations, activities and processes. The Transport Statement is to detail measures that would be implemented to minimise traffic safety issues and disruption to local users of the transport route/s during construction and operation.*
 13. *Prior to the commencement of any works the proponent shall prepare and implement a Site Management Plan including for the construction period, to the satisfaction of the Shire of Collie, that;*
 - a. *minimises the impact of the approved development on the amenity of the locality due to the transportation of materials to and from the site;*
 - b. *ensures the use of buildings, works and materials on the site do not generate unreasonable levels of noise, vibration, dust, drainage, wastewater, waste products or reflected light;*
 - c. *details the management applicable to construction traffic movement, occupational health and safety, signage, dust management and environmental management in relation to the approved development;*
 - d. *manages weed and pest nuisances on the site and in the locality;*
 - e. *incorporates the suggested management measures from the Environmental Assessment Report.*
 - f. *minimise the off-site visual impacts of the development, including the potential for any glare or reflection from the solar panels; and*
 - g. *ensure the visual appearance of all ancillary infrastructure (including paint colours, specifications and screening) blends in as far as possible with the surrounding landscape.*
 14. *Before the development commences, a crossover permit must be obtained from the Shire of Collie. Construction and maintenance of the crossover shall be in accordance with the crossover permit.*
 15. *Before the development is occupied, any alterations, relocation or damage of existing infrastructure within the road reserve must be completed and reinstated to the specification and satisfaction of the Shire of Collie.*
 16. *Prior to the commencement of any works the applicant shall prepare and submit for approval an amended Bushfire Risk Management Plan to the satisfaction of the Shire of Collie to address advice from the Department of Fire and Emergency Services.*

17. *All construction infrastructure is to be removed once the facility has been completed to the satisfaction of the Shire of Collie.*
18. *All activities associated with the construction, establishment or installation of the development shall take place between the hours of 7:00am and 5:00pm unless otherwise approved in writing by the Shire of Collie.*
19. *All solar panels and ancillary infrastructure must be decommissioned and removed within two years of the cessation of operations, unless the Shire of Collie agrees otherwise. In conjunction with the decommissioning of the development, the Applicant shall rehabilitate the site to the satisfaction of the Shire of Collie.*

Advice:

- a) *The clearing of native vegetation in Western Australia requires a Clearing Permit under the Environmental Protection Act 1986 unless the clearing is for an exempt purpose. Proponents are advised to contact the Department of Environment Regulation on (08) 9725 4300 for further advice in this regard. It should also be noted that the clearing of native vegetation within the Shire of Collie may result in impacts upon the Country Areas Water Supply Act 1947 and an additional permit from the Department of Water may be required. The Department of Water can be contacted on (08) 6364 7600 for further advice in this regard.*
- b) *The Shire of Collie advises that this planning approval does not remove or affect any statutory responsibility the owner may have in notifying the relevant Federal Government public authority(s) of the proposal under the Commonwealth of Australia Environment Protection and Biodiversity Conservation Act 1999 as amended. Further information can be obtained from the Department of Sustainability, Environment, Water, Population and Communities on (02) 6274 1111 or at www.deh.gov.au.*
- c) *Please be advised that under the Rights in Water and Irrigation Act 1914 you may be required to apply for a 'Licence to Take Water'. For more information on the Department of Water's requirements please visit www.water.wa.gov.au and search for Water Licensing or contact the Licence enquiry hotline on 1800 508 885.*
- d) *Where a new crossover is proposed, and before construction of it can commence, a separate verge crossover application must be submitted and approved. A permit application form can be obtained on the Shire's website www.collie.wa.gov.au or by calling (08) 9734 9000 for further advice.*
- e) *It is the applicant's responsibility to ensure all required approvals are obtained prior to the works commencing. Works such as de-watering, native vegetation clearing or working near existing infrastructure may require separate approvals from relevant private or government agencies.*
- f) *The developer / landowner is advised of their obligations to ensure that all sand drift, waste, building materials and equipment is contained within the boundaries of the site during the construction period.*
- g) *This development approval does not include approval of Advertising Devices. Please lodge a separate Development Application for the assessment of Advertising Devices in accordance with the Shire's Local Planning Policy: Advertisements and Signage.*
- h) *The Shire of Collie advises that the development the subject of this planning approval must comply with the Environmental Protection Act 1986 and the Environmental Protection (Noise) Regulations 1997 in relation to noise emissions. Further information can be obtained from the Shire of Collie's Environmental Health Services on (08) 9792 7100 or (08) 9792 7000.*

This is planning approval only and a building permit for temporary and permanent structures must be obtained for this development prior to construction commencing.

Background:

The application is to amend the existing Development Approval to construct a 20 megawatt photovoltaic solar facility on Lot 2977 (323) Patstone Road, Collie and has been lodged by Taylor Burrell Barnett on behalf of DComm Energy and Industrial Hub Pty Ltd (refer Appendix 13.2.A). The following amendments are proposed as part of the application:

1. Adjusting the siting and layout of the solar facility, including the relocation of the western array of solar panels to the northern portion of the site; and
2. Seeking an extension to the approval timeframe by two years, with the development to be substantially commenced by 24 April 2026.

The relocation of the western array of panels allows for the western portion of the site to remain available for future development options, enabling the more efficient use of the land while ensuring the protection of environmental features on site. Council resolved at its Ordinary Meeting of Council held 13 February 2024, to initiate an amendment to the Local Planning Scheme No.6 (LPS6), to allow future industrial development of the western portion of the lot, through a rezoning of portion of the site to Light Industry.

The extension of time has been requested due to the property transferring to DComm Energy and Industrial Hub Pty Ltd and additional time being required to coordinate required technical studies and investigations to guide future development of the site. It is anticipated that the two year extension will provide adequate time for detailed design to be progressed and the necessary approvals and condition clearance to be obtained to substantially commence on the site.

