



Shire of
Collie

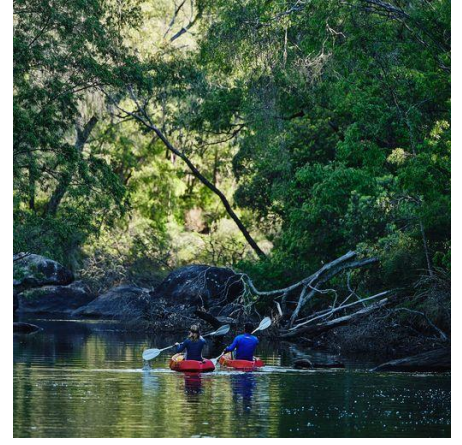
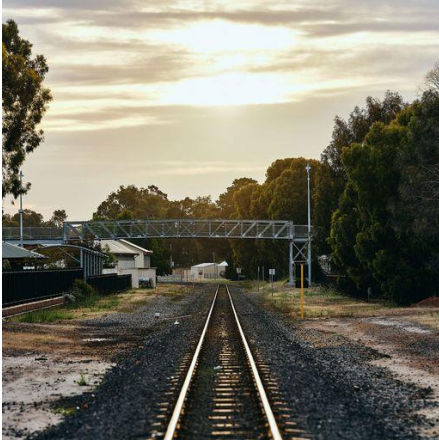
AGENDA

for the

ORDINARY MEETING OF COUNCIL

to be held on

Tuesday, 14 May 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, 14 May 2024

in Council Chambers at 87 Throssell Street, Collie WA



Stuart Devenish
Chief Executive Officer

9 May 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

May 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 28th May 2024

Council 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, 14 May 2024 commencing at 7:00pm.

1. OPENING/ATTENDANCE/APOLOGIES & LEAVE OF ABSENCE

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

2. PUBLIC QUESTION TIME

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

Council Consideration towards the Public:

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

3. RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

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

5.1 Presentation – Climate Justice Union

A presentation will be made by representatives of the Climate Justice Union, addressing their report 'A Just Transition for Collie that leaves no-one behind', a community-led social justice analysis of Collie's transition.

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

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

Disclosure of Financial Interest form.

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

7. ITEMS BROUGHT FORWARD DUE TO INTEREST BY ATTENDING PERSONS**8. CONFIRMATION OF THE PREVIOUS MEETINGS OF COUNCIL MINUTES****8.1 Ordinary Council Meeting – 9 April 2024****Officer's Recommendation:**

That Council confirms the Minutes of the Ordinary Meeting of Council held on 9 April 2024.

8.2 Special Council Meeting – 30 April 2024**Officer's Recommendation:**

That Council confirms the Minutes of the Ordinary Meeting of Council held on 30 April 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 Local Emergency Management Committee Meeting – 8 May 2024****Officer's Recommendation:**

That Council receives the Minutes of the Local Emergency Management Committee Meeting held on 8 May 2024.

Committee's Recommendation:

That Council adopt the recommendation contained within the minutes;

- 11.1 That Council:

- a) Advise DFES that it supports a 3 year extension to the Bushfire Risk Mitigation Coordinator Grant Agreement with DFES and the Shires of Capel and Dardanup to 30 June 2028; and
- b) Authorises the CEO to enter into an additional grant agreement.

11. CEO REPORTS

11.1 Partnership and Sponsorship Program	
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:	Nil.
Voting Requirement:	Simple Majority

Report Purpose

To consider establishing a partnership and sponsorship program for the Shire of Collie and a working group to develop arrangements.

Officer's Recommendation:

That Council resolve to:

1. *endorse the preparation of a partnership and sponsorship program for the Shire of Collie;*
2. *nominate Cr _____ and Cr _____ to participate on an informal working group to develop the partnership and sponsorship opportunity.*

Background:

Council is invited to consider the development of arrangements that can enable new and existing corporate entities within the Shire of Collie to contribute to the local community.

