



Shire of
Collie

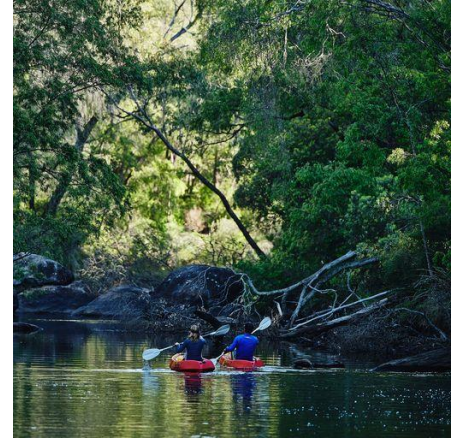
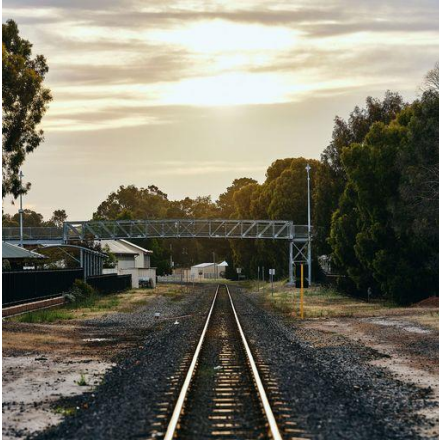
AGENDA

for the

ORDINARY MEETING OF COUNCIL

to be held on

Tuesday, 9 July 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, 9 July 2024

in Council Chambers at 87 Throssell Street, Collie WA

A handwritten signature in black ink, appearing to read "M Young", is written over a horizontal line.

Matthew Young
Acting Chief Executive Officer

3 July 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

August 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 13 August

Ordinary Council Meeting

7.00pm in Council Chambers



DISCLOSURE OF FINANCIAL INTEREST AND INTERESTS AFFECTING IMPARTIALITY

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.

Contents

1.	OPENING/ATTENDANCE/APOLOGIES & LEAVE OF ABSENCE	2
2.	PUBLIC QUESTION TIME	2
3.	RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	2
4.	DISCLOSURE OF FINANCIAL INTEREST	2
5.	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS.....	2
6.	NOTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC.....	2
7.	ITEMS BROUGHT FORWARD DUE TO INTEREST BY ATTENDING PERSONS	3
8.	CONFIRMATION OF THE PREVIOUS MEETINGS OF COUNCIL MINUTES	3
8.1	Ordinary Council Meeting – 11 June 2024	3
9.	BUSINESS ARISING FROM THE PREVIOUS MINUTES.....	3
10.	RECEIPT OF MINUTES OF COMMITTEE MEETINGS HELD SINCE THE PREVIOUS MEETING OF COUNCIL.....	3
11.	CEO REPORTS.....	4
11.1	Corporate Business Plan – Quarterly Progress Report	4
12.	CORPORATE SERVICES REPORTS	6
12.1	Accounts Paid – June 2024	6
12.2	Financial Management Report – May 2024.....	8
13.	DEVELOPMENT SERVICES REPORTS	10
13.1	Application for Development Approval – Home Business (Outback Horse Trails) – Lot 1369, No.8 Chapman Street, Collie	10
13.2	Consolidation of R19491 to Rectify Building Encroachment (Cardiff Bushfire Brigade)	21
14.	OPERATIONS REPORTS	25
14.1	Townscape and Environment Committee – Community Membership	25
15.	MOTIONS FOR WHICH PRIOR NOTICE HAS BEEN GIVEN.....	29
16.	QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN	29
17.	URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION	29
18.	ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS.....	29
19.	STATUS REPORT ON COUNCIL RESOLUTIONS.....	29
20.	CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC	29
20.1	Confidential Item: Assignment of Lease for Central Park Kiosk.....	29
21.	CLOSE.....	29

Agenda for the Ordinary Meeting of the Collie Shire Council to be held in Council Chambers, 87 Throssell Street Collie, on Tuesday, 7 July 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

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

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

Disclosure of Financial Interest form.

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

7. ITEMS BROUGHT FORWARD DUE TO INTEREST BY ATTENDING PERSONS**8. CONFIRMATION OF THE PREVIOUS MEETINGS OF COUNCIL MINUTES****8.1 Ordinary Council Meeting – 11 June 2024****Officer's Recommendation:**

That Council confirms the Minutes of the Ordinary Meeting of Council held on 11 June 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

11. CEO REPORTS

11.1 Corporate Business Plan – Quarterly Progress Report

Reporting Department:	Chief Executive Office
Reporting Officer:	Matt Young – Acting Chief Executive Officer
Accountable Manager:	Matt Young – Chief Executive Officer
Legislation:	<i>Local Government Act 1995</i>
File Number:	GOV/001
Appendices:	Appendix 11.1.A – Corporate Business Plan Quarterly Progress Report – April to June 2024
Voting Requirement:	Simple Majority

Report Purpose

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

Officer’s Recommendation:

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

Background:

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

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

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

Statutory and Policy Implications:

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

Budget Implications:

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

Communications Requirements: (Policy No. CS 1.7)

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

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022		
GOAL:	5	Our Business
Outcome:	5.1	Good governance and leadership

Relevant Precedents:

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

Comment:

The progress report appended to this report identifies the status of each of the 56 actions for the period April to June this year. Overall, the report shows positive progress of actions with 5 additional tasks recorded as on track or complete compared to the previous reporting period. Three items are listed as behind target or at risk, with 6 pending and 3 marked as critical and 2 as deferred or not proceeding.