Pursuant to Section 17A of the *Planning and Development (Development Assessment Panels) Regulations 2011*, an owner of land where an approval has been granted by the DAP may apply to the responsible authority to amend or cancel the development approval. The owner of the land has elected to have this application determined by the Shire, as the responsible authority, and not the DAP.

Application Summary:

Item	Details
Vehicle Access	Via two crossovers from Harris River Road
Operator	TBA
Type of System and Facility	<ul style="list-style-type: none"> • Photovoltaic solar facility with fixed modules. • Balance of system infrastructure- inverters/ transformers sets, control cabinet, controls and communications. • Contingency for 10 x 12.2m shipping containers, to house batteries. • Connecting infrastructure to Western Power 22kW feeder line. • Internal access tracks and 1.8m high perimeter fencing (chain-link, 3- line bard)
System Size (power generation)	20MW
Solar Panels and Inverters	69,000 photovoltaic modules and 5 inverters.
Dimensions of PV modules	W: 992mm x H: 1,650mm (overall height 1.1m above ground level) x D: 40mm
Dimensions of inverter sets	W: 13.664m x H: 2.514m x D: 2.188m
Grid Connection	22kv Medium Voltage Distribution Lines adjacent east of the Development Area (existing Western Power substation in Collie).
Estimated period of construction	6-12 months
Expected lifespan of facility	25 years

Fixed Tilt Panels:

The panels are proposed to be on a fixed-tilt system. This means that the panels are installed in a set position at optimal alignment to the sun. These systems do not rotate to track the movements in the sun, so there will be no movement or motor noise required. This system also allows for the panels to be more compact and closely positioned, as well as being able to be set lower to the ground and be less visible from the surrounding area.

Site Works:

Site works will be managed through an approved site management plan, to the satisfaction of the Shire. Delivery of materials to the site will be managed to minimise construction traffic where possible. It is anticipated that the construction programme will be undertaken over 6-12 months and would average 90-100 truck deliveries over that period. The construction of the modules would not require a significant construction workforce, ie. 40-80 personnel maximum at any one time.

Initial earthworks will be required to reduce the overall slope of the development area. It is anticipated that there will be a maximum cut/fill of 1.5-2.0m. These works will have no impact on the creek running through the site.

Servicing/ Operation:

Control and monitoring of the site will be remotely from Perth. Three operational staff are anticipated to be on the site for an average of 5 hours per week. It is expected that personnel will visit the site on a bi-weekly basis to conduct cleaning, maintenance, fire management and vegetation control. Major maintenance will be required periodically to replace modules, inverter equipment and other components. Due to the intermittent attendance of personnel on site, there is no site office, toilets, waste management or effluent disposal proposed. Public toilets are available at a number of locations within the Collie townsite which can be used by personnel.

Traffic and Access:

There is an existing crossover from Patstone Road which services the existing dwelling on the site. This crossover is not an appropriate access point for construction and operation vehicles, meaning additional access from Harris River Road is proposed. Access to the facility will be via two crossovers, which will provide access to the two banks of panels on the northern and southern sides of the overland pipeline, with 4m wide gravel, limestone or similar tracks that will run alongside the overland pipeline and provide access to the pipeline crossing point.

Landscaping:

The proposal has considered visual amenity in its design, through utilising and proposing vegetated buffers as landscaping treatments to address screening requirements and amenity considerations. Vegetation screening has been proposed across the northern and eastern boundaries of the site, in conjunction with existing native vegetation. This is intended to screen the facility from adjoining and surrounding lots.

The previously approved Landscape Management Plan (2018) proposed a vegetated screening bund to be constructed along Harris River Road, near the intersection of Hull Road to screen the facility from the adjacent property. The bund is 50m in length, 2.5m in height with a slope of no greater than 1:2, resulting in a bund width at the base of 10m. This bund will be planted with a mix of plant species at a range of established plant heights to create suitable screening once established.

Local Planning Scheme No.6:

Item	Details
Zoning	Rural
Land use Definition	<p>Renewable Energy Facility: means premises, buildings or structures used to generate energy from a renewable energy source. It does not include solar panels or a wind turbine principally used to supply energy for an individual lot's private domestic or rural supply.</p> <p>This land use was introduced with the gazettal of LPS6, no longer requiring that the proposal be considered as a Use Not Listed.</p>
Land use permissibility	'A'- means that the use is not permitted unless the local government has exercised its discretion by granting development approval after advertising the application in accordance with clause 64 of the deemed provisions.

Previous Approvals:

1. 24 April 2018 - Development Approval via the Southern Joint Development Assessment Panel for a Use Not Listed (Photovoltaic Solar Facility), subject to conditions and valid for a period of 2 years.
2. 28 May 2019 - Amended Development Approval via the Shire, containing minor amendments to the approval including a revised staging plan, relocation of inverters and battery containers, modified spacing between array blocks, inclusion of a 2.5m high screening bund and the introduction of drainage swales to control water runoff.
3. Clause 78H State of Emergency - Automatic extension of time granted in response to Covid-19 pandemic. Declaration ended 4 November 2022.
4. 7 April 2022 - Request for further extension to the approval timeframe granted by the Shire, for substantial commencement to occur by 24 April 2024.

Site Characteristics:

The site gently slopes from the west and the east towards a minor creek line that runs in a north-east to south-west direction through the centre of the site. The creek line is not intended to be impacted by the development and will be retained. There are small pockets of native vegetation on the eastern and southern edges, as well as isolated mature trees spread across the site. The property is currently cleared for agricultural or rural pursuits. As part of the proposal, a number of trees will need to be removed to allow for earthworks and panels to be installed and to remove any overshadowing of the panels.

There are remnant trees within the verge on the Patstone Road frontage provide visual relief and partial screening of the site for users of Patstone Road. Remnant vegetation also partially screens Harris River Road, except for where the road curves and the site is visible from the road and nearby properties. The proposal includes providing screening through vegetation and bunding along the northern and eastern boundaries to provide additional screening to adjoining properties.

