



Shire of  
**Collie**

# AGENDA

for the

## ORDINARY MEETING OF COUNCIL

to be held on

**Tuesday, 11 November 2025**



## 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

### Acknowledgement of Country

The Shire of Collie acknowledges the Traditional Custodians of the land, the Wiilman and Kaniyang people of the Noongar Nation, and pays our respects to Elders, past, present and emerging. We thank them for the contributions they have made to life in the Shire of Collie and to this region.

# **NOTICE OF MEETING**

Please be advised that the



## **Ordinary Meeting of Council**

commencing at **7:00pm**

will be held on

**Tuesday, 11 November 2025**

in Council Chambers at 87 Throssell Street, Collie WA



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Phil Anastasakis  
Chief Executive Officer

5 Nov 2025

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### **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.

Any statement, comment or decision made at a Council or Committee meeting regarding any application for an approval, consent or licence, including a resolution of approval, is not effective as an approval of any application and must not be relied upon as such. Any person or entity that has an application before the Shire must obtain, and should only rely on, written notice of the Shire's decision and any conditions attaching to the decision and cannot treat as an approval anything said or done at a Council or Committee meeting.

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## **MEETING SCHEDULE**

### **2025**

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 9 December 2025**

**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<br>Impartial/Financial | *Extent of<br>Interest<br>(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; and
  - (b) the personal affairs of any person; and
  - (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; and
  - (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; and
  - (e) a matter that if disclosed, would reveal --
    - (i) a trade secret; or
    - (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; and
  - (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; or
    - (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; and
  - (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.

### **5.23A. Electronic broadcasting and video or audio recording of council meetings**

[illegible]

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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, 11 November 2025 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**

Nil.

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

- 20.1 – Collie Mineworkers Memorial Swimming Pool Update
- 20.2 – Appointment of Director Operations

**7. ITEMS BROUGHT FORWARD DUE TO INTEREST BY ATTENDING PERSONS**

**8. CONFIRMATION OF THE PREVIOUS MEETINGS OF COUNCIL MINUTES****8.1 Ordinary Council Meeting – 14 October 2025****Officer's Recommendation:**

*That Council confirms the Minutes of the Shire of Collie Ordinary Meeting of Council held on 14 October 2025.*

**8.2 Special Council Meeting – 21 October 2025****Officer's Recommendation:**

*That Council confirms the Minutes of the Shire of Collie Special Meeting of Council held on 21 October 2025.*

**9. BUSINESS ARISING FROM THE PREVIOUS MINUTES**

Nil.

**10. RECEIPT OF MINUTES OF COMMITTEE MEETINGS HELD SINCE THE PREVIOUS MEETING OF COUNCIL**

Nil.

## 11. CEO REPORTS

| 11.1 Corporate Business Plan Quarterly Progress Report – July to September 2025 |   |
|---|---|
| <b>Reporting Department:</b>  | Chief Executive Office  |
| <b>Reporting Officer:</b>   | Nicole Wasmann – Governance Coordinator   |
| <b>Accountable Manager:</b>   | Phil Anastasakis – Chief Executive Officer  |
| <b>Legislation</b>  | <i>Local Government Act 1995</i>  |
| <b>File Number:</b>   | GOV/001   |
| <b>Appendices:</b>  | Appendix 11.1.A – Corporate Business Plan – Quarterly Progress Report, July to September 2025 |
| <b>Voting Requirement</b>   | Simple Majority   |

### Report Purpose

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

### Officer's Recommendation:

*That Council receives the Corporate Business Plan Quarterly Report, July to September 2025 as contained in Appendix 11.1.A.*

### Background:

In 2012 the Western Australian State Government introduced the Integrated Planning and Reporting Framework, requiring each Local Government to have a Strategic Community Plan, a Corporate Business Plan and other informing strategies in place to ensure the future provision of services and facilities is sustainable for local communities. The Strategic Community Plan expresses the long term aspirations of the community and is the overarching document that sets out the community's vision, aspirations and values over the next 10 years.

Council adopted its Strategic Community Plan 2022 in December 2022 and Corporate Business Plan 2022/23 – 2026/27 in March 2023. The Corporate Business Plan 2022/23-2026/27 has been reviewed and updated in April 2024 and May 2025.

The Corporate Business Plan 2022/23 – 2026/27 sets out the various actions that will give effect to the Strategic Community Plan. The two documents are structured to provide:

|                           |   |
|---------------------------|---|
| Strategic Community Plan: | 5 Themes<br>9 Objectives<br>27 Strategic Priorities |
| Corporate Business Plan:  | 51 Action   |

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

**Statutory and Policy Implications:****Local Government Act 1995.****5.56. Planning for the future**

- (1) *A local government is to plan for the future of the district.*
- (2) *A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.*

**Local Government (Administration) Regulations 1996****19C. Strategic Community Plans, requirements for (Act s. 5.56)**

- (1) *A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.*

**19DA. Corporate Business Plans, requirements for (Act s. 5.56)**

- (1) *A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) *A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) *A corporate business plan for a district is to —*
  - (a) *set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
  - (b) *govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
  - (c) *develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
- (4) *A local government is to review the current corporate business plan for its district every year.*
- (5) *A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) *A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.*

*\*Absolute majority required.*
- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

**Budget Implications:**

Resourcing to deliver on the terms of the Corporate Business Plan 2022/23 – 2026/27 are provided for in annual budget allocations.

**Budget – Whole of Life Cost:**

As this report does not propose new assets, there are no direct whole of life or ongoing cost implications.