The quarterly progress report is recommended for noting.

12. CORPORATE SERVICES REPORTS

12.1 Accounts Paid – June 2024	
Reporting Department:	Corporate Services
Reporting Officer:	Nicole Wasmann – Director Corporate Services
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 – June 2024
Voting Requirement	Simple Majority

Report Purpose

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

Officer's Recommendation:

That Council accepts the Accounts as presented in Appendix 12.2.A - totalling \$1,498,500.96 authorised and paid in June 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
May	0.00	867,335.26	867,335.26
June	815.90	1,497,685.06	1,498,500.96

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 – May 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 – May 2024
Voting Requirement	Simple Majority

Report Purpose

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

Officer's Recommendation:

That Council resolve to accept the Financial Management Report for May 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.

13. DEVELOPMENT SERVICES REPORTS

13.1 Application for Development Approval – Home Business (Outback Horse Trails) – Lot 1369, No.8 Chapman Street, Collie

Reporting Department:	Development Services
Reporting Officer:	Isabel Fry – Manager Planning and Development
Accountable Manager:	Matthew Young – Acting Chief Executive Officer
Legislation:	<i>Planning and Development Act 2005</i>
File Number:	A531
Appendices:	Appendix 13.1.A Development Application Appendix 13.1.B Summary of Submissions Appendix 13.1.C Additional Information by Applicant
Voting Requirement:	Simple Majority

Report Purpose

For Council to consider an application for development approval for a Home Business (Outback Horse Trails) at Lot 1359, No. 8 Chapman Street, Collie.

Officer's Recommendation:

That Council resolve to approve the application for development approval for a Home Business (Outback Horse Trails) at Lot 1359, No. 8 Chapman Street, Collie, subject to the following conditions:

- 1. All development shall be in accordance with the approved development plans (attached) which form part of this planning approval.*
- 2. This development approval will expire if the approved development has not substantially commenced within two (2) years from the date of issue of the approval, or, within any extended period of time for which the Shire of Collie has granted prior written consent.*
- 3. The Home Business activities shall only be undertaken in areas of the home endorsed by Council on the approved plan(s). Any variation to the approved Home Business, including a change in the areas of the home used for the business, a variation in the nature of the business, relocation of the Home Business to a different address, or expansion of the business, will require a new Development Approval.*
- 4. The approved Home Business may operate for a period of not more than 12 months before this Approval shall be renewed. This renewal shall include the payment of fees as indicated in the Council's Schedule of Planning Fees and Charges.*
- 5. Prior to the issue of a building permit, a schedule of exterior materials, colours and finishes relating to the proposed shipping containers and associated structures must be submitted with the building permit application for the approval of the Shire of Collie.*
- 6. Prior to the issuance of a Building Permit, a bond to the value of \$1000.00 must be paid to the Shire of Collie. The bond is to be held against satisfactory completion of the conditions of this development approval, pursuant to the Shire's Local Planning Policy 4.2 Shipping Containers.*

7. *The subject development must be finished and maintained in accordance with any approved schedule of materials, to the satisfaction of the Shire of Collie.*
8. *Before the development is occupied, a minimum of 4 car parking bays, must be provided on the subject site, in accordance with the approved plans, to the satisfaction of the Shire of Collie.*
9. *Before the development is occupied, the landscaped/ screening area shown on the approved development plan(s) must be planted, reticulated and thereafter maintained to the satisfaction of the Shire of Collie.*
10. *Before the development is occupied, an equine management plan is to be prepared and submitted for approval, the plan is to be in accordance with the Department of Primary Industries and Regional Development – Equine Management Plans for small landholdings, to the satisfaction of the Shire of Collie, to include the following;*
 - a) *Site description;*
 - b) *Soils description;*
 - c) *Water resources description;*
 - d) *Nutrient management;*
 - e) *Irrigation;*
 - f) *Dust;*
 - g) *Odour*

The site is to be maintained thereafter in accordance with the approved Equine Management Plan.

11. *At all times, fencing of the site should be of a standard that is sufficient and free of damage, to the satisfaction of the Shire of Collie.*
12. *At all times, the portable toilet facility is to be maintained in accordance with the Department of Health - Guideline for the management of public health risks associated with temporary toilets in Western Australia, to the satisfaction of the Shire of Collie.*
13. *All verge areas abutting the boundaries of the subject site must remain clear at all times and must not be used for any other purpose including car parking, trade display, storage and signage to the satisfaction of the Shire of Collie.*
14. *The Advertising Device is to be located in accordance with the approved drawings and is not to exceed the dimensions as indicated on the application without written approval from the Shire of Collie.*
15. *The business shall not cause injury to or adversely affect the amenity of the neighbourhood.*
16. *The business shall not employ more than 2 people not members of the occupier's household.*
17. *Office and gear storage buildings and/or structures associated with the business shall not occupy an area greater than 50 square metres.*
18. *The business shall not involve the retail sale, display or hire of goods of any nature.*
19. *In relation to vehicles and parking, the business shall not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and shall not involve the presence, use or calling of a vehicle more than 4.5 tonnes tare weight.*

Advisory Note:

The Applicant is advised that they will be required to obtain a permit pursuant to the Activities in Public Places and Thoroughfares Local Law 2012 where the business intends to use trails and trade within a Shire managed reserve.

Background:

The Shire has received an application for development approval for a Home Business (Outback Horse Trails) at Lot 1359, No.8 Chapman Street, Collie. The application has been lodged by Linda Yates as the manager of Outback Horse Trails and property owner.

The subject site is approximately 2.25ha in size and is located approximately 1.4km from the Collie town centre.