The site is dissected by an overland pipeline from the north-western corner through to the east and there is a crossing point approximately mid-way through the site. Access to the pipeline via the existing easement will be maintained. The existing power lines, including a 66kV line aligned from Collins Street within the LIA are located within the site, heading in a north east direction. A 22kV power line will provide a connection to the proposed facility.

The subject site is surrounded by rural/ rural residential, future industrial and the existing light industrial area. The rural/rural residential lots primarily consist of single residential buildings, outbuilding and remnant vegetation or rural pursuits. The land to the south is being progressively developed for industrial purposes.

Locational Considerations/ Site Selection:

As was identified in the original application, the location of the subject site is strategically important for the following reasons:

- An existing Western Power substation is located 1-1.5km to the south of the subject site near the intersection of Patstone Road and Rowlands Road. This substation has connections to the local 22kV Medium Voltage Distribution and the 66kV High Voltage Transmission Lines that run in a north and south-west alignment.
- The subject site is being investigated for connection to the South-West Interconnected System.
- The subject site has been historically cleared for agricultural or rural purposes and is

gently undulating which, with on-site earthworks, would be capable of accommodating solar equipment.

- The site has convenient access to Harris River Road which will be suitable for the delivery of materials during the construction period and by staff once operational.
- The alignment of the solar facility has been considered in the context of the Shire's Local Planning Strategy's identification of the subject site and surrounds as future industrial within Development Investigation Area 'Industrial 1'. By positioning the facility within the northern and eastern portions of the site, whilst avoiding existing environmental features, the remaining western portion of the site can accommodate future industrial development in accordance with the intended land use outcome under the Strategy. The facility therefore does not impede the expansion of the existing industrial area to the south of the site.

Statutory and Policy Implications:Legislation

- *Planning and Development Act 2005 (P&D Act);*
- *Planning and Development (Local Planning Schemes) Regulations 2015 (LPS Regulations);*
- *Planning and Development (Development Assessment Panels) Regulations 2011 (DAP Regulations);*
- *Shire of Collie Local Planning Scheme No.6 (LPS6)*

State Government Policies

- Position Statement - Renewable Energy Facilities (DPLH, 2020)
- State Planning Policy No. 2.0 Environment and Natural Resources Policy (WAPC, 2003)
- State Planning Policy No. 2.5 Rural Planning (WAPC, 2016)
- State Planning Policy No. 3.7 Planning in Bushfire Prone Areas (WAPC, 2015)
- Guidance Statement 33 Environmental Guidance for Planning and Development (EPA, 2008)
- Bunbury Geographe Sub-regional Strategy (DPLH, 2022)
- Collie's Just Transition Plan

Local Policies

- Shire of Collie Local Planning Strategy (2020)
- Shire of Collie Strategic Community Plan (2022)
- Shire of Collie Local Planning Policy 1.1 Stormwater Discharge from Building Sites (2017)
- Shire of Collie Local Planning Policy 2.9 Shipping Containers

Budget Implications:

Nil.

Communications Requirements:

The application was advertised to adjoining and nearby property owners by mail and to the wider public via the Shire's website and Facebook and the local newspaper from 15 January to 15 February. A total of 6 submissions were received, 2 expressed concerns, 2 objected and 2 expressed support for the proposal.

The application was referred to two agencies, being the Department of Fire and Emergency Services (DFES) and the Department of Water and Environmental Regulation (DWER).

The summary of submissions received can be found at Appendix 13.2.B.

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022		
GOAL:	2	Our Economy
Objective:	2.1	Economic Development
GOAL:	3	Our Built Environment
Objective:	3.2	Sound land planning and building strategies and schemes

Relevant Precedents:

See previous approvals in background section.

Comment:

The key consideration for this application is that the proposal is an amendment to an existing approval, proposing changes to the site layout and an extension of time to construct. It has already been determined (when the proposal was originally considered by the Joint Development Assessment Panel), that this is an appropriate use on this land and is consistent with the objectives of the Rural zone. The key driver behind the relocation of one bank of modules has been to allow for an extension to the Light Industrial Area, which Council resolved to initiate a Scheme Amendment to achieve at its meeting on 13 February 2024.

In the time since the original approval, there have been some changes to State and Local Strategy, as well as the implementation of Collie's Just Transition Plan. Commentary surrounding the proposal and the objectives of these frameworks are provided below.

Planning Framework:

State Planning Framework	Comment
State Planning Strategy (2050)	This Strategy encourages and promotes the adoption of renewable energy generation and technology. The proposed facility is consistent in meeting the objective of assisting with improving the State's electricity network.
Energy Transformation Strategy	This Strategy sets objectives and actions to deliver affordable, efficient and reliable electricity within WA. The objectives under the strategy are to: <ol style="list-style-type: none"> 1. maintain a secure and reliable electrical supply; 2. ensure affordable electricity for households and businesses; 3. reduce energy sector emissions; 4. transition affected workers in the Collie region; 5. promote local jobs and growth. The proposal directly addresses these objectives.
State Planning Policy 2.0 Environment and Natural Resources (SPP2.0)	SPP2.0 defines the principles that represent good and responsible planning in terms of environment and natural