**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 AND CORPORATE BUSINESS PLAN |         |  |
|--|---------|--|
| <b>GOAL:</b>   | 5       | Our Organisation   |
| <b>Objective:</b>                                    | 5.1     | Innovative leadership, forward planning, and mutually beneficial partnerships    |
| <b>Strategic Priority:</b>                           | 5.1.3   | To share a quarterly achievements report against community strategic priorities. |
| <b>Actions</b>                                       | 5.1.3.1 | Publish quarterly progress reports   |

**Relevant Precedents:**

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

**Comment:**

The Quarterly Report is designed to provide information on the progress of key projects in the Corporate Business Plan 2022/23-2026/27.

The Report identifies the status of each of the 51 actions for the period July to September 2025. Overall, the report shows positive progress of actions with 37 tasks recorded as on track or complete, 10 items are listed as behind target or at risk, 3 pending, 0 marked as critical and 1 as deferred or not proceeding.

Council is requested to receive the Quarterly Report.

## 11.2 Schedule of Ordinary Council Meetings 2026

|                              |  |
|------------------------------|--|
| <b>Reporting Department:</b> | Chief Executive Office                     |
| <b>Reporting Officer:</b>    | Nicole Wasmann – Governance Coordinator    |
| <b>Accountable Manager:</b>  | Phil Anastasakis – Chief Executive Officer |
| <b>Legislation</b>           | <i>Local Government Act 1995</i>           |
| <b>File Number:</b>          | GOV/049                                    |
| <b>Appendices:</b>           | Nil.                                       |
| <b>Voting Requirement</b>    | Simple Majority                            |

### Report Purpose

For Council to determine the schedule of Ordinary Council Meetings for 2026.

### Officer's Recommendation:

*That Council:*

- 1. Determines that the 2026 Ordinary Meetings of Council be held at the Shire of Collie Council Chambers on the second Tuesday of each month, commencing February 2026.*
- 2. Change the commencement time for 2026 Ordinary Meetings of Council to 6:00pm based on a review of local government industry best practice, with a light meal provided after the meeting.*
- 3. Approves public notice requirements in accordance with the Local Government (Administration) Regulations 1996 (r.12 (1)).*

### Background:

The schedule of Ordinary Council Meetings is determined prior to the end of the preceding year to allow for public notice requirements.

The Shire of Collie Ordinary Council Meetings are currently held on the second Tuesday of each month, commencing at 7:00pm, with the exception of January when no meeting is held. Meetings are held in the Council Chambers in Collie with a light meal provided at the conclusion of the meeting.

Special Meetings may be called to deal with urgent business between Ordinary Council Meetings.

Based on current arrangements, the meeting dates for 2026 would be:

- 10 February 2026
- 10 March 2026
- 14 April 2026
- 12 May 2026
- 9 June 2026
- 14 July 2026
- 11 August 2026
- 8 September 2026
- 13 October 2026
- 10 November 2026
- 8 December 2026

**Statutory and Policy Implications:**

*The Local Government Act 1995*

**5.3 Ordinary and special council meetings**

- (1) A council is to hold ordinary meetings and may hold special meetings.
- (2) Ordinary meetings are to be held not more than 3 months apart.

**5.4 Calling council meetings**

An ordinary or a special meeting of a council is to be held —

- (a) if called for by either —
  - (i) the mayor or president; or
  - (ii) at least 1/3 of the councillors,

in a notice to the CEO setting out the date and purpose of the proposed meeting; or

- (b) if so decided by the council.

*Local Government (Administration) Regulations 1996*

**12 Publication of meeting details (Act s. 5.25(1)(g))**

- 1) In this regulation —

**meeting details**, for a meeting, means the date and time when, and the place where, the meeting is to be held.

- (2) The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held —

- (a) ordinary council meetings;
- (b) committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public.

- (3) Any change to the meeting details for a meeting referred to in subregulation (2) must be published on the local government's official website as soon as practicable after the change is made.

- (4) If a local government decides that a special meeting of the council is to be open to members of the public, the CEO must publish the meeting details for the meeting and the purpose of the meeting on the local government's official website as soon as practicable after the decision is made.

*Shire of Collie Standing Orders Local Law 2017*

- (1) Ordinary and special Council meetings are dealt with in the Act.
- (2) An ordinary meeting of the Council, held on a monthly basis or otherwise as determined by the Council, is for the purpose of considering and dealing with the ordinary business of the Council.
- (3) A special meeting of the Council is held for the purpose of considering and dealing with Council business that is urgent, complex in nature, for a particular purpose or confidential.

**Budget Implications:**

Costs associated with hosting Ordinary Council Meetings in the Council Chambers are provided for in the 2025/26 Budget.

**Budget – Whole of Life Cost:**

As this report does not propose new assets, there are no direct whole of life or ongoing cost implications.

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

The schedule of meetings will be advertised on the Shire's website in accordance with statutory public notice requirements.

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

| STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN |       |   |
|--|-------|---|
| <b>GOAL:</b>   | 5     | Our Organisation  |
| <b>Objective:</b>                                    | 5.1   | Innovative leadership, forward planning, and mutually beneficial partnerships |
| <b>Strategic Priority:</b>                           | 5.1.5 | To imbed our strategic priorities throughout the organisation                 |

**Relevant Precedents:**

The schedule of meetings for the forthcoming calendar year is determined each year.

**Comment:**

Holding one Ordinary Council Meeting per month, with no meeting during January, is considered sufficient for dealing with the normal business of Council.