Application Details

The application for development approval (refer Appendix 13.1.A) has been updated and modified from the original submission to what has been provided for consideration in this report. These changes were made to provide additional information required for assessment and to address the issues raised by adjacent property owners during the submission period.

Outback Horse Trails has been operating in Collie for 3 years, previously running out of Harris River Estate and Cardiff prior to that. The application is to relocate this business to the managers place of residence at 8 Chapman Street, Collie and utilise the adjoining State Forest to undertake trail rides and lessons.

The DBCA is the responsible agency to licence commercial business accessing the State Forest. This is a separate approval to this development application.

Key details of the proposal are detailed below:

Off-peak visitors per week	Average of 11
Off peak - vehicles	1 to 2 cars per visit
Peak visitors per week	Up to 25
Peak - vehicles	2 to 3 cars per visit
Stocking rate/ number of Horses	5 to 7 horses on the property at any given time
Group size	Typically up to 5 riders, occasional increases to 7 for special events.
Signage	1 x rural style post with sign (image 4 of application package)

Trails are pre-booked and guests will arrive and park in the area designated on the site plan for parking, the proposal has accommodated for 4 designated parking bays on the site. Guests then check in at the building marked 'Office', are mounted on a horse and guided into the bushland or onto the arena at the property.

The Applicant acknowledges that the business increases the amount of traffic in the area and has implemented measures to manage volumes, with only 1 to 2 vehicles per session. Where there are increased visitors for special events, these occasions are managed and coordinated to reduce the impact on the area.

The traffic generated by the business is considered by the Applicant to be minimal and within the capacity of local infrastructure. The infrastructure network in the area accommodates significantly higher volumes of traffic during events at the Collie Race Club. The entrance to

the property is situated on a low-speed (40km/h) stretch of road, ensuring that additional traffic is managed safely and efficiently. The crossover and access to the property provides visibility in both directions and allows for safe entry and exit.

Vehicles associated with the business include a horse float and a car trailer, used for transporting horses as required and supplies.

A portable toilet is located on the site to provide an essential service to guests, given the rural nature of the business location. The portable toilet is managed by a company that specialises in sanitation services. The toilet is regularly cleaned, maintained and arrangements are in place for pump out services as required.

The application is proposing to utilise shipping containers for the purpose of storing feed and gear, as well as the check in/ office space. The container referred to as 'office' on the plans will not be inhabited for extended periods, this space is used for check in, signing disclaimers and fitting of gear to the rider. These containers were acquired through grant funding specifically to support the existing business in its operations. The 'office' container is cream in colour and the Applicant intends to undertake a number of improvements, including sealing of the roof for winter and potentially a mural on the side panel. The 'gear/ tack' container is currently green in colour and has a mural painted on it already.

The containers associated with the business and the carparking area proposed to be planted/ screened with landscaping to the south and western sides.

Aside from the two containers identified for business purposes, the Applicant also intends to include two more containers to be placed on the site for storage. These containers are located a significant distance from where business operations will mainly take place and from neighbouring properties, these containers are proposed to be painted to be grey in colours and be joined by a dome cover.

Outback Horse Trails has developed their own fire evacuation plan, in accordance with the requirements provided for by the Tourism Council, of which they are a member. Fire evacuation procedures have been documented and visitors and staff are made aware of the procedures to be evacuated safely in a fire. Evacuation procedures are regularly reviewed and updated to adapt to any changes in operations or layout.

Business operations primarily utilise a paddock that doubles as a practice and rest area for the horses at the property. The space used for client interaction and associated check in, toilet and storage facilities where the business permanently occupies the property does not exceed 50m².

Lessons undertaken on the property occur in a designated paddock, also used as a resting place for the horses. This maximises the use of the property, while maintaining a safe and controlled environment for the horses and clients. the Applicant has advised that they do not operate a formal arena. All riding activities are conducted sequentially, not simultaneously, due to the staffing structure, the Applicant is the sole operator and manager. This limits the number visitors and vehicles at any given time, typically resulting in only 1 to 2 cars presenting during sessions times.

Equine Management Measures:

The Applicant has provided the following detail for the management of stock on the property:

Dust Management: *Our paddocks are equipped with a reticulation system that draws water from a bore, keeping the grass green throughout most of the year. This year, due to unusually low bore water levels, we opted not to irrigate to conserve water resources. Despite this, our paddocks have remained greener than those of our neighbours, thanks to the robust grass base established in previous years.*

Manure Management: *We actively manage horse manure by advertising for local gardeners to collect it for use in their gardens. This not only recycles nutrients back into the community but also helps maintain the cleanliness of our paddocks.*

Rodent and Insect Control: *For rodent control, we unintentionally host a snake that maintains a specific territory on the property, which has proven effective and is non-threatening to humans as confirmed by professional snake catcher, Phil. We also keep a cat for additional rodent control. Insect management is handled through regular visits from a professional pest control service, which treats our facilities annually, complemented by a fly catcher to mitigate the presence of insects, common in our rural setting.*

Space for Horse Rotation: *We maintain a 'holiday paddock' which provides ample space for rotating horses, essential for their health and land preservation. This paddock serves as a crucial component in our pasture management strategy, allowing us to rest other areas periodically. Photographic evidence of this paddock's adequacy will be provided for your review.*

Worm Management: *Ensuring the health of our horses includes regular worming and drenching routines. Horses are wormed biannually, exceeding typical standards due to the proximity of other livestock. We also conduct fecal testing at least annually to monitor and adjust our worm management practices as necessary.*

Quarantine Procedures: *Our facility includes six separate paddocks and two stable areas, allowing for the effective isolation of new or sick horses. This setup ensures that any necessary quarantine does not affect the rest of our stock and complies with veterinary recommendations for optimal care and containment.*

Local Planning Scheme No.6

The subject site is zoned Rural Residential pursuant to the Shire's Local Planning Scheme No.6 (LPS6). The objectives of the Rural Residential zone are as follows:

- To provide for lot sizes in the range of 1ha to 4ha.
- To provide opportunities for a range of limited rural and related ancillary pursuits on rural residential lots where those activities will be consistent with the amenity of the locality and the conservation and landscape attributes of the land.
- To set aside areas for the retention of vegetation and landform or other features which distinguish the land.