	<p>resource issues. SPP2.0 identifies the need to reduce the reliance on energy produced from non-renewable sources.</p> <p>The subject site is predominantly cleared and the facility has been designed to be compact to minimise the require footprint and impacts. Mature trees on the borders and in pockets across the site have been retained and utilised for screening.</p> <p>The proposal will increase renewable energy production within the Shire and the State and will assist in reducing the reliance on non-renewables.</p>
<p>State Planning Policy 2.5 Rural Planning (SPP2.5)</p>	<p>SPP2.5 provides guidance on the development, protection and preservation of rural land.</p> <p>It is important to note that although the land is zoned Rural at present, the Shire’s Local Planning Strategy identifies this land as an investigation area for future industry and an amendment to the Scheme has been initiation to reflect this.</p> <p>Regardless, the original approval determined that the development of this land for the purpose of a solar farm would not impact on the use of the balance of the land, or surrounding land for rural purposes and was not impacting on priority agricultural land required for primary production.</p>
<p>State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP3.7)</p>	<p>SPP3.7 guides the implementation of effective risk-based land use planning and development to preserve life and reduce the impact of bushfire on property and infrastructure. As a portion of the subject site and surrounding area is identified as bushfire prone, SPP3.7 applies.</p> <p>The proposed solar farm is considered ‘High Risk’ land use with regard to the onsite storage of combustible materials and/or flammable hazardous materials. The Applicant provided a Bushfire Risk Management Plan (BRMP) to support the application. The Shire also requested that additional information, addressing the <i>Design Guidelines and Model Requirements for Renewable Energy Facilities v3</i> be provided and integrated into the management of the site.</p> <p>DFES provided comments on the proposal, as contained in Appendix 13.2.B, with officer comments.</p> <p>DFES has requested amendments to the BRMP, as well as asking for relocation of the infrastructure to be considered. The Applicant and Officers have discussed DFES requests and are of the view that the amendments to the BRMP are not insurmountable and do not impact on the proposal and can therefore be dealt with through conditions. This is with the</p>

	<p>exception of relocating the infrastructure to ensure all development is outside the BAL 40 and BAL FZ area.</p> <p>Officers have reviewed this request and recommend that DFES advice not be implemented in this instance, due to the impacts that relocation will have on the future industrial expansion and the natural environment in the area.</p>									
Local Planning Framework	Comment									
Shire of Collie Local Planning Strategy (2020)	The Local Planning Strategy identifies the subject land as Development Investigation Area Industrial 1. This proposal will assist in better facilitating expansion of the existing Light Industrial Area, while also allowing for the solar farm to be developed on the site. The Strategy also encourages renewable energy, in particular solar, in the Shire.									
Local Planning Scheme No.6	<p>The subject site is currently Rural zoned and the south-west corner is covered by Special Control Area 3 for the Coal Basin (SCA). The introduction of LPS6 since the original approval has made allowance for the Renewable Energy Facility land use in the Rural zone, as an 'A' use, making it discretionary where advertising has occurred.</p> <p>As was determined as part of the original approval, the proposal remains consistent with the objectives of the Rural zone.</p> <p>Front and side setbacks for the proposed amended locations are as follows, the setback to Patstone Road also well exceeds the minimum requirements of LPS6 making all setbacks compliant:</p> <table border="1" data-bbox="566 1294 1393 1467"> <thead> <tr> <th></th> <th>LPS6</th> <th>Proposed</th> </tr> </thead> <tbody> <tr> <td>Front (Harris River Road)</td> <td>30m</td> <td>43m</td> </tr> <tr> <td>Sides</td> <td>15m</td> <td>17m (north), >30m (south)</td> </tr> </tbody> </table>		LPS6	Proposed	Front (Harris River Road)	30m	43m	Sides	15m	17m (north), >30m (south)
	LPS6	Proposed								
Front (Harris River Road)	30m	43m								
Sides	15m	17m (north), >30m (south)								
Local Planning Policy LPP1.1 (Stormwater)	The original approval required a Stormwater Management Plan which was prepared and approved by the Shire. It is recommended the condition be maintained on this approval and an updated plan to reflect the amended layout be prepared. DWER has indicated they are satisfied with this being conditional and to the satisfaction of the Shire, as detailed in their referral response.									
Local Planning Policy 2.9 (Shipping Containers)	The proposal includes provision for 10 x 12.2m shipping containers for the purpose of holding batteries in the future. The Shire's policy for shipping containers on Rural land require that they are not located in building setbacks and are screened and not readily visible from the street, which can be complied with.									

	<p>The policy stipulated that there is to be a maximum of 2 containers per lot, which the proposal does not comply with. Consideration should be given to the use of these containers, in that they are not proposed to be used for general 'storage' as an outbuilding ordinarily would be, they are instead proposed to contain plant and infrastructure that will support the services offered by the solar farm.</p>
Other Considerations	Comment
Visual Analysis	<p>It is noted that the original application was accompanied by a visual analysis which involved observing the site from Patstone Road, Harris River Road, the LIA and on-site, this has been provided in the development application report. The outcome of this assessment was a vegetated screening bund on the eastern side of the site. With the relocation of the panels, screening has now also been proposed with consideration to the property to the north of the site.</p>
Reflection and Glare	<p>The purpose of photovoltaic cells is to absorb sunlight. The glass covering is selected for its low reflectance to increase efficiency and reduce glare. The rippled surface also means that the glare and reflection is diffused where it occurs.</p>
Noise	<p>Construction:</p> <p>The noise associated with construction will consist of vehicles for delivery of materials and workers and site works, as well as minor general construction noise during installation.</p> <p>Operation:</p> <p>Once operational, it is expected that day- time noise will consist of low constant noise from the inverters, which have been subject to acoustic assessment by the manufacturer. The noise from the inverters during the day would be below rural background levels and that of a quiet bedroom at night.</p> <p>During the night, the facility is not expected to produce any noise as the inverters will be in stand-by mode.</p>
Aboriginal Heritage	<p>The subject site does not contain any listed aboriginal heritage site, however there are sites of significance in the immediate vicinity. An Ethnographic Aboriginal Heritage report has been prepared for the site. A site visit with GKB Aboriginal Corporation confirmed that the Old Aboriginal Reserve did not extend into the subject site and there are no other sites of significance. It was requested that due to the importance of the creek line to the aboriginal people, this should not be disturbed. It is proposed that the creek line be retained.</p>

Advertising

The amended application was advertised to the owners of the same parcel of land as the previous application, noting that the landowners themselves for some of these lots has since changed. The application was also advertised to the broader public via the Shire's website, social media and the local newspaper. The amended application was also referred to the Department of Fire and Emergency Services (DFES) and the Department of Water and

Environmental Regulation (DWER). All submissions received during the advertising and referral periods have been summarised in full in Appendix 13.2.B, however the key issues raised have been addressed below.