Along with the well-established industrial operations within the Shire, the Just Transition initiative is seeing substantial investments in new industries that will support the economy, create employment and sustain long-term prosperity of Collie. This presents opportunity for business to engage with the Shire to support the local community. It is apparent through conversations with proponents of major investments in Collie that there is an appetite to contribute to the community.

Social Licence to Operate

Social licence to operate (SLO) is a concept that refers to the level of acceptance or approval by local communities for a company's operations or projects. This involves meaningful engagement with community, with a genuine endeavour to support the social, environmental or economic interests of the community within which the industry operates. In turn, this helps to build trust and allow business to demonstrate a commitment to responsible practices.

It is appropriate for the Shire to consider its role in facilitating social licence. This includes its role in facilitating corporate delivery of community benefit through a sound governance framework. In conceptual terms, the role of the Shire can be characterised as follows:

Shire Role	
<i>Sound governance</i>	<ul style="list-style-type: none"> ○ Establish a basis to partner with the corporate sector in a manner that is open, transparent and accountable.
<i>Social licence</i>	<ul style="list-style-type: none"> ○ Provide an avenue for organisations to invest in the local community in a socially responsible and sustainable manner.
<i>Community benefit</i>	<ul style="list-style-type: none"> ○ Deliver benefits to the community by funding, or reducing the direct costs associated with the delivery of projects, programs or events.

Governance Arrangements

Should Council pursue a partnership and sponsorship program, robust arrangements should be established to ensure funding received from the corporate sector is fully transparent and accountable for all parties. Considerations in this regard include:

- *Establishing Policy* – addressing the purposes and intentions of the program including:
 - Defining ‘partnership’ – a commercial agreement to provide financial support in exchange for agreed outcomes;
 - Defining ‘sponsorship’ – a form of marketing in which a company pays for the right to be associated with a project or program;
 - Initiatives – defining the nature and type of initiatives that may be subject to arrangements;
 - Categories - of partnerships or sponsorships, such as levels of investment by a corporate partner;
 - Agreement requirements – the nature of legally binding written contracts approved by Council;
 - Administration – how the program will be implemented.
- *Establishing Guidelines* – providing the terms to implement agreements including:
 - Approved initiatives – the range of capital works projects, environmental projects, services, facilities, events or other to which partnerships or sponsorships may apply;
 - Terms and conditions – that apply to various arrangements, including defined purposes and objectives, timeframes, exclusivity, naming rights, brand marks, logo usage, acquittal/auditing, dispute resolution and the like;
 - Financial values – publishes value ranges for categories of corporate support;
 - Probity assessments – ensuring arrangements are struck with reputable businesses who hold values that align with those of the Shire;
 - Decision-making – Council approval requirements.

By setting out suitable policy and guidelines, sound governance arrangements can provide business the opportunity to invest and for the community to benefit.

It is noted that in formulating this report to Council, recognition is given to development work undertaken in this area by CEO (Temporary) of Shire of Donnybrook-Balingup Dr Garry Hunt.

Statutory and Policy Implications:

The *Local Government Act 1995* provides the role of local government is to provide for the good government of persons in its district (s3.1). This includes consideration of the economic, social and environmental sustainability of the district. The Act provides that a liberal approach is to be taken to the construction of the scope of the general function of a local government (s3.1(3)).

Budget Implications:

A functioning partnership and sponsorship program will deliver financial benefit to the community.

Communications Requirements: (Policy No. CS 1.7)

N/A

Strategic Community Plan/Corporate Business Plan Implications:

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

Relevant Precedents:

Nil.

Comment:

The concept of corporate sponsorship was raised at the Councillor Forum on 26 March 2024 where support was indicated for the matter to be formally considered by Council. It was further indicated that Councillors may wish to participate on a small informal working group to help guide the preparation of a policy and associated guidelines. Draft terms would then be presented to Council for consideration.