Council may wish to consider alternative dates and times to suit the needs of the elected members and community. The below table provides the meeting schedule of other local governments in the South West region.

| COUNCIL                         | DAY                                | TIME   |
|---------------------------------|------------------------------------|--------|
| Shire of Augusta-Margaret River | Fourth Wednesday of each month     | 5:30pm |
| Shire of Boyup Brook            | Last Thursday of each month        | 6:00pm |
| Shire of Bridgetown-Greenbushes | Last Wednesday of each month       | 5:30pm |
| City of Bunbury                 | Meets on Tuesday every three weeks | 5:30pm |
| City of Busselton               | Second and fourth Wednesday        | 5:30pm |
| Shire of Capel                  | Last Wednesday of each month       | 6:00pm |
| Shire of Dardanup               | Fourth Wednesday of each month     | 5:00pm |
| Shire of Donnybrook-Balingup    | Fourth Wednesday of each month     | 5:00pm |
| Shire of Harvey                 | Fourth Tuesday of each month       | 4:00pm |
| Shire of Manjimup               | Fourth Tuesday of each month       | 5:30pm |
| Shire of Nannup                 | Fourth Thursday of each month      | 4:30pm |



Meeting details for committee meetings have not been determined. Dates for meetings of committees which must be open to the public, will be published on the Shire's website prior to the end of the year.

The officer's recommendation is based on a review of local government industry best practice which included a comparison of surrounding local governments, consideration of fatigue management for elected members and staff, maximising the opportunities for community members to attend, and the provision of sufficient meeting time for complex matters to be considered.

**11.3 Appointment of the Presiding / Deputy Presiding Members of the Audit Risk and Improvement Committee**

|                              |  |
|------------------------------|--|
| <b>Reporting Department:</b> | Chief Executive Office                                       |
| <b>Reporting Officer:</b>    | Phil Anastasakis – Chief Executive Officer                   |
| <b>Accountable Manager:</b>  | Phil Anastasakis – Chief Executive Officer                   |
| <b>Legislation:</b>          | <i>Local Government Act 1995</i>                             |
| <b>File Number:</b>          | GOV/030  |
| <b>Appendices:</b>           | Appendix 11.3.A – CONFIDENTIAL Candidate 1, 2 and 3 Profiles |
| <b>Voting Requirement:</b>   | Absolute Majority  |

**Report Purpose**

The purpose of this report is to appoint the Independent Presiding Member and Deputy Presiding Member to the Shire of Collie Audit Risk and Improvement Committee.

**Officer's Recommendation:**

*That Council:*

- 1. Appoint Candidate 1 to the position of Independent Presiding Member of the Audit Risk and Improvement Committee.*
- 2. Appoint Candidate 2 to the position of Independent Deputy Presiding Member of the Audit Risk and Improvement Committee.*
- 3. Approve the payment of a sitting fee of \$450 per meeting to each Independent Member under section 5.100(2)(b) Local Government Act 1995 and part 6.4 Determination of the Salaries and Allowances Tribunal for Local Government Elected Members 2025 pursuant to Section 7B of the Salaries and Allowances Act 1975.*

**Background:**

The Audit, Risk and Improvement Committee (the ARI Committee) is appointed by the Council of the Shire of Collie (the Shire) in accordance with section 7 of the *Local Government Act 1995* (the Act).

A local government may establish committees of 3 or more persons to assist the Council and to exercise the powers and discharge the duties of the local government that can be delegated to committees as stated in the *Local Government Act 1995* section 5.8.

The Local Government reform package includes amendments to the constitution and operation of local government ARI Committees. This includes:

- Revision to Audit, Risk and Improvement Committee (ARIC) title and purpose;
- Appointment of committee Presiding and Deputy Presiding Members by the Council; and
- Appointment of an independent Presiding and Deputy Presiding Member.

Upon the commencement of section 87 of the *Local Government Amendment Act 2024*, the Council is required to appoint an independent Presiding Member and an independent Deputy of the Presiding Member.

A Local Government may resolve to provide meeting fees to independent committee members under section 5.100(2) the Act and set the fee within a range pursuant to part 6.4 Determination of the Salaries and Allowances Tribunal for Local Government Elected Members 2025. It is prudent for the Shire to set this range at the maximum amount of \$450 to attract high calibre candidates as a Band 3 Local Government.

A report was submitted to the 9 September 2025 Council meeting where the Terms of Reference for the new ARI Committee was established. The Terms of Reference for the Audit, Risk and Improvement Committee was resolved (Res 9645) as follows:

**Audit, Risk and Improvement Committee:**

- *The membership shall consist of consist of the following:*
  - i.) *an Independent Presiding Member (chair);*
  - ii.) *an Independent Deputy Member to the Presiding Member (deputy chair); and*
  - iii.) *five (5) Councillors.*
- *The Committee Objectives are to focus on audit matters and reflects to a large extent the model Terms of Reference provided in the Local Government Operation Guidelines No.9 – Audit in Local Government.*
- *The Committee Objectives include delegated powers and duties under section 5.17 of the Local Government Act, where the Audit, Risk and Improvement Committee is delegated the power to conduct the formal meeting with the Auditor required by Section 7.12(A)(2) on behalf of the local government.*
- *The Committee will continue to review the annual audit report, meet annually with the auditor, review the annual Compliance Audit Return, review the Regulation 17 Review Report on Legislative Compliance, Internal Controls and Risk Management, review the Financial Management Systems Review conducted every three (3) years, and receive the biennial Risk Summary Report, together with fulfilling the detailed functions set out in the Local Government (Audit) Regulations 1996, Regulation 14, 16 and 17.*

The ARI Committee was reconstituted at the Special Council meeting held on the 21 October 2025 following the 18 October 2025 local government election, where all former committees were dissolved. The Council resolved (Res 9761) the following:

*That Council:*

- a) *Establishes the Audit Risk and Improvement Committee in accordance with of Section 7.1A (1) of the Local Government Act 1995.*
- b) *Appoints the following as members of the Audit Risk and Improvement Committee in accordance with Section 7.1A(2) of the Local Government Act 1995:*
  - *Cr Miffing*
  - *Cr Kearney*
  - *Cr Smith*
  - *Cr Faries*
  - *Cr Italiano*

*With independent members to be appointed at a future meeting of Council.*

- c) *Delegates authority to the Audit, Risk and Improvement Committee to meet with the Shire's Auditor at least once every year on behalf of the Council in accordance with section 7.1B and 7.12A of the Local Government Act 1995.*

The WA Local Government Association (WALGA) has developed a pool of suitably qualified and experienced ARIC independent Presiding and Deputy Presiding members. The Shire has short-listed and interviewed three (3) candidates from the WALGA pool based on their qualifications, experience and close proximity to Collie, and confirmed their availability as a prudent approach to fill the position until October 2027. The short-listed candidate applications are provided (refer to Appendix 11.3.A – Confidential Candidate Profiles) to this report for the Council's consideration.