The Application has been lodged for a Home Business. Home Businesses are an 'A' use in the Rural Residential zone, which means that the use is not permitted unless the local government has exercised its discretion by granting development approval after advertising the application in accordance with clause 64 of the deemed provisions.

A Home Business is defined as;

'A dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or profession:

- a) *does not involve employing more than 2 people who are not members of the occupier's household; and*
- b) *will not cause injury to or adversely affect the amenity of the neighbourhood; and*
- c) *does not occupy an area greater than 50 m²; and*
- d) *does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and*
- e) *does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and*
- f) *does not involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and*
- g) *does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.*

LPS6 requires parking for Home Businesses to be provided at a rate of, in addition to the parking required for the dwelling, 1 additional bay for each employee not residing at the property, plus one bay for clients.

The standard development setbacks required by LPS6 are 20m from the front and 10m from the rear and sides.

Shire of Collie Local Planning Policy 4.1 - Home Based Businesses

The Shire's Local Planning Policy 4.1- Home Based Businesses (LPP4.1) recognises the role that home businesses as a means of facilitating economic development opportunities in the various zones across the Shire where people reside, provided that amenity is not compromised. The objectives of LPP4.1 are to:

- *Support and encourage home-based business as a suitable local enterprise of economic and social importance to the Shire.*
- *Maintain residential areas as primarily a place to live, not primarily a place to work, whilst recognising that working from home in an expanding area of employment and a significant contributor to the economy.*
- *Protect the amenity and character of residential and rural areas by ensuring that potential impacts associated with home businesses such as noise, traffic, pollution, people and advertising signs are minimised and adequately controlled.*
- *Ensure that home business development is compatible with the residential/ rural character of surrounding built areas.*
- *Take into account additional requirements to the LPS6 which the local government will consider in its determination of a development application.*
- *Provide a consistent and equitable approach for local government in the assessment of application and complaints in relation to home businesses.'*

Shire of Collie Local Planning Policy 2.9 – Shipping Containers

The Shire of Collie's Local Planning Policy 2.9 (LPP2.9) applies to shipping containers on properties within the Shire of Collie, the following requirements relate to Rural Residential zoned land.

	Criteria	Rural Residential Requirement	Proposal
1	Not located within building setbacks	Yes	The two containers proposed in association with the business are shown to be 4m from the eastern boundary, while this is the front setback and would ordinarily require 20m setback, the lot is a battleaxe, so the actual setback from the road is significant. The containers associated with other storage are 14m from the northern boundary.
2	Screened or not readily visible from the street and other public places.	Yes	The proposed containers are unlikely to be visible from the street due to the setback, trees and other buildings in the vicinity.
3	Finished so as to not detract from amenity of surrounding area.	Yes	The proposal includes painting the containers to be of a consistent finish, in natural colours such a beige, grey and green. Screening to the south is also proposed to manage the visual impact from the neighbouring property.
4	Painted and pitched roof	N/A	N/A
5	Max No. containers per lot	Yes - 1	The proposal requires a variation to the maximum number of containers on the lot to be considered.
6	Max length (m)	Yes - 6m	All containers proposed are 6m in length, with adjoining roofed structures.
7	Not to be used for advertising	Yes	The proposal incorporates murals into the application to be painted on the proposed containers. Designs have not been provided for all containers. One container does show the existing mural that is in place that includes a picture of a horse and the company name.
8	Dwelling exists on the lot	Yes	Yes, the owner and manager of the business occupies the dwelling on the lot.
9	Bond \$1000 (refunded once all conditions met)	Yes	Not paid, would be recommended as a condition of approval.
10	Does not require the removal of native vegetation	Yes	Complies.

Shire of Collie Local Planning Policy 4.2 – Advertising Signage

LPP4.1 directs consideration of signage for Home Businesses to Local Planning Policy 4.2 Advertising and Signage (LPP4.2) for compliance. The standard requirements for signs relating to a home business is that they are a small sign that identifies the name and/or trade, business or profession of the occupant of the home business.

The proposed sign does not fall within the specifications to be self-assessable/ exempt pursuant to LPP4.2. This means that signage is to be considered in the determination of this application.

Statutory and Policy Implications:

Planning and Development Act 2005

Shire of Collie Local Planning Scheme No.6:

- Part 3 – Zones and use of land, 16. Zones, Rural Residential
- Part 3 – Zoning Table, Home Business ‘A’
- Division 2 - Land use terms used in Scheme, 40. Land use terms used – Home Business
- Schedule 1 - Zone and Development Requirements, Rural Residential, >2ha
- Schedule 2 - Carparking Table

Local Planning Policies

- Local Planning Policy 4.1 Home Based Business
- Local Planning Policy 4.2 Advertising and Signage
- Local Planning Polic 2.9 Shipping Containers

Other

- Department of Health - Guideline for the management of public health risks associated with temporary toilets in Western Australia.
- Department of Primary Industries and Regional Development – Stocking rate guidelines for rural small holdings
- Department of Primary Industries and Regional Development – Equine Management Plans for small landholdings
- Shire of Collie - Collie River Valley Trails Strategy

Budget Implications:

Nil.