The terms of the recommendation endorse the preparation of corporate sponsorship and invite Councillors to participate in the development of the initiative. Once established, the arrangement will provide a transparent and accountable means for business to partner with the Shire to deliver beneficial outcomes for the community.

11.2 Collie River – Community Stewardship Grant Application

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:	Nil.
Voting Requirement:	Simple Majority

Report Purpose

To consider endorsing a funding application for a partnership between the Leschenault Catchment Council, Friends of the River and Shire of Collie for river initiatives.

Officer’s Recommendation

That Council resolve to endorse a funding application under the 2024 Community Stewardship Grants program for Collie River revitalisation initiatives as outlined in report 11.2.

Background:

At its meeting on 13 February 2024, the Council resolved to receive the Collie River Revitalisation Strategy 2023-2028, superseding the previous river strategy. The vision for the Strategy is to develop and implement recommendations to improve the health and amenity of the river including enhancing community experience, reducing nutrient runoff, increasing biodiversity, managing weed species and improving water quality.

The newly formed Townscape and Environment Committee will have oversight of the implementation of recommendations of the strategy, including working in partnership with community and volunteer based organisations and funding groups.

An opportunity presents for a working arrangement between the Leschenault Catchment Council, South32, Friends of the River and the Shire to progress important works associated with the Collie River. The opportunity is for initiatives to be financially supported through the 2024 State Natural Resource Management (NRM) Community Stewardship Grants. An overview of the groups and the proposed project is briefly described:

Leschenault Catchment Council

The Leschenault Catchment Council Inc. (LCC) is governed by a volunteer membership which was formed in 2000, through the amalgamation of two community-led Natural Resource Management groups; The Leschenault Inlet Management Authority and the Leschenault Catchment Coordinating Group.

The Management Committee (“Board”) is made up of 9 active community members who bring a wide variety of skills and experience to the organisation.

The Shire of Collie has recently collaborated with the LCC on three important projects; the blackberry spraying program, a native species booklet to provide practical guidance on planting, and restoration works at the south branch of the Collie River. The group brings valuable assistance through leveraging grant applications, providing project management and environmental expertise and experience along with community engagement.

The LCC is a valued partner who is able to provide value-add assistance to local projects. The LCC is keen to partner with the Shire to progress initiatives for the Collie River.

South32

Through its community investment grant program, South32 has provided assistance to the Friends of the River group via the Shire, to enhance the ecological and social values of the Collie River through weed eradication, native seedling planting and through community participation and engagement.

The balance of funds from the South32 stage 4 and 5 programs is \$43,000. Both South32 and the Friends of the River support the use of these funds for co-contribution to a NRM grant application.

Friends of the River Environmental Group

The local group is well known for its volunteers who work to improve the Collie River through clean up events, weed removal, planting and others. The non-profit group is well respected, being supported by Rotary and South32 and provides a valuable service to the community more broadly.

2024 Community Stewardship Grants

The State Government is making up to \$7M available through the Department of Primary Industries and Regional Development. The grants are to facilitate the conservation and sustainable management of the State's natural resources by supporting local community groups to undertake stewardship of natural resources in their local area. The program prioritises the direct involvement of local community groups and encourages effective partnerships between government, industry and community.

Project Overview

The LCC has prepared a project proposal named 'Collie River Revitalisation – Engaging the community in caring for the Collie River'.

The project aims to rejuvenate a section of the Collie River foreshore located in the townsite of Collie. In accordance with the River Revitalisation Strategy, the project will use best practice riparian restoration techniques and Aboriginal and community engagement to restore ecological health, improve wildlife habitat, build climate resilience, and improve amenity in this highly valued, but degraded foreshore area of central Collie. Through collaboration between the LCC, Friends of the River and the Shire, the project will implement a program of weed control, riparian revegetation and interactive community awareness raising and engagement activities to rejuvenate the foreshore environment and foster community stewardship.