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

The following *Local Government Act 1995* requirements apply to the business before Council in relation to committees.

### **Local Government Act 1995**

#### **Subdivision 2 — Committees and their meetings**

#### **5.8. Establishment of committees**

*A local government may establish\* committees of 3 or more persons to assist the council.*

*\* Absolute majority required.*

*Note for this section: A local government may delegate powers and duties to a committee under section 5.16.*

*[Section 5.8 inserted: No. 47 of 2024 s. 38.]*

#### **5.9. Committees, types of**

- (1) *In this section —*

**other person** means a person who is not a council member or an employee.

- (2) *A committee is to comprise —*

- (a) *council members only; or*
- (b) *council members and employees; or*
- (c) *council members, employees and other persons; or*
- (d) *council members and other persons; or*
- (e) *employees and other persons; or*
- (f) *other persons only.*

#### **5.10. Appointment of committee members**

- (1) *A committee is to have as its members —*

- (a) *persons appointed\* by the local government to be members of the committee (other than those referred to in paragraph (b)); and*
- (b) *persons who are appointed to be members of the committee under subsection (4) or (5).*

*\* Absolute majority required.*

(2) .....

**5.11A. Deputy committee members**

- (1) *The local government may appoint\* a person to be a deputy of a member of a committee and may terminate such an appointment\* at any time.*

*\* Absolute majority required.*

(2) .....

**5.11. Committee membership, tenure of**

- (1) *Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —*

- (a) the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or*
- (b) the person resigns from membership of the committee; or*
- (c) the committee is disbanded; or*
- (d) the next ordinary elections day,*

*whichever happens first.*

- (2) *Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —*

- (a) the term of the person's appointment as a committee member expires; or*
- (b) the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or*
- (c) the committee is disbanded; or*
- (d) the next ordinary elections day,*

*whichever happens first.*

**5.12. Presiding members and deputies**

- (1) *The local government must appoint\* a member of a committee to be the presiding member of the committee.*

*\* Absolute majority required.*

- (2) *The local government may appoint\* a member of a committee to be the deputy presiding member of the committee.*

*\* Absolute majority required.*

**5.13. Deputy presiding members, functions of**

*If, in relation to the presiding member of a committee —*

- (a) the office of presiding member is vacant; or*
- (b) the presiding member is not available or is unable or unwilling to perform the functions of presiding member,*

*then the deputy presiding member, if any, may perform the functions of presiding member.*

**5.16. Delegation of some powers and duties to certain committees**

- (1) *Under and subject to section 5.17, a local government may delegate\* to a committee any of its powers and duties other than this power of delegation.*  
*\* Absolute majority required.*
- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*
- (3) *Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —*
  - (a) *a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and*
  - (b) *any decision to amend or revoke a delegation under this section is to be by an absolute majority.*
- (4) *Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.*

**5.17. Limits on delegation of powers and duties to certain committees**

- (1) *A local government can delegate —*
  - (a) *to a committee comprising council members only, any of the council's powers or duties under this Act except —*
    - (i) *any power or duty that requires a decision of an absolute majority of the council; and*
    - (ii) *any other power or duty that is prescribed;**and*
  - (b) *to a committee comprising council members and employees, any of the local government's powers or duties that can be delegated to the CEO under Division 4; and*
  - (c) *to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government's powers or duties that are necessary or convenient for the proper management of —*
    - (i) *the local government's property; or*
    - (ii) *an event in which the local government is involved.*
- (2) *A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f).*

**Local Government Amendment Act 2024****Division 1A — Audit, risk and improvement committee****7.1A. Establishment of audit, risk and improvement committee**

Council Policy CP1-021 Council Committees, Working Groups, Reference Groups and External Committees applies to the establishment of Committees.

**Budget Implications:**

The administration of Council Committees requires significant resources to prepare agenda's, notes, reports and minutes. In addition to the administration, staff time is also taken up with queries from Committee members, attendance to meetings and workshops.

At some meetings up to five staff members may be in attendance. Where a Committee meets 4 times a year, it is estimated that the administration could cost as much as \$15,000 per annum in staff productivity and time.

It is therefore important that Committees are run efficiently and effectively to assure maximum benefit is achieved, and the attendance at Committees by Councillors and community members is optimised.

Approval of a sitting fee of the maximum amount of \$450 per independent member per meeting will cost a total of \$1,800 per annum. This amount is provided in the current 2025/26 Annual Budget as a Council Member sitting fees.

**Budget – Whole of Life Cost:**

As this report does not propose new assets, there are no direct whole of life or ongoing cost implications.

**Communications Requirements:**

Not applicable.

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

| STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN |       |   |
|--|-------|---|
| <b>GOAL:</b>   | 5     | Our Organisation  |
| <b>Objective:</b>                                    | 5.1   | Innovative leadership, forward planning, and mutually beneficial partnerships |
| <b>Strategic Priority:</b>                           | 5.1.5 | To imbed our strategic priorities throughout the organisation                 |

**Relevant Precedents:**

Guided by the principles of good governance, Council has established an "Instrument of Appointment & Terms of Reference" for most of the Committees that it is responsible for administering. The majority of these Terms of Reference were established and formally adopted by Council at the 9 September 2025 Council meeting.