Communications Requirements:

The application was advertised through a mail out to the three (3) properties to the north, east and south of the subject site. During the public submission period, two (2) submissions were received, both objecting to the proposal. A full summary of the submissions is summarised in Appendix 13.1.B and addressed in the comment section of this report.

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:Local Planning Framework

Officers have considered the information provided with the application and have determined that the proposed development can reasonably be considered to fall within the Home Business use class definition. The development can be appropriately managed so as to not cause detriment to the locality and to be constrained to a scale that is reasonable for the Rural Residential zone.

The objectives of the Rural Residential zone accommodate for non-residential uses provided it does not conflict with the residential usage of the land. The keeping of horses is considered appropriate in the Rural Residential zone and would not ordinarily require approval by the Shire. With consideration to this, the scale of actual business operations proposed on the site is relatively modest and any potential impacts can be managed appropriately on the site, to ensure conservation and landscape attributes of the land are maintained.

The proposal is consistent with the objectives of the Shire's LPP4.1 for Home Based Businesses. The proposal maintains the primary use of the site as being residential, with the manager and owner living on the site and business activities being limited to an average of 11 riders per week for most of the year, with an increase to 25 riders per week during peak periods (ie. school holidays). The proposal has been amended to locate business activities in a central location and ensure parking and customers is separated from the boundaries that adjoin neighbouring properties. Additionally, screening and landscaping is proposed to reduce the visual impact of business activities to neighbouring properties. It is important to note that the proposed buildings associated with the business are shipping containers that will be painted to be consistent in material and colour and will be used for very limited periods of time as check in and gear fitting spaces only.

The Shire's LPP4.1 for Home Based Business also takes into consideration economic development and the social importance of a business to Collie. As outlined in the application, the business has been operating within Collie for 3 years and has played an important part in the wider push for promoting tourism and trails in the area. The business provides a service in offering a tourism experience to visitors to the area and allows for the State Forest to be showcased to these visitors. The Applicant has provided a number of letters of support from tourism providers and clients in their application.

The number of shipping containers proposed on the site exceeds what is provided for within the Shire's LPP4.2 Shipping Containers. Council will be required to apply its discretion in allowing additional containers to be considered on the site. It is important to note that 2 of the containers are for use solely related to the business and not for general storage. The containers are also proposed to be subject to improvements to ensure they are consistent in colour and partially screened where possible.

Public Submissions

The Home Business use classification is an 'A' use pursuant to LPS6. This requires that the application be advertised prior to a discretionary determination being made. Due to the nature and scale of the Home Business, a wider public advertising process was not undertaken and the application was referred to those properties directly adjoining the site and access their properties via Chapman Street and McVee Road.

During the advertising period, two submissions were received which objected to the proposal. A full summary of the submissions, with Officer comments has been provided in Appendix

13.1.B. The key issues raised were communicated to the Applicant and additional information and comments are provided in Appendix 13.1.C.

In relation to the issue raised relating to a Bushfire Management Plan and Bushfire Emergency Evacuation Plan, State Planning Polic 3.7 Planning in Bushfire Prone Areas provides an exemption for Home Businesses from being required to prepare and submit these plans, due to the scale and the owner/operator being familiar with the area and evacuation procedures. It is however noted that the Applicant has plans in place for evacuation in the event of a bushfire, as detailed in their amended application.

Site Management

One of the key areas of concern raised during submissions and through the assessment of the application is the management of the site, both people visiting the site and animals. The information provided by the Applicant in response to the submissions is adequate in allowing for the application to progress, however it is recommended that conditions relating to animal, site and amenity impact management be imposed to ensure that compliance is achieved and the site appropriately managed.

With consideration to the Department of Primary Industry and Regional Development's (DPIRD) Stocking Rates, A single light horse is equivalent to 10 DSE (Dry Sheep Equivalent), DPIRD recognises that often the only way to keep horses on many small holdings is by using special management, which would normally require an equine management plan. There are many issues to consider. Including:

- Stable design, including drainage controls for manure.
- Manure handling to avoid odour and stable fly problems.
- The type of horse activity varies from family pet to high value racing or stud horses.
- Access to facilities such as training tracks and bridle paths.
- Aside from manure as a health issue and in terms of nutrient export, woodchips used on bridle paths release toxic tannins which can poison surface water.

The guidelines allow for animals in excess of the stocking rate to be kept on a property, subject to management measures and additional feeding and pasture management.

The full suite of recommended conditions is contained in the officer's recommendation section of this report. The areas that will need to be addressed include:

- Fencing on the site is to be sufficient and free from damage;
- An equine management plan prepared to the specifications of DPIRD;
- Appropriate management of the onsite portable toilet;
- Landscaping and screening; and
- Modifications and improvements to proposed shipping containers.

Further Approvals

Where the business intends to conduct trails within State Forest, they are subject to approval and permits to be obtained from the Department of Biodiversity, Conservation and Attractions (DBCA). DBCA has previously granted a permit to trade in the State Forest at the business's previous location in Harris River.

Where the business intends to conduct trails and trade within a Shire managed reserve, ie. the Collie Race Club grounds, they will be required to obtain a permit pursuant to the Activities

in Public Places and Thoroughfares Local Law 2012, this has not been applied for at this time and would be assessed as a separate process to the development application.