Issue Raised	Applicant Assessment/ Comment	Officer Assessment/ Comment
<p>Visual Amenity Impacts</p>	<p>The key areas of concern for visual impacts are for users of Harris River Road and adjoining and adjacent landowners.</p> <p>The panels will be 43m from the property boundary to Harris River Road.</p> <p>Solar panels are designed to absorb (not reflect) light from the sun to produce power. The proposed solar panels contain a glass covering the cells, which has been chosen for its low reflectance and efficient energy absorption.</p> <p>Furthermore, the glass is rippled on its surface, removing reflectivity and glare resultant of the sunlight being diffused. This results in the panels appearing as a dark grey colouring, with comparable reflectance of a grassy field.</p> <p>The development proposes a vegetated screening buffer along the northern property boundary (interface with 211 Harris River Road) to further reduce the visual impact of the development.</p> <p>The entrance to the site, situated near the bend in Harris River Road will include a vegetated earth screening bund, appropriately mitigating views from the road and/or neighbouring properties (in particular, views from 150 Harris River Road). This was specifically required as a condition of the original development approval received from the JDAP in 2018, to ameliorate concerns of nearby residents at the time. The</p>	<p>Noting that the location of the panels on the south of the site is consistent with what is already approved, the Shire has already determined that the visual impacts of panels in this location can be adequately managed through screening. Mitigation through screening has been proposed on the northern boundary of the site to address the amended location of the second bank of panels. Detailed design for this screening can be worked through as a condition of approval to ensure the panels are adequately screened from the adjoining lot.</p>

	remainder of the Harris River Road frontage is largely screened by dense mature trees.	
Environmental Impacts	<p>Installation of the solar farm modules will involve minor earthworks, drilling or driving short piles into the ground. Earthworks and piles of the nature proposed are unlikely to affect or alter the current hydrology, and the land is not known to readily flood. A stormwater management plan will be prepared to ensure drainage is appropriately managed on-site, and will involve a number of swales being introduced to control water run-off.</p> <p>The site is already predominantly cleared for agricultural/rural pursuits, however, during the construction and installation of the facility will necessitate the removal of some sparse trees in the northern portion of the site, which will be subject to a vegetation clearing permit.</p> <p>An Environmental Assessment forms part of this application, and has informed the siting and design of the solar cells in order to maintain the majority of native vegetation within the site, and protect the existing creek line.</p>	<p>Site run-off can be appropriately managed through a stormwater management plan, as was agreed through the original approval. The design has been configured to minimise clearing of native vegetation on the site and this is intended to be maintained in perpetuity.</p>
Construction Impacts	<p>Site works are to be managed in accordance with an approved site management plan, to the satisfaction of the Shire. The proponent will minimise construction traffic where possible.</p> <p>To note, once the solar panels are installed, the facility will be controlled remotely from Perth, with staff visiting the site at most bi-weekly to conduct cleaning, maintenance, fire management and vegetation control.</p>	<p>It has already been determined through the original approval that the site can be managed through construction to reduce off-site impacts, through the implementation of a site management plan.</p> <p>It is agreed that once operational, visitation and impacts to the site and surrounding area will be minimal.</p>

<p>Property Values/ Future Development</p>	<p>Impact on property values is not a relevant planning consideration.</p> <p>The Shire's Local Planning Strategy identifies the site and surrounding area as suitable for future light industrial purposes, subject to future scheme amendment/s. The solar facility represents a low-impact use that will provide an appropriate transition between future industrial uses to the west, and existing rural/residential properties to the north and east. In addition, the Strategy supports opportunities for renewable energy development within the local government area.</p>	<p>Agreed that impacts on property values is not a relevant planning consideration.</p> <p>Subdivision of surrounding land would be at the discretion of the Western Australian Planning Commission as the decision maker on subdivision applications. These applications would be dealt with on their merits, through considering the suitability of the properties themselves and the relevant planning framework, noting that there is a general presumption against the further subdivision of rural land.</p>
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Conclusion

It is recommended that the application for an amendment to the existing approval be approved, subject to conditions. The conditions are proposed to be consistent with that of the original approval, making allowances for amended documentation to be provided to reflect the amended siting of infrastructure.

The proposed development has previously been determined as consistent with the objectives of the Rural zone and falls within a use category that is discretionary in the Rural zone under LPS6. The proposal is also consistent with State and local frameworks and assists in addressing the wider energy needs for the State.

The most significant potential impacts of the proposal are visual and it is recommended that these impacts be managed through conditions, requiring adequate screening to the east and north of the site.

Approval and implementation of the facility will result in a positive contribution towards the presence of renewable energy in Collie. The site provides for logical connection to the South-West Integrated System and the amendment to the original approval will also allow for the future development intentions of the site to be realised, through an expansion of the Collie Light Industrial Area.

As the owner of the land has elected to have this amended application considered by the responsible authority in this instance, the determination sits with Council and not with the DAP.

13.3 Collie Airfield Master Plan	
Reporting Department:	Development Services
Reporting Officer:	Matt Young – Director Development Services
Accountable Manager:	Matt Young – Director Development Services
Legislation	N/A
File Number:	CMG/292
Appendices:	Appendix 13.3.A Shire of Collie Airfield Master Plan Appendix 13.3.B Table of submissions
Voting Requirement	Simple Majority

Report Purpose

To adopt the Collie Airfield Master Plan.