**Comment:**

The ARI Committee is a mandatory and integral governance function of a responsible Council and its delivery of services to the community. The Council is requested to appoint the ARI Committee independent Presiding Member and independent Deputy Presiding Member.



#### 11.4 2025 Christmas and New Year Closing Dates

|                              |  |
|------------------------------|--|
| <b>Reporting Department:</b> | Chief Executive Office                     |
| <b>Reporting Officer:</b>    | Phil Anastasakis – Chief Executive Officer |
| <b>Accountable Manager:</b>  | Phil Anastasakis – Chief Executive Officer |
| <b>Legislation:</b>          | <i>Local Government Act 1995</i>           |
| <b>File Number:</b>          | GOV/049                                    |
| <b>Appendices:</b>           | Nil  |
| <b>Voting Requirement:</b>   | Simple Majority                            |

#### Report Purpose

For Council to note the expected closure dates for Shire facilities over the Christmas and New Year period.

#### Officer's Recommendation:

*That Council notes the following timetable of closing/opening dates and times of Shire of Collie facilities for the 2025 Christmas and New Year Period and from 5 January 2026:*

| Venue                                 | Closing Date/Time                   | Re-opening Date/Time           |
|---------------------------------------|-------------------------------------|--------------------------------|
| Administration Building               | Wednesday 24 December<br>4.30pm     | Monday 5 January<br>8.30am     |
| Collie Public Library                 | Wednesday 24 December<br>12.00 noon | Monday 5 January<br>8.30am     |
| Roche Park Recreation Centre          | Thursday 18 December<br>7.00pm      | Monday 5 January<br>9.00am     |
| Mineworkers Memorial<br>Swimming Pool | Wednesday 24 December<br>4.00pm     | Saturday 27 December<br>6.30am |
|                                       | Wednesday 31 December<br>4.00pm     | Friday 2 January<br>6.30am     |
| Shire Depot                           | Wednesday 24 December<br>12.00 noon | Monday 5 January<br>6.30am     |
| Waste Transfer Station                | Wednesday 24 December<br>4.00pm     | Saturday 27 December<br>9.00am |
|                                       | Wednesday 31 December<br>4.00pm     | Friday 2 January<br>9.00am     |



**Background:**

The dates and times of Christmas/New Year closing dates and times varies each year dependent on the day of the week on which Christmas Day and the associated public holidays fall. In 2025, Christmas Day falls on a Thursday.

After considering the implications on Shire of Collie services and facilities, the proposed closing and re-opening hours for the various Shire venues are shown in the table below:

| Venue                                 | Closing Date/Time                   | Re-opening Date/Time           |
|---------------------------------------|-------------------------------------|--------------------------------|
| Administration Building               | Wednesday 24 December<br>4.30pm     | Monday 5 January<br>8.30am     |
| Collie Public Library                 | Wednesday 24 December<br>1200 noon  | Monday 5 January<br>8.30am     |
| Roche Park Recreation Centre          | Thursday 18 December<br>7.00pm      | Monday 5 January<br>9.00am     |
| Mineworkers Memorial<br>Swimming Pool | Wednesday 24 December<br>4.00pm     | Friday 27 December<br>6.30am   |
|                                       | Wednesday 31 December<br>4.00pm     | Friday 2 January<br>6.30am     |
| Shire Depot                           | Wednesday 24 December<br>12.00 noon | Monday 5 January<br>6.30am     |
| Waste Transfer Station                | Wednesday 24 December<br>4.00pm     | Saturday 27 December<br>9.00am |
|                                       | Wednesday 31 December<br>4.00pm     | Friday 2 January<br>9.00am     |

While the various Council facilities will be open to the community based on the above opening days and hours, many will be operating on minimal staffing levels to enable staff to apply to take additional leave days over the Christmas / New Year period if they wish.

**Budget Implications:**

Nil - Staff taking leave will be utilising leave entitlements for the times they are not at work.

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

Public notice to be given advising of the open/closed hours for the various facilities.

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

| STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN |       |   |
|--|-------|---|
| <b>GOAL:</b>   | 5     | Our Organisation  |
| <b>Objective:</b>                                    | 5.1   | Innovative leadership, forward planning, and mutually beneficial partnerships |
| <b>Strategic Priority:</b>                           | 5.1.6 | To provide Good Governance across the organisation.                           |

**Relevant Precedents:**

The Shire venues have closed at times over the Christmas and New Year period in previous years.

**Comment:**

Essential services to the community will continue during the period of closure.

- Ranger Services will be available throughout by calling the advertised ranger mobile number or by leaving a message with the after-hours call service except for Christmas Day or weekends.
- Works and Parks and Gardens staff will be rostered on-call throughout.
- Funeral directors will be advised of on-call staff to respond to cemetery services.
- Information services will be available if required to post essential messages.
- Emergency response staff will be available throughout in the event of an emergency.
- The Transfer Station and the Swimming Pool are only closed for the minimum reasonable time to allow staff to spend Christmas with their families.

With public holidays falling on the Thursday 25 December, Friday 26 December and Thursday 1 January, and staff receiving a local government holiday over the Christmas period, there are essentially only four additional days of closure between Christmas Eve and the 5 January 2026.

Experience has shown that very few customers have attended Shire venues in the days between Christmas Day and New Year, therefore minimal inconvenience to the community is anticipated.

It is also proposed to change the opening time of the Administration Office to 8:30am from 5 January 2026 to allow sufficient time for staff who commence at 8:00am to prepare for opening in addition to allowing management sufficient time to source additional resourcing if staff are absent or delayed. Public notice will be provided in advance.