Conclusion/ Recommendation

In consideration of the proposed development, Council is required to note the submissions received and consider the management of potential impacts through imposing conditions on the approval. Council is also required to exercise its discretion in determining that the proposal is consistent with the definition of Home Business on the basis that the built area pertaining to the business can be conducted within a 50m² area.

The proposal is compliant with the required setbacks for the rear and sides, however proposed a variation to the front setback, noting it is a battle axe block, from the required 20m pursuant to LPS6 to 4m from the boundary directly adjoining the neighbouring property. The setback to the road is approximately 85m.

The submissions made during the public advertising period have been considered and the Applicant has provided additional information and amended the proposal to respond to the issues raised.

Officers consider that potential impacts on the site and neighbouring properties can be adequately managed and compliance can be enforced through imposing conditions on the development approval. The economic development benefit of the proposal on the wider tourism and trails offering in Collie has been considered as part of the assessment of this development application.

It is recommended that the application be approved, subject to conditions.

13.2 Consolidation of R19491 to Rectify Building Encroachment (Cardiff Bushfire Brigade)	
Reporting Department:	Development Services
Reporting Officer:	Yolanda Cool – Town Planner
Accountable Manager:	Matt Young – Acting Chief Executive Officer
Legislation:	<i>Land Administration Act 1997</i>
File Number:	R19491
Appendices:	Appendix 13.2.A - Aerial Map (Area of Concern) Appendix 13.2.B - Proposed Tenure Arrangement (Survey Plan) Appendix 13.2.C - Road Widening and Realignment Plan
Voting Requirement:	Simple Majority

Report Purpose

For Council to consider an alternative arrange for the consolidation of land tenure arrangements relating to Reserve 19491 (Cardiff Bushfire Brigade), for the purpose of rectifying building encroachments and accommodating future road widening and realignment.

Officer's Recommendation:

That Council resolve to:

1. *Note the survey plan and sketch plan detailing the proposal as prepared by Harley Dykstra Surveying.*
2. *Authorise Officers to work with Department of Planning, Lands and Heritage to consolidate the land tenure arrangements associated with Reserve 19491 and facilitate:*
 - a) *Closure of portion Unnamed Road PIN 11419588 pursuant to section 58 of the Land Administration Act 1997 (LAA) and Regulation 9 of the Land Administration Regulations 1998 (LAR);*
 - b) *Excision of portion Lot 422 on DP 34931 (Reserve 19491), and Lots 8, 9 and 10 on DP 203723 (Unmanaged Reserve 19457) pursuant to section 51;*
 - c) *Dedication of new road over excised portions of Lots 8, 9 and 10 and portion of remaining unnamed road PIN 11419588 pursuant to section 56 and Regulation 8;*
 - d) *Amalgamation of balance of Lots 8, 9 and 10 to remain Unmanaged Reserve 19457 (for the purpose of 'Public Utility') pursuant to section 51;*
 - e) *Amalgamation of Closed Road PIN 11419588 and excised portion of Lot 422 to create a new Lot for the fire brigade structures and subsequent creation of a Class 'C' Reserve over the new fire brigade Lot for the purpose of 'Fire and Emergency Services' with a Management Order to the Shire pursuant to section 41 and section 46.*

3. Authorise Officers to advertise the proposal for 28 days to service providers and relevant agencies, as well as in the local newspaper and on the Shire website.
4. Indemnify the Minister of Lands against all claims for compensation and costs that may reasonably be incurred as a result of the road dedication process.

Background:

Council has previously considered a report at the Ordinary Meeting of Council held 14 March 2023 (Resolution 9150) to rectify tenure arrangements surrounding an 8m building encroachment into Reserve 19491 which was identified through the design process for a project in 2019/20 for the construction of the Cardiff Bushfire Brigade.

Since this item was considered, Officers have identified a future opportunity for a road widening and realignment (refer Appendix 13.2.C) of Hoddell Road, which was not accommodated for in the previous tenure rationalisation plan endorsed by Council. To facilitate these works, the proposed tenure arrangements need to be altered to allow for widening and realignment of the road, as well as native vegetation clearing and it is recommended that this rationalisation occur as part of this ongoing process.

The Department of Planning, Lands and Heritage has requested that an updated resolution of Council consenting to the change prior to advertising the proposed tenure arrangements prior to finalisation, however has provided its in principle support for the amended approach.

The Shire initially received correspondence from the Department of Planning, Lands and Heritage (DPLH) relating to Reserve 19491 (R19491) in Cardiff. The request detailed: *Through the completion of Case 2202554 'Request to Investigate the Removal of White Gum Trees on Reserve 19457 over Lots 8, 9 and 10 on Deposited Plan 203723' the Department of Planning, Lands and Heritage (Department) internally initiated this proposal to address the identified unlawful encroachments affecting Reserve 19457, unconstructed road (PIN 11419588) and Reserve 19491.*

The Bushfire Brigade building is constructed on Reserve 19491 (Lot 422 on DP 34931) and encroaches into a portion of Reserve 19457 (Lot 10 on DP 203723) and unconstructed road (PIN 11419588) (refer Appendix 13.2.A).

- Class-C Reserve 19457 (Lots 8-10 on DP 203723) is unmanaged for the purpose of 'Public Utility'.
- Class-C Reserve 19491 (Lot 422 on DP 34931) is managed by the Shire of Collie for the purpose of 'Recreation'.

DPLH has offered to assist in the tenure rationalisation in this area including resolving the identified encroachments from the structure on Reserve 19491 into Reserve 19457 (Lot 10 on DP 203723) and unconstructed road (PIN 11419588) and suggested the following actions with consideration to the new proposal (refer Appendix 13.2.B).