Officer’s Recommendation:

That the Council:

1. *adopts the Collie Airfield Master Plan;*
2. *instruct CEO to investigate project planning for the implementation of the Collie Airfield Master Plan.*

Background:

The Collie airfield is located 4km east of Collie town centre, 49km east of Bunbury Airport and 82km north east of Busselton Margaret River Airport.

In 2023, the Shire engaged Aviation Projects to prepare the Collie River Airfield Master Plan. The Master Plan establishes the framework for future development of the aerodrome (including airside and landside areas). It provides guidance to the Shire of Collie on the future commercialisation of the aerodrome including activation of potential aviation activities.

The Master Plan will contribute to future detailed study and investment, including the preparation of a Strategic Airport Asset and Financial Management Plan.

Initial stakeholder discussions and a site inspection of the airfield were held in March 2023.

The vision for the Master Plan was initially presented to Councillors at the September 2023 Forum, and three vision options were considered at the October 2023 Ordinary Council Meeting.

Council at its 10 October 2023 OCM resolved (motion 9278):

That the Council endorses development option 2 as contained in the report as the basis for the development of the detailed masterplan for the Collie Airport.

Council at its 12 December 2023 OCM resolved (motion 9342) to:

1. *Adopts the draft Collie Airfield Master Plan for a 28 day public advertising period;*
2. *Authorises officers to discuss potential land transactions of adjoining reserves with the Department of Planning, Lands and Heritage to allow for the aerodrome expansion during the advertising period; and*

3. *To report the outcomes of the community and agency consultation back to Council.*

The Collie Airfield Master Plan was advertised to the community for input, and the land tenure of the lot immediately Unclassified Crown Land to the north of the site has been explored with the Department of Planning, Lands and Heritage.

The detailed Collie Airfield Master Plan has now been drafted to fulfil this resolution and can be found at Appendix 13.3.A.

The Collie Airfield Master Plan details three broad timeframes for the progressive development of the Collie Airfield. Overview of these stages are as follows:

1. Initial Development (0-5 years) – the development elements that can realistically be implemented in the short term within the existing site of with minimal impact on the external environment.
2. Certification and Expansion Stage 1 (5-10 years) – a significant expansion of the airfield and facilities suitable for the issue of an aerodrome certificate under Civil Aviation Safety Regulations (1998) Part 139, introduction of instrument approaches and development of the site to enable a variety of commercial uses. Certification is a pre-requisite for the implementation of instrument flight procedures at an aerodrome.
3. Future Expansion Stage 2 (10+ years) – expanded hangar and commercial precincts – demand driven development.

Consultation:

The Collie Airfield Master Plan was advertised to the community for a period of 28 days. Two positive submissions were received, which complimented the draft report. One of these submissions included suggestions. These suggestions have been considered by the Shire and the aviation consultant, and the comments have been incorporated into the Airfield Master Plan at Appendix 13.3.A.

Shire officers also liaised with representative from the Native Title Agreements and Partnerships team within the Department of Planning, Lands and Heritage. The purpose of this liaison was to determine whether the Unallocated Crown Land reserve to the north of the airfield was subject to Native Title Claim. The Department of Planning's Native Title Agreements and Partnerships representative confirmed that the Unallocated Crown Land located immediately to the north of the Airfield Reserve is not currently part of the South West Native Title Settlement Agreement. This portion of land was deferred from consideration for inclusion in the Noongar Land Estate as part of the South West Settlement. While there are no current agreements over the land, the site may be identified for further consideration through discussion between the State and the Noongar Boodja Trustee.

With this in mind, the Shire should investigate project planning for the next stages for the implementation of the Collie Airfield Master Plan. The objective of this exercise would be to ascertain what steps the Shire would need to work with the Noongar Boodja Trustee to come to an appropriate agreement or for the Shire to secure the Unallocated Crown Land. It would also investigate what land zoning would be required for the Airfield to be developed in line with the Collie Airfield Master Plan, and any other environmental, bushfire, traffic and servicing requirements that would need to be undertaken by the Shire prior to the airfield precinct being expanded.

Statutory and Policy Implications:

Civil Aviation Act 1988 and associated Regulations

Budget Implications:

The Collie Airfield Master Plan project is being delivered through existing budgets. This budget is supplemented by a grant to the value of \$30,000 which was awarded by the South West Development Commission.

The implementation of Part 9 of the Collie Airfield Master Plan at Appendix 13.3.A will have ongoing budget implications into the long term.

Communications Requirements:

Stakeholder discussions have been held with Shire officers, Collie Aero Club, DBCA, DFES, RFDS, SWDC, JTSI, Australia's South West, Bunbury Airport, Busselton Airport and a number of local Collie businesses.

The Collie Airfield Master Plan was advertised for a period of 28 days. Throughout the consultation period, the Shire received two submissions. The submissions received do not object to the proposed Airfield Master Plan. As such, Shire officers recommend that Council endorses the Collie Airfield Master Plan as it represents opportunity for the Shire to encourage a diverse type of industry in the area which has capacity to improve the connectivity between Collie and other regions, while providing extended opportunity for employment options within the Shire.

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022		
GOAL:	2	Our Economy
Objective:	2.1	Economic Development
Strategic Priority	2.1.3	To develop a plan to commercialise the airport.

Relevant Precedents:

Nil

Comment:

The proposed Collie Airfield Master Plan describes the following vision:

Provide an airport for the Collie community that will support aviation related emergency services operations, enable other commercial and private aviation activities including low intensity flight training, act as an air gateway to the Collie Shire for business and tourist visitors and provide for aviation related manufacturing and service opportunities.

The plan seeks to ensure development at the airfield will:

1. comply with applicable civil aviation safety regulations and standards;
2. be on land controlled by Shire of Collie;
3. be resilient to natural disasters and climate change;
4. have minimal impact on the environment;
5. meet community expectations in respect of level of service;
6. be future proofed to respond to new opportunities and technologies that will emerge over time;
7. unlock broader economic development opportunities.