Project activities include:

- Project coordination – coordinating project activities, stakeholder liaison, organising community events, designing and implementing weed control and revegetation, project monitoring and reporting.
- Project Reference Group – stakeholders meeting every 3 months to oversee the project and resolve issues.
- Consultation with Aboriginal traditional custodians.

- Riparian restoration of 2 hectares of river foreshore including control of invasive weed species and revegetation with native species.
- Installation of wildlife habitat and artificial habitat boxes.
- Community volunteer events and activities including busy bees with the Friends of the River and community and school volunteer planting events.
- Community awareness raising events such as river cultural connections, critters of the Collie River foreshore.

A program over 2 calendar years would see a financial contribution from the Shire of Collie (funded through the South32 grant) of \$42,680, with a total cash and in-kind estimate of \$81,134.

The grant application must be lodged by 20 May 2024.

Statutory and Policy Implications:

The *Local Government Act 1995* provides the role of local government is to provide for the good government of persons in its district (s3.1).

Budget Implications:

Funding is available on application through the 2024 State Natural Resource Management (NRM) Community Stewardship Grants. Grant funding from South32 is available for co-contribution purposes. Should an application be successful on expected terms, the works would not impact Shire budget.

Communications Requirements: (Policy No. CS 1.7)

N/A

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022		
GOAL:	4	Our Natural Environment
Objective:	4.2	Conservation of our natural environment
Strategic Priority	4.2.1	To prepare, implement and review Collie River Revitalisation Strategy to improve the health and amenity of the Collie River

Relevant Precedents:

Grants are routinely sought for a range of initiatives.

Comment:

The project provides valuable opportunity to:

- Leverage existing funding provided by South32;
- Access valuable project management and environmental advice from the LCC;
- Facilitate volunteer works that are in line with best practice;
- Engage the community more broadly in the values of the river; and
- Achieve outcomes intended by the River Revitalisation Strategy.

Having regard for the benefits, Council's support for a grant application, including a commitment to co-contribution to the 2-year program is recommended.

12. CORPORATE SERVICES REPORTS

12.1 Accounts Paid – April 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 – April 2024
Voting Requirement	Simple Majority

Report Purpose

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

Officer's Recommendation:

That Council accepts the Accounts as presented in Appendix 12.2.A being cheques totalling \$788.30 and direct payments totalling \$847,786.22 authorised and paid in April 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
March	472.40	1,570,441.07	1,570,913.47
April	788.30	847,786.22	848,574.52

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 – March 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 – March 2024
Voting Requirement	Simple Majority

Report Purpose

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

Officer’s Recommendation:

That Council resolve to accept the Financial Management Report for March 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 12.2.A.

Statutory and Policy Implications:

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

In accordance with section 34(5) of the *Local Government (Financial Management) Regulations 1996* each year a local government is to adopt a percentage or value to be used in statements of financial activity for reporting material variances. In this case, the Shire of Collie has adopted the material variance of 10% or \$10,000, whichever is greater, for reporting variations to the 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 12.2.A reports on the following information for the reporting period:

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

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

12.3 Elected Members Remuneration for the 2024/25 Annual Budget

Reporting Department:	Corporate Services
Reporting Officer:	Nicole Wasmann – Director Corporate Services
Accountable Manager:	Nicole Wasmann – Director Corporate Services
Legislation:	<i>Local Government Act 1995 & Section 7A & 7B of the Salaries and Allowances Act 1975</i>
File Number:	FIN/005
Appendices:	Nil
Voting Requirement	Absolute Majority

Report Purpose

For Council to determine elected members remuneration for inclusion in the 2024/25 Budget formulation process.