**11.5 Collie River Valley Tourist Park - Assignment of Lease**

|                              |  |
|------------------------------|--|
| <b>Reporting Department:</b> | Chief Executive Office   |
| <b>Reporting Officer:</b>    | Nicole Wasmann – Governance Coordinator  |
| <b>Accountable Manager:</b>  | Phil Anastasakis – Chief Executive Officer   |
| <b>Legislation</b>           | <i>Local Government Act 1995</i><br><i>Land Administration Act 1997</i>                    |
| <b>File Number:</b>          | L36454   |
| <b>Appendices:</b>           | Appendix 11.5.A – Collie River Valley Tourist Park Lease Assignment Additional Information |
| <b>Voting Requirement</b>    | Simple Majority  |

**Report Purpose**

For Council to consider a request for approval for the assignment of the lease of the Collie River Valley Tourist Park.

**Officer's Recommendation:**

*That Council:*

1. *Approve the assignment of lease for the Collie River Valley Tourist Park to "Summerstar Pty Ltd ATF The John Layman Family Trust ABN 58 480 373 679 T/As Collie Tourist Park*
2. *" subject to:*
  - a) *the approval of the Minister for Lands;*
  - b) *the lessee meeting all reasonable legal costs of the Shire associated with the drafting and/or review of the Deed of Assignment; and*
  - c) *the lessee meeting all requirements and obligations of the Lease associated with the assignment.*
2. *Subject to 1 above, authorise the President and Chief Executive Officer to sign and affix the Common Seal to the Deed of Assignment.*

**Background:**

The Collie River Valley Tourist Park is located on Reserve 36464 (Lot 2520) Porter Street Collie, with the Shire having management of the land for the purpose of caravan park. The Shire entered into a new lease for the park in January 2020, for a period of five years with three further terms of five years. The lease was assigned to a new lessee in 2023. The area of the site is 3.73 hectares, and the lease includes buildings and improvements. Under the terms of the lease, the lessee may sell the leasehold, subject to approvals.

The lessee has entered into a conditional contract of sale. The proposed incoming tenant has provided additional information outlining their experience in the management of caravan parks which is included as an attachment. The Shire's Chief Executive Officer has been provided with additional information to demonstrate the solvency of the entity.

**Statutory and Policy Implications:**

To assign the lease, the written consent of the lessor and the prior written consent of the Minister for Lands, as required by Section 18 of the *Land Administration Act 1997*, is necessary.

In accordance with the lease, the lessor will not unreasonably withhold its consent to an assignment of the whole of the premises if:

- the lessee proves to the satisfaction of the lessor that the proposed assignee is a respectable and responsible person of good financial standing;
- the lessee and the incoming tenant enter into a deed of assignment, to which the lessor is a part of, in a form satisfactory to the lessor acting reasonably; and
- the lessee pays to the lessor its reasonable costs and expense incurred by the lessor of and incidental to providing its consent to the proposed assignment.

**Budget Implications:**

The lessee is responsible for all costs associated with the assignment.

There will be no changes to the financial arrangements for the existing lease.

**Budget – Whole of Life Cost:**

There are no whole of life costs associated with the assignment of the lease.

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

The approval of the Minister for Lands is to be requested.

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

| STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN |     |   |
|--|-----|---|
| <b>GOAL:</b>   | 3   | Our Built Environment   |
| <b>Objective:</b>                                    | 3.1 | Safe and well-maintained Shire owned facilities and infrastructure. |

**Relevant Precedents:**

The existing lease was previously assigned in 2023.

**Comment:**

In accordance with the lease, the lessee may assign the lease with the Shire's and Minister's approval. The Shire cannot unreasonably withhold the approval.

Council is requested to approve the assignment, subject to the necessary approval being obtained from the Minister and satisfactory administration arrangements within the document prepared and executed.

**11.6 Lease Renewal and Extension – Collie Racing Drivers Association (Speedway)**

|                              |   |
|------------------------------|---|
| <b>Reporting Department:</b> | Chief Executive Office/   |
| <b>Reporting Officer:</b>    | Nicole Wasmann – Governance Coordinator                                 |
| <b>Accountable Manager:</b>  | Phil Anastasakis – Chief Executive Officer                              |
| <b>Legislation</b>           | <i>Local Government Act 1995</i><br><i>Land Administration Act 1997</i> |
| <b>File Number:</b>          | R30627  |
| <b>Appendices:</b>           | Nil   |
| <b>Voting Requirement</b>    | Simple Majority   |

**Report Purpose**

For Council to consider the renewal of the lease of the Reserve 30627 to the Collie Racing Drivers Association Inc. (CRDA) and a request for the expansion of the Reserve by 30 metres to the east, to include the gravel road currently used to access the pits from the rear.

**Officer's Recommendation:**

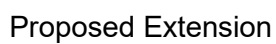
*That Council supports:*

- 1. The excision of 30m x 315.37m of land from Unallocated Crown Land PIN 547520 for inclusion into adjoining Reserve 30627, subject to the Collie Racing Drivers Association Inc meeting all costs incurred by the Shire of Collie.*
- 2. The renewal of the lease of Reserve 30627, incorporating the proposed extension, to the Collie Racing Drivers Association Inc for a period five years with an option to renew for a further term of five years.*

**Background:**

The Shire of Collie has a Management Order for Reserve 30627 on the Collie Williams Road for the purpose of speedway track. The Shire leases the Reserve to the CRDA, with the lease being due for renewal. The Shire has granted consent to the CRDA to hold the leased premises as a tenant in accordance with clause 14.5 of the lease, until the new lease is considered and signed by both parties.

The lease renewal was last considered by Council in 2010, at which time it was resolved to apply to the Department of Regional Lands to extend Reserve 30627 by 30 metres to the east. The expansion was to allow for access to the pit areas as shown on the image and diagram on the following page.





Access to the pits had previously been provided off the Collie Williams Road, however the CRDA had reported safety concerns with this access route.