- Closure of unconstructed road (PIN 11419588) pursuant to section 58 of the *Land Administration Act 1997 (LAA)* and Regulation 9 of the *Land Administration Regulations 1998 (LAR)* for its inclusion/amalgamation into the adjoining Reserve 19491 pursuant to section 51 of the LAA and include the amendment to the adjoining Reserve 19491 pursuant to section 51 of the LAA.
- Excision of portion Lot 422 on DP 34931 (Reserve 19491), and Lots 8, 9 and 10 on DP 203723 (Unmanaged Reserve 19457) pursuant to section 51.
- Dedication of new road over excised portions of Lots 8, 9 and 10 and portion of remaining unnamed road PIN 11419588 pursuant to section 56 and Regulation 8.

- Amalgamation of balance of Lots 8, 9 and 10 to remain Unmanaged Reserve 19457 (for the purpose of 'Public Utility') pursuant to section 51.
- Amalgamation Closed Road PIN 11419588 and excised portion of Lot 422 to create a new Lot for the fire brigade structures and subsequent creation of a Class 'C' Reserve over the new fire brigade Lot for the purpose of 'Fire and Emergency Services' with a Management Order to the Shire pursuant to section 41 and section 46.

Statutory and Policy Implications:

Land Administration Act 1997

- Section 41
- Section 46
- Section 51
- Section 56
- Section 58

Land Administration Regulations 1998

- Regulation 8
- Regulation 9

Budget Implications:

The Shire was required to prepare a Plan of Survey for the road dedication and a sketch plan for the road closure, which has been undertaken.

The future road widening and realignment will be subject to further budget considerations by Council.

Communications Requirements:

The Shire is required to advertise the proposal for 28 days to utility service providers and other relevant agencies. Advertising in the local newspaper and on the Shire's website will also be undertaken for the wider community.

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN – ADOPTED DECEMBER 2022		
GOAL:	3	Our Built Environment
Objective:	3.1	Safe and well-maintained shire owned facilities and infrastructure
Objective:	3.2	Sound land planning and building strategies and schemes

Comment:

At its meeting on 14 March 2023, Council directed Officers to undertake the process to rationalise the land tenure relating to R19491, with assistance from the DPLH. DPLH has offered to assist in the tenure rationalisation in this area including resolving the identified encroachments from the structure on Reserve 19491 into Reserve 19457 (Lot 10 on DP 203723) and unconstructed road (PIN 11419588) and made suggested actions.

In further internal discussions between Shire Officers, the Hoddell Road widening and realignment proposal was discussed and it was determined the best course of action would be to provision for this project within the survey plan to be prepared by Harley Dykstra surveyors. This has been undertaken and the survey completed and the DPLH has since requested a resolution from Council endorsing the revised proposal and amended tenure actions.

Undertaking this process will rationalise Hoddell Road to be inside a formal road reserve and allow for a future realignment and widening project, which will also require the clearing of some native vegetation, as well as addressing the encroachments, excision, dedication of new road and amalgamations associated with the Cardiff Bushfire Brigade building. The native vegetation required to be cleared will also fall within the proposed road reserve, enabling the Shire to make application for a clearing permit when the project is scheduled to occur.

Officers will be required to undertake advertising to service providers and agencies prior to DPLH finalising the tenure arrangements. DPLH had also initially requested that the Shire include as part of this resolution, reference to indemnifying the Minister of Lands against all claims for compensation and costs that may reasonably be incurred as a result of the road dedication process, which has been included in the resolution.

The proposal is consistent with several other land tenure rationalisations that Officers are investigating within the Shire to assist with the management of reserves vested with the Shire. The proposed amendment to the purpose of the reserve will not impact on the future recreational use of the balance Reserve 19491 should the Shire wish to develop it further at a later stage, as well as allowing for future road works to occur in the area.

14. OPERATIONS REPORTS

14.1 Townscape and Environment Committee – Community Membership	
Reporting Department:	Chief Executive Office
Reporting Officer:	Jackie Robinson – Environment & Waste Coordinator
Accountable Manager:	Scott Geere – Acting Director Operations
Legislation:	<i>Local Government Act 1995</i>
File Number:	GOV/001
Appendices:	Appendix 14.1.A – Adopted Terms of Reference – Townscape and Environment Committee
Voting Requirement:	Absolute Majority

Report Purpose

To consider appointment of additional community member(s) to the Townscape and Environment Committee.

Officer's Recommendation

That Council:

1. *resolve to appoint the following persons as members of the Townscape and Environment Committee:*
 - i. _____
 - ii. _____

2. *amend the Term of Reference to appoint the Coordinator/nominated member of Friends of the Collie River Environmental Group as an additional member.*

Background:

On 9 April 2024, Council resolved to adopt a Terms of Reference for the Townscape and Environment Committee as included at Appendix 11.1.A.

The Terms of Reference provide for membership to include:

- At least two Councillors (Crs Scoffern, Harverson, Smith and Hill-Power are appointed)
- Chief Executive Officer or delegate
- Director Operations
- Community members (up to 3 members or otherwise as determined by Council following invitation for nominations for membership)

Arrangements were made to call for nominations from the community for membership to the Committee. This included a social media post on 7 May, notices within the Collie Bulletin on 9 and 16 May, and a poster at the notice board in Forrest Street, Collie Central shopping centre.

Submissions were invited to be lodged by 30 May 2024.

An item was submitted to the 11 June 2024 Ordinary Meeting of Council (Resolution 9419) detailing nomination received by the Friends of the Collie River Environmental Group, however further submissions were received by 30 May 2024.