Officer's Recommendation:

That Council resolve to:

1. *pay an annual fee to all council members who attend council, committee or prescribed meetings, instead of paying an attendance fee for each meeting as referred to in section 5.98 of the Local Government Act 1995;*
2. *pay an annual allowance to all council members for information and communication technology (ICT) expenses in lieu of reimbursement of ICT expenses as referred to by section 5.99A(b) of the Local Government Act 1995; and*
3. *set the following payments for council members as part of the 2024/25 Budget formulation process: (or include the following payments for council members in the 2024/25 draft budget)*
 - a) *Annual meeting attendance fee for all council members including the President \$9,152*
 - b) *Annual allowance for President \$8,320*
 - c) *Annual allowance for Deputy President \$2,080*
 - d) *Annual allowance for ICT expenses \$686*

Background:

The *Local Government Act* provides for the payment of sitting fees, allowances and reimbursement of specific expenses to elected members.

The prescribed range for payments is determined annually by the Salaries and Allowances Tribunal (SAT). Local governments determine the amounts to be paid within the range determined.

There are four categories from band 1 (largest) to band 4 (smallest). The Shire of Collie has been categorised in band 3.

All elected members who attend Council or committee meetings are entitled to be paid sitting fees. The fees can be paid based on individual meetings or as an annual fee. Traditionally, the Shire of Collie has elected to make this payment as an annual fee.

Likewise, a local government may choose to pay an annual allowance in lieu of reimbursement of telecommunications expenses.

In April 2024, the Tribunal determined Elected Member attendance fees, and annual allowance ranges be increased by 4%. The relevant range for band 3 local governments is shown below:

	Minimum	Maximum
Annual meeting attendance fee council member other than President	\$8,320	\$17,711
Annual meeting attendance fee for president	\$8,320	\$27,425
Annual allowance for President	\$1,113	\$39,988
Annual allowance for ICT in lieu of reimbursement of ICT related expenses	\$500	\$3,500

A local government may decide to pay the deputy present an allowance of up to 25% of the annual allowance to which the President is entitled.

The determination is available from <https://www.wa.gov.au/government/publications/local-government-chief-executive-officers-and-elected-members-determination-no-1-of-2024>

Statutory and Policy Implications:

Division 8 of the *Local Government Act 1995* and associated *Local Government (Administration) Regulations 1996*, provides for payments and reimbursements to council members.

Determination of the Salaries and Allowances Tribunal for Local Government Chief Executive Officers and Elected Members in accordance with the *Salaries and Allowances Act 1975*.

Budget Implications:

The payments set by Council will be included in the draft 2024/25 Budget.

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:

Prior to the 2023/24 Budget, the Shire of Collie elected to pay elected members the minimum fee determined by the SAT. In October 2023, the number of elected members at the Shire of Collie reduced from 11 to 10. Council elected to increase the payment for sitting fees by 10% in the 2023/24 Budget.

The payments to elected members included in the 2023/24 and 2022/23 budgets were:

	2023/24	2022/23
Annual meeting attendance fee for council member other than President	\$8,800	\$7,880
Annual meeting attendance fee for President	\$8,800	\$7,880
Annual allowance for President	\$8,000	\$4,000
Annual allowance for Deputy President	\$2,000	\$1,000
Annual allowance for ICT expenses	\$660	\$600
Travel and other allowances and reimbursements	As prescribed	As prescribed

Comment:

The recommendation is to increase the 2023/24 budgeted amounts by 4%, in keeping with the Tribunal's decision, to the amounts shown below:

- a. Annual meeting attendance fee for all council members including the President \$9,152
- b. Annual allowance for President \$8,320
- c. Annual allowance for Deputy President \$2,080
- d. Annual allowance for ICT expenses \$686

13. DEVELOPMENT SERVICES REPORTS

Nil

14. OPERATIONS REPORTS

14.1 Unauthorised Parking via Right of Way #3496843 (Steere Steet)

Reporting Department:	Shire Operations
Reporting Officer:	Scott Geere – Acting Director Operations
Accountable Manager:	Scott Geere – Acting Director Operations
Legislation	<i>Local Government Act 1995</i> – Sections 3.1 & 3.5 Shire of Collie - Parking and Parking Facilities Local Law 2012
File Number:	CSV/029
Appendices:	N/A
Voting Requirement	Simple Majority

Report Purpose

For Council consideration of measures for the Shire of Collie to take at Right-of-Way (ROW) #3496843 to assist private business owners at Lot 177 (52) Forrest Street, Collie (Tosca's Boutique), and Lot 811 (50) Forrest Street, Collie (Reuben's Newsagency), with the control/mitigation of unauthorised parking occurring within their freehold lots.