At the time, the Department advised that it was not possible to alter the boundaries of the Reserve due to mining and Native Title interests. As an alternative, a licence under Section 91 of the *Land Administration Act 1997* was granted to the CRDA as a temporary measure. This licence has since expired and the Department of Planning, Lands and Heritage (DPLH) has advised that the excision of land from the adjoining Unallocated Crown Land PIN 547520 to facilitate the expansion of the Collie Speedway, can now be supported. DPLH has advised that a new licence under Section 91 of the *Land Administration Act 1997* is not supported as the licences are generally intended for short term, low impact and non-exclusive use.

To alter the Reserve boundary, the Shire would incur survey and lodgement costs. A budget estimate of up to \$12,000, including GST, has been provided by a local surveying company.

Council also resolved in 2010 that 'Staff liaises further with interested parties and investigates the feasibility of relocating the Collie Speedway to the Collie Motorplex facility and report the outcomes to Council.'

**Statutory and Policy Implications:**

In accordance with the *Local Government (Functions and General) Regulations 1996* Regulation 30, disposal of land is exempt from the public notice requirements of Section 3.58 of the *Local Government Act 1995* where the lease is to a recreational or sporting body and the members are not entitled or permitted to receive any pecuniary profit from the body's transactions.

The land is Crown land for which the Shire has a Management Order. In accordance with Section 18 of the *Land Administration Act 1997*, Ministerial approval is required when dealing with interests in Crown land.

The current Council Policy DS 1.3 Community Leases was adopted by Council in 2020. A review of the Policy and the formation of a Property Management Framework is currently in progress. The Policy and Framework will guide the formulation of the Lease document prepared for the CRDA.

**Budget Implications:**

The cost to renew the lease is minimal. It is proposed that the Speedway be responsible for meeting any costs associated with surveying and lodgement costs for the boundary change.

The existing lease has an annual peppercorn lease fee of \$1 pr annum. In accordance with the DS 1.3 Community Leases Policy and Property Management Framework, an annual lease fee of between \$50-\$100 per annum would apply under the new lease.

**Budget – Whole of Life Cost:**

As this report does not propose new assets, there are no direct whole of life or ongoing cost implications.

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

The Shire has been consulting with the CRDA and staff from DPLH with regards to the lease renewal and extension of the Reserve.

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

| <b>STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN</b> |       |   |
|---|-------|---|
| <b>GOAL:</b>  | 3     | Our Built Environment   |
| <b>Objective:</b>   | 3.1   | Safe and well maintained Shire owned facilities and infrastructure.                               |
| <b>GOAL:</b>  | 1     | Our Community   |
| <b>Objective:</b>   | 1.2   | Community connection, engagement and participation  |
| <b>Strategic Priority:</b>                                  | 1.2.1 | Work with sporting clubs and community groups to promote volunteering and increase participation. |

**Relevant Precedents:**

The Shire has an existing lease with the CRDA for the Reserve as per the resolution of Council at the December 2010 Council Meeting.

**Comment:**

It is proposed that the CRDA be requested to meet any costs associated with the excision of land from the adjoining Unallocated Crown Land PIN 547520 and inclusion into adjoining Reserve 30627. It is anticipated that these costs may be up to \$12,000.

The term of the lease proposed is five years with an option of a further five years in accordance with other leases to community groups.

The lease will be finalised following the inclusion of the additional land.



## **12. OPERATIONS REPORTS**

### **12.1 Tender 02/2025 – Cleaning of Public Toilets, Barbecues and Council Facilities Including Minor Maintenance (3 Year Contract)**

|                              |   |
|------------------------------|---|
| <b>Reporting Department:</b> | Operations  |
| <b>Reporting Officer:</b>    | Scott Geere – Director Operations                                 |
| <b>Accountable Manager:</b>  | Phil Anastasakis – Chief Executive Officer                        |
| <b>Legislation</b>           | <i>Local Government Act 1995</i>                                  |
| <b>File Number:</b>          | CMG/333   |
| <b>Appendices:</b>           | Appendix 12.1.A – CONFIDENTIAL Evaluation Report – Tender 02/2025 |
| <b>Voting Requirement</b>    | Absolute Majority   |

#### **Report Purpose**

This report provides Council with the results of the evaluation of tenders for Tender 02/2025 - Cleaning of Public Toilets, Barbecues and Council Facilities Including Minor Maintenance (3 Year Contract) and recommends that Council accept the tender received from the entity identified as Tenderer 1 in the evaluation report.

#### **Officer's Recommendation:**

*That Council:*

- 1. Confirms that the tender process conducted was sufficient and compliant with requirements under the Local Government (Functions and General) Regulations 1996.*
- 2. Accept the tender submission RFT 02/2025 Cleaning of Public Toilets, Barbeques and Council Facilities including Minor Maintenance (3-Year Contract) received from the entity identified as Tenderer 1 in the evaluation report as the most advantageous, for a lump sum value of \$123,441.93 per annum (excl. GST) over the duration of the 3-year contract.*
- 3. Delegates to the Chief Executive Officer in accordance with s.5.42(1) of the Local Government Act 1995, to negotiate minor variations to the contract for RFT 02/2025 Cleaning of Public Toilets, Barbeques and Council Facilities including Minor Maintenance (3-Year Contract) before and after its execution in accordance with Regulations 20 and 21A of the Local Government (Functions and General) Regulations 1996.*
- 4. Authorise the Chief Executive Officer, in accordance with section 9.49A(4) of the Local Government Act 1995, to execute the contract for Tender 02/2025 Cleaning of Public Toilets, Barbeques and Council Facilities including Minor Maintenance (3-Year Contract).*
- 5. If within 6 months of this resolution a contract is unable to be formed for Tender 02/2025 Cleaning of Public Toilets, Barbeques and Council Facilities including Minor Maintenance (3-Year Contract) with Tenderer 1, identified in this report as the most advantageous, then the Shire of Collie accepts the tender submission received from Tenderer 2 as the next most advantageous as identified within the Evaluation Report contained under Appendix 12.1.A of this item.*

**Background:**

The cleaning of Shire of Collie public toilets and public facilities is currently provided by contractors. Tenders for the works were last awarded in July 2022 for a term of three years.