Statutory and Policy Implications:

In accordance with Section 5.8 of the *Local Government Act 1995*, a local government may establish committees of three or more persons to assist the council. Committees may comprise of council members, employees and other persons.

Budget Implications:

Costs associated with administering the Committee are absorbed within operational budget provisions.

Communications Requirements: (Policy No. CS 1.7)

N/A

Strategic Community Plan/Corporate Business Plan Implications:

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

Relevant Precedents:

From time to time, Council elects to create Committees to provide advice and recommendations on particular subjects.

Comment:

Five (5) further nominations were received by the 30 May 2024 submission date, which were unfortunately not included in the 11th June 2024 item. Each nomination contained supporting statements as follows:

1. Mrs Jennifer Buckley
“We moved to Collie 21/2 years ago. We love the town and community. Being a part of the Committee would consolidate my commitment to the town. Tree planting and the health of the Collie River are a high priority. Look forward to a positive future.”
2. Mr Kalon Gibson
“As a Collie resident, a local tourism owner, environmental scientist and active community member (Rotary Club Director and Chair of Amaroo PS Board), I have a significant interest in working with the townscape and environment committee. My qualifications and personal attributes that will contribute to the success of the committee include: I am a Senior Environmental Consultant working locally and throughout the state; A bachelor degree in Marine and Freshwater Biology; Involvement in regional environmental studies relating to water resources; Project development at all levels of government, including advice, auditing and negotiation; Successful facilitated consultation with community and Traditional Owners; Actively involved in tourism and trails development in Collie, as part of my family business; Invested interest in community work relating to the river, due to my affiliation with Friends of the River Environmental Group, as Collie Rotary Community Director.”

3. Mrs Alison Melvin

“My valuable contribution would stem from my extensive knowledge, enthusiasm and passion of the local landscape, Heritage, Fauna and Flora. My community involvement & tour business Forest Explorers exposes me to a wide array of people, who are increasingly discovering and appreciating the natural beauty that Collie has to offer. Such positive responses received could significantly contribute to the committees’ goals and objectives.”

4. Mr Geoffrey Wilks

“I have been involved in Tidy-Towns Committees since I came to Collie back in 1980. Over time I have been nominated for the Environmental Award many times, winning it in 2020/21. I was instrumental in formatting Friends of the River Environmental Group who do a lot of work in the community. Also, I am a fan of snap-send-solve when I am out walking.”

5. Mr Dennis True

“I am a life-time resident of Collie. My major concern is the appearance of Collie, particularly the river. I see the riverscape as central to attracting tourists to the town (eg. The riverscape through town in the vicinity of the park and beyond. I have some understanding of how rivers work as I majored in geography in my degree).”

6. Mrs Simone Fraser

“I am deeply passionate about Collie’s urban environment, and I am committed to creating and sustaining vibrant, sustainable spaces in our Town. My active involvement in my residential urban environment and community, coupled with my engagement in various projects, positions me well to contribute effectively.

I have been involved in numerous committees that require strategic planning and forward thinking to work towards goals, including Collie Basketball Committee, School P&C, Collie Marketing Group, TMAC and the Christmas Decoration Group. Additionally, I run and own a tourism business, which has provided extensive experience in planning, building relationships with external organisations, community engagement and coordinating events. These roles have honed my skills in communication and planning.

I strongly believe that well designed engagement in community education and planning urban spaces such as playgrounds, gardens and art are crucial for fostering social interaction and there is potential to enhance this existing space by integrating them with the current investment in trails and branding. Building strong relationships across the community and with external organisations is vital for success and I have fostered connections and worked to collaborate with groups to reach a common goal.

My interest also extends to Collie River restoration, and particularly the science behind environmental recovery to assist in the recovery of the river. Although I have no formal training, I take time to understand the ecological principles and best practice to revitalise the waterways. By adopting proven methods, staying inquisitive about the latest research and innovation, as well as planning for improved river health is vital for all the Collie community.

In addition, I actively follow groups such as Friends of the River, Friends of Claremont Lake, Margaret River, Sabrina Hann & ABC Gardening Australia assisting with growth of knowledge and understanding of the built & natural urban environment. I enjoy the outdoors immensely. I am an avid hiker, runner, gardener and rubbish collector. There is no better place to spend time to get to know the Collie environment and spaces.

As I move through the Collie urban areas, I can reflect that Collie has undergone changes and progressed forward, including branding for trails, improved signage, mural art and to be part of maintaining and planning for the future is exciting.

I am eager and passionate to bring my skills, knowledge and enthusiasm to work collaboratively to create and build on the environmental & urban landscape of Collie, for the benefit of the Collie Community and those that visit or invest in our community."

This brings the total number of nominations from Community Members to seven (7). The current Terms of Reference for the Townscape and Environment Committee states community members up to three (3). The Terms of Reference states:

3.3 In accordance with the provisions of Section 5.10(1)(a) of the Local Government Act 1995, Council has resolved that the Committee shall have as its members:

- At least two Councillors*
- Chief Executive Officer or delegate*
- Director Operations*
- Community members (3 members or otherwise as determined by Council following invitation for nominations for membership)*

The purpose of the Townscape and Environment Committee is to *"assist with identification, development, and review of proposals for areas under public management that are of environmental importance, including river revitalisation initiatives. This includes ways to implement measures to restore or protect the natural environment while respecting heritage considerations."* The community member nominees, in addition to the Friends of the Collie River, all have varying experience but all have a keen interest in Collie's future.

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 Confidential Item: Assignment of Lease for Central Park Kiosk**

Report circulated under separate cover

21. CLOSE