Officer's Recommendation:

For Council to endorse the following:

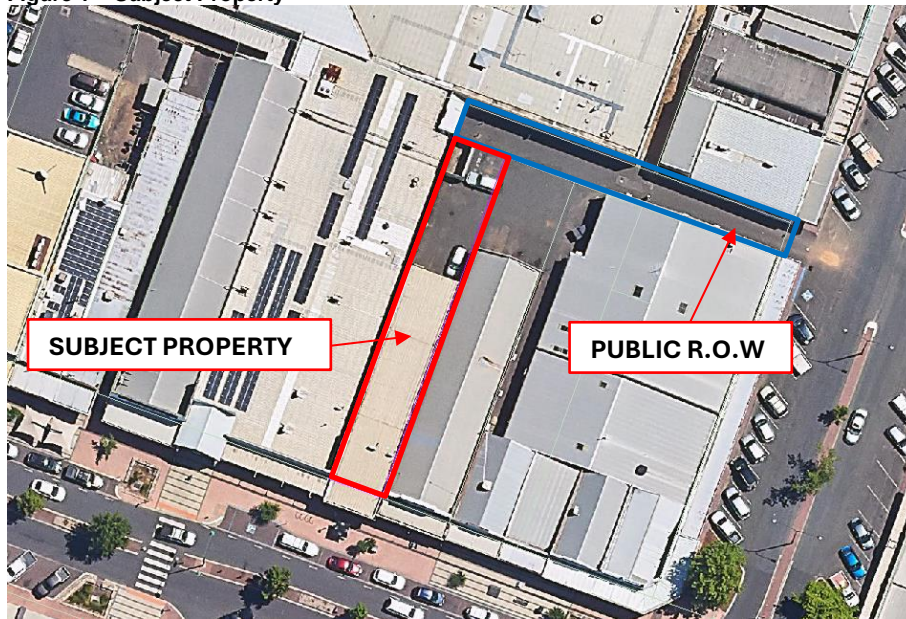
1. *For the Shire of Collie to install of 'No Parking in Laneway' signage at the entrance of Right-of-Way (ROW) #3496843; and*
2. *For the Shire of Collie to encourage impacted landowners to consider the installation of other measures such as car park bay line-marking, warning signage, and restriction devices to their properties to mitigate instances of unauthorised parking on their freehold lots.*

Background:

The owner of Lot 177 (52) Forrest Street, Collie (Tosca's Boutique) has made known to Council ongoing instances of unauthorised parking taking place at the rear of their premises. It is also known to be occurring at the rear of Lot 811 (50) Forrest Street (Reuben's Newsagency).

These occurrences of unauthorised parking have been impacting vehicle access for the businesses to and from their own parking areas contained at the rear of their freehold lots.

The rear of both allotments is accessed via public Right of Way ('ROW') #3496843 fronting onto Steere Street North.

Figure 1 – Subject Property

This five (5) metre wide ROW is currently utilised as follows:

- By 50 Forrest Street (Reubens Newsagency) and 52 Forrest Street (Tosca's Boutique) to access parking at the rear of their freehold lots;
- As a pedestrian thoroughfare for patrons accessing and egressing the Collie Central Shopping Centre via its eastern doorway;
- As an emergency egress route to protected open space (i.e. Steere Street) from the Collie Central Shopping Centre's eastern doorway, and also via the double leaf emergency exit doorway from Woolworths located on the south facing wall to the ROW;
- As an emergency egress route to protected open space (i.e. Steere Street) from the rear doorways of several tenancies fronting onto Steere Street;
- For DFES access to the fire hydrant located in the ROW to provide fire suppression coverage to Collie Central Shopping Centre in accordance with Building Code requirements;
- For bin service access at the rear of several tenancies fronting onto Steere Street and Forrest Street;
- Delivery truck access for a number of tenancies both within, and external to the shopping centre complex (not including Woolworths);
- For surface stormwater runoff from the greater sealed area via a spoon drain on the southern side of the laneway, discharging to Steere Street.