Understanding the regulatory framework relating to airports, the consultant has prepared the Collie Airfield Master Plan for future development. This is based on development option 2 of the Collie Airfield Master Plan – Vision document which was considered by Council at the 10 October 2023 OCM. This design is shown in the plan excerpt below.

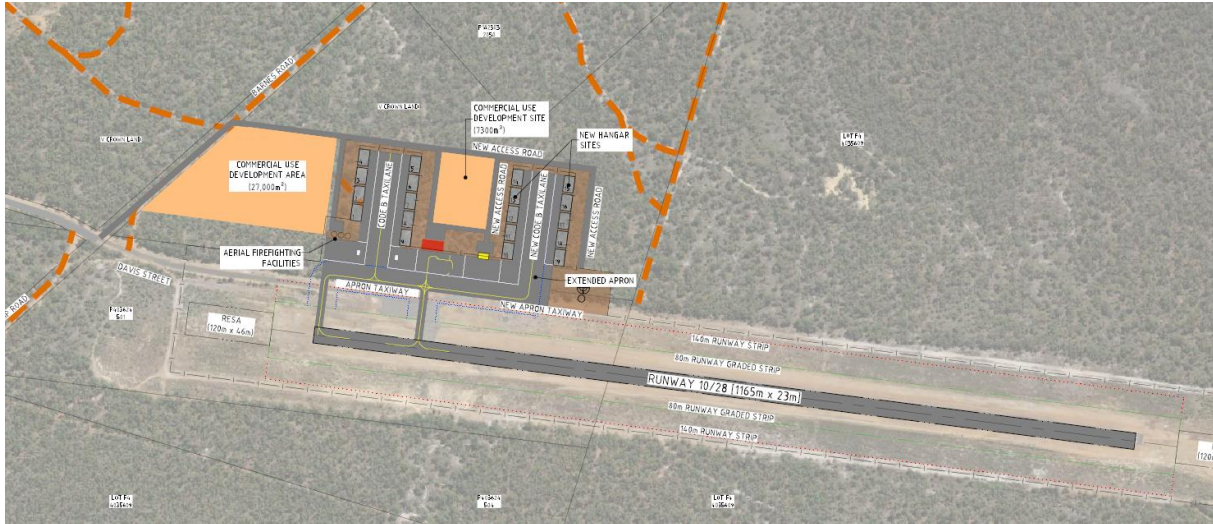


Image above: excerpt of plan E22099-06-YC01-DRG1102 (showing potential design at the completion of Stage 2).

In order for the Shire to facilitate actualisation of the Collie Airfield Master Plan, Shire officers recommend that it initiates project planning in relation to the implementation of the Master Plan. The objective of this exercise is to establish the next steps the Shire will need to work through, including:

1. secure the UCL to the north of the airport and/or work with the Noongar Boodja Trustee to come to an appropriate agreement;
2. investigate what land zoning would be required for the Airfield to be developed in line with the Collie Airfield Master Plan;
3. undertake other investigations into environmental, bushfire, traffic and servicing requirements that would need to be undertaken by the Shire prior to the airfield precinct being expanded;
4. working with the Collie Delivery Unit and Department of Jobs, Tourism, Science and Innovation to identify potential new businesses that would be interested in establishing at the aerodrome.

Noting that no public objections have been received, the Master Plan is recommended for adoption as set out in Appendix 13.3.A.

13.4 Road Naming Request to Finalise Road Dedications and Closures - Yourdamung Road Area and Endorsement of a Future Road Name

Reporting Department:	Development Services
Reporting Officer:	Isabel Fry – Manager Planning and Development
Accountable Manager:	Matt Young – Director Development Services
Legislation	<i>Policies and Standards for the Geographical Naming of Western Australia Land Administration Act 1997</i>
File Number:	RDS-012
Appendices:	13.4.A Proposed Road Naming Map
Voting Requirement	Simple Majority

Report Purpose

For Council to consider road naming for a proposed road in the Yourdamung Road area to finalise dedication and closures of roads and to endorse two commemorative road names for use within the Shire.

Officer's Recommendation:

It is recommended that Council:

1. *Support the road names of Banjo Road (preferred) and Osborne Road (alternative) as the preferred and alternate names for a proposed road that is to be dedicated in the Yourdamung Road area, as detailed in Appendix 13.4.A.*
2. *Authorise officers to make application to Landgate to name the proposed road to finalise the dedication of the road.*
3. *In the event that Osborne is not required as an alternate name, authorise officers to consider the name for future road naming proposals.*

Background:

A request has been made by Neil Martin and Survey South for a proposed road to be named and dedication and closures finalised, in the vicinity of the Yourdamung Road area in Palmer. At the Ordinary Meeting of Council held 10 March 2020, Council resolved the below in relation to this proposal.

8394**Officer's Recommendation/Council Decision:****Moved: Cr Miffing****Seconded: Cr Faries****That Council requests the Department of Planning, Lands and Heritage (on behalf of the Minister for Lands) to:**

- 1. Dedicate the un-named roads shown on Survey South drawings Plan 20190804 shown in green totally approximately 2.66 hectares subject to final survey pursuant to section 56 of the Land Administration Act 1997.**
- 2. Close the un-named roads shown on Survey South drawings Plan 20190804 shown in red totally approximately 5.35 hectares subject to final survey pursuant to section 56 of the Land Administration Act 1997.**
- 3. Further, that Council indemnify the Minister for Lands against any costs or claims that may arise as a result of the dedication and closures in accordance with section 54(4) of the Land Administration Act 1997.**

CARRIED 9/0

The dedication and closure process were initiated with the intent of providing legal means of access to lots in the vicinity, via a gazetted and named road.