Statutory and Policy Implications:

Nil

Budget Implications:

Nil

Communications Requirements: (Policy No. CS 1.7)

Nil

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022		
GOAL:	3.2	Sound land planning and building strategies and schemes
Outcome:	3.2.3	To prepare a carparking and access strategy addressing commercial and visitor needs in the town centre.

Relevant Precedents:

Nil

Comment:

A phone discussion between the reporting officer and the owner of 52 Forrest Street (Tosca's Boutique) took place on the 3 May 2024. It was made known to the officer that the concern relates to unauthorised parking on private property, and not unauthorised parking in the laneway.

Whilst unauthorised parking on private property is a civil matter, it is seen that the Shire of Collie can take reasonable steps to assist the commercial needs of these business owners.

The reporting officer has therefore investigated a number of options to mitigate instances of unauthorised parking at the rear of Lots 177 and 811 Forrest Street. The potential solutions that have been reviewed are:

1. Installation of signage

The Shire of Collie can install "No Parking" signage at the laneway entrance in an effort to mitigate the likelihood of vehicles entering to park (albeit it will apply to the laneway only). Part 4.1(2) of the *Shire of Collie - Parking and Parking Facilities Local Law 2012* states that:

'A driver shall not stop on a length of carriageway or in an area to which a "no parking" sign applies, unless the driver is –

- (a) dropping off, or picking up passengers or goods;*
- (b) does not leave the vehicle unattended; and*
- (c) completes the dropping off, or picking up, of the passengers or goods within 2 minutes of stopping and drives on'*

The activity prescribed under part 4.1(2) is known to occur with delivery trucks, and therefore the installation of such signage will not preclude the continuation of this activity.

The impacted owners could also consider installation of 'No Unauthorised Parking' signage to various strategic locations within their property to further emphasise that their parking area is private in nature.

2. Installation of car bay line-marking and automatic barriers to private parking areas

The demarcation of car bays by the business owners to their allotments can assist in making clear the private arrangement of their carparks.

Other enhanced measures, such as the installation of automatic parking locks to their bays, could be considered (as an example) of a relatively low-cost solution to further secure parking on their property.

3. Physical Vehicle Restriction Barrier at laneway entrance

A system such as drop-down vehicle chain barrier within the laneway could potentially resolve the parking issue, though it is seen to introduce a number of other complexities such as:

- The necessity for the Shire of Collie to take on an administrative role for authorised vehicle access via pin codes / swipe cards;
- Impact to emergency service access to the Shopping Centre for hydrant access;
- Impact to required unobstructed emergency egress width for persons evacuating from the Shopping Centre during an evacuation scenario;
- Laneway width may be prohibitive to passage of authorised vehicles once bollards are installed, considering required unobstructed width that needs to be maintained for emergency egress;
- Comparative cost for the installation and ongoing maintenance of the barrier system.

A physical vehicle restriction barrier is therefore not seen to be a practical way in which to resolve the issue.

4. Conclusion

Based on the above analysis a combination of:

- Shire “No Parking” signage at the laneway entrance, per ‘1’; and
- The encouragement of impacted owners to look at introducing measures to their private parking areas such as car bay line-marking, signage, and/or other systems such as automatic parking locks, per ‘2’;

Is seen to be the most practical solution to their issue with unauthorised parking.

15. MOTIONS FOR WHICH PRIOR NOTICE HAS BEEN GIVEN

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

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

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

17. URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION**18. ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS****19. STATUS REPORT ON COUNCIL RESOLUTIONS**

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

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

20. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC**21. CLOSE**