The actions required with and by the Department of Planning, Lands and Heritage have been undertaken by Survey South and Neil Martin and to finalise the process the Shire is required to recommend street naming of the new portion of road. Landgate no longer maintains a register of approved names for each local government, requiring that proposed names be considered by Council and referred to Landgate for assessment under the Policies and Standards for Geographical Naming in Western Australia.

As part of this request, Neil Martin has proposed a family name of significance to the Yourdamung area and the land surrounding the proposed road. Mr Martin has undertaken some preliminary discussions with Landgate surrounding this option and has obtained preliminary support.

Option 1: 'Banjo Road' (preferred name)

This name has been suggested to commemorate Arthur William 'Banjo' Paterson who died at 88 years of age in 2021 at the Collie Hospital. Banjo Road has passed the preliminary validation as required by Landgate, to ensure that the same or similar road name is not existing in the area.

Banjo Road has been proposed on the basis that Arthur 'Banjo' Paterson had farmed the land that will be accessed utilising this road for 75 years and his sons have continued to do the same. Banjo was a well-known shearing contractor for 56 years and was an icon within the shearing community. He is described as honest, passionate and well respected and his shearing teams travelled all over the State.

Banjo was a life member of the Collie Clay Target Club and held both State and National titles in clay target shooting and is described as the stalwart of the club. He was also heavily involved in local darts and was a strong supported of the par 3 golf course.

Banjo was also one of the first people to put his hand up for becoming a donor to the Collie Community Bank when it was established and was quick to volunteer in anything that would benefit the Collie community, often doing so anonymously.

Banjo is the preferred name to be used in this location. Paterson is unavailable due to a Patterson Street existing in the Shire.

Option 2: 'Osborne Road/ Street' (alternative name)

Osborne is a family name that has been proposed for consideration in future road naming by decedents of Alexander and Jessica Osborne who were married in Midland in 1898 and moved to Collie in 1907. Alexander died in 1926 and is buried in the Anglican section of the Collie Cemetery. Jessica died in 1957 and is buried at Karrakatta, however she remained in Collie until 1950, after Alexander's death.

Alexander was a railway employee and carriage examiner in Collie and Jessica was a cleaner for the railways, Anglican Church, Catholic Church and a dressmaker. They had 7 children (3 died as infants, 3 who are now deceased). While in Collie they lived in Johnston Street, Coombe Street and Hawthorn Avenue.

Alexander was a member of various committees, being:

- Soldiers Memorial Park Committee (Secretary)
- Collie Honor Roll Committee responsible for founding the War Memorial Park
- Australian Labour Representative of the Branch
- Railway Union Representative
- Cricket Club founding member
- Tennis Club founding member
- Anglican Church Member and Fundraising Committee member
- Patriotic Fund
- Collie Railway Social Club

The preference for the surviving members of the Osborne family is to have a street closer to the townsite named for Alexander and Jessica, if this name as an alternative option is required, the family will be consulted prior to application to Landgate.

Statutory and Policy Implications:

Land Administration Act 1997

Road closures and dedications can only be actioned by the Local Government pursuant to the *Land Administration Act 1997*.

Street names are allocated by the Geographic Naming Committee under the *Land Administration Act 1997*. Proposals submitted by Local Governments shall be prepared in accordance with the document *Policies and Standards for Geographical Naming in Western Australia (Version 03:2017)* which outlines the principles which administer the approval of names in the State.

Budget Implications:

The Shire has been indemnified from any costs associated with this process. Application to Landgate does not require any expenditure from the Shire.

Communications Requirements:

The proposal to dedicate and close roads was advertised when considered originally. Property owners that will utilise the newly dedicated and named road have been advised and the family of Arthur 'Banjo' Paterson support the commemorative naming.

Strategic Community Plan/Corporate Business Plan Implications:

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

Comment:

Section 1.4 of the Policies and Standards for Geographical Naming allow for a commemorative name to be applied to a locality. Generally, a commemorative name will be the surname of a person, however consideration can be given to the use of other names associated with that person. As the last name Paterson has been deemed non-compliant, this provides compelling justification for the use of Banjo instead.

A commemorative name should only be used posthumously and should recognise those with outstanding achievements and/or contributions to the community. Permission of the immediate family should be obtained, which has been undertaken by Neil Martin in gathering information to submit to the Shire for consideration for use of the name Banjo. It is also required that the individual has had a direct and long-term association with the area, which is evident for Banjo.

The back-up name of Osborne also meets the above requirements and preliminary consultation with Landgate has suggested that both names are suitable for consideration as commemorative names in the Shire of Collie. Final approval of the road naming will be granted by Landgate, upon the Shire submitting the application with the prepared survey.

It is recommended that Council endorse the preferred name of 'Banjo Road' to finalise the dedication of the proposed road. It is also recommended that 'Osborne' be endorsed as an alternative name and also that where this name is not required for the proposed road, for future use within the Shire of Collie at a location agreed to by the immediate family be endorsed.

14. OPERATIONS 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.

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

20.1 Annual Review of CEO Performance

Reporting Department:	Chief Executive Office
Legislation:	<i>Local Government Act 1995</i>
File Number:	PER/621
Appendices:	Nil.
Voting Requirement:	Simple Majority

Report Purpose:

For Council to receive and give consideration to a report to be tabled by the Chairperson of the CEO Review Committee.

Committee Recommendation:

A report and recommendation of the CEO Review Committee is to be tabled at the meeting.

Background

Section 5.38 of the *Local Government Act 1995* requires a review of the performance of the CEO to be undertaken at least once in relation to each year of the person's employment. Similarly, the contract of employment with the CEO provides procedures for an annual review, along with a requirement for the remuneration package to be reviewed each year.

The CEO Performance Review Committee has undertaken the required review in accordance with statutory obligations and the Committee's terms of reference. The Committee met with the CEO on Tuesday 27 February 2024 to speak to performance for the 2023 calendar year. Performance criteria for 2024 were also addressed.

A confidential report is to be tabled at the meeting.

21. **CLOSE**