A new tender has subsequently been advertised to allow for a renewed contract for the provision of this service for a further three (3) year period.

This contractual arrangement is commonly used by Local Governments as the tasks require service seven (7) days per week at various hours of the day, and also outside of working hours on occasion. This method has been in place by the Shire of Collie for approximately 20 years.

The public facilities that currently require cleaning consist of:

- a) Public Toilets - Fifteen (15) sites;
- b) Barbeques – Four (4) sites;
- c) Change Rooms – Two (2) sites.

The Shire of Collie issued Request for Tender (RFT) 02/2025 - Cleaning of Public Toilets, Barbecues and Council Facilities Including Minor Maintenance as an open Public Tender on 31 July 2025.

There has been a delay in bringing this item to Council sooner due to the recent caretaker period. Section 3.73 of the Act prohibits Local Governments from doing, or deciding to do, any significant acts during a caretaker period. Entering into a contract with a total value exceeding \$250,000 meets the definition of a 'significant act' as specified in s.3.73 and r.3A of the *Local Government (Functions and General) Regulations 1996*.

Part 1.12 of the RFT ('Tender Validity Period') states that '*All tenders will remain valid and open for acceptance for a minimum of ninety (90) days from the deadline*', meaning that this tender process still falls within the 90 day timeframe.

| TENDER DETAILS                   |  |  |
|----------------------------------|--|--|
| Request for Tender (RFT) Number: | 02/2025  |  |
| RFT Title:                       | Cleaning of Public Toilets, Barbecues and Council Facilities Including Minor Maintenance (3 Year Contract) |  |
| Recommended Tenderer             | Tenderer 1 in Evaluation Report  |  |
| Contract Term                    | Initial  | 3 years  |
|                                  | Extension Options  | Not applicable   |
|                                  | Defects liability Period   | Not applicable   |
| Tendered Rates/Cost              | Confidential Attachment 12.1.A   |  |
| Advertising                      | 30 July 2025   | West Australian Newspaper  |
|                                  | 31 July 2025   | South West Times Newspaper   |
|                                  | 31 July 2025   | Collie Bulletin Newspaper  |
|                                  | 30 July 2025   | Tenderlink<br><a href="http://www.tenderlink.com/collie">www.tenderlink.com/collie</a> |
| Tender Deadline:                 | 27 August 2025   | 12 noon WST  |
| Tender Opening:                  | 27 August 2025   | 12.05pm  |
| Tender Observers:                | Two (2) Shire of Collie employees were present   |  |
|                                  | Nil (0) members of the public were present.  |  |

No addendums were issued during the RFT open period, nor was there a prescribed mandatory site meeting.

**Statutory and Policy Implications:**

The tender process has been conducted in accordance with the requirements of the s3.57 of the *Local Government Act 1995*, *Local Government (Functions and General) Regulations 1996*, and Council Purchasing Policy CS3.23.

The compliance requirements applicable to this report and Officer Recommendation are in accordance with r18.4 of the *Local Government (Functions and General) Regulations 1996*.

Tenders that have not been rejected under sub regulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them (if any) it thinks it would be most advantageous to the local government to accept.

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

**Budget Implications:**

This cleaning service is included in the 2025/26 budget with an allocation of \$125,000 and is fully funded by the Shire of Collie. The submission received from the entity identified as Tenderer 1 in the evaluation report at \$123,441.93 per annum (excl. GST) is fully provided for within the allocated budget.

**Budget – Whole of Life Cost:**

As this report does not propose new assets, there are no direct whole of life or ongoing cost implications.

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

The tender has been advertised in accordance with Statutory requirements of Statewide Public Notice.

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

| STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN |       |   |
|--|-------|---|
| <b>GOAL:</b>   | 5     | Our Organisation  |
| <b>Objective:</b>                                    | 5.1   | Innovative leadership, forward planning, and mutually beneficial partnerships |
| <b>Strategic Priority:</b>                           | 5.1.6 | To provide Good Governance across the organisation.                           |

**Relevant Precedents:**

This contractual arrangement is commonly used by Local Governments as the tasks require service seven (7) days per week at various hours of the day, and also outside of working hours on occasion. This method has been in place by the Shire of Collie for approximately 20 years.

**Comment:**

Following advertising, seven (7) submissions were received by the closing date, with six (6) submissions deemed compliant.

An evaluation report is included in confidential Appendix 12.1.A

A Tender Evaluation Panel was formed in accordance with part 3 of the Shire of Collie CS3.23 Purchasing Policy. The panel comprised of three (3) members, including:

- Director Operations
- Manager Operations
- Co-ordinator Technical Services

#### Probity Oversight

Process and probity advice during evaluation was provided by the Director Operations who also acted as Panel Chair and Evaluation Process Facilitator. All members of the Panel have made a conflict-of-interest declaration in writing, confirming they have no relationships with any of the Respondents. This evidences the probity and integrity considerations within the process.

The evaluation process consisted of:

- (a) each panel member individually read and assessed each tender. The assessment was based on the member allocating a score against the selection criterion resulting in an overall score determining their ability to provide the services. All three (3) assessments were then collated into a single collated and averaged scored outcome.
- (b) Discussion with any technical consultants to the panel *-nil*
- (c) Reference and ABN checks on recommended tenderer was undertaken;
- (d) a recommendation was drafted;
- (e) The evaluation report was endorsed by the Evaluation panel; and
- (f) The recommendation was finalised for CEO endorsement and approval.

The Panel have compiled an Evaluation Panel Report which includes the consensus amalgamated average (not individual Panel Member analysis) of the content of each tender submission against the required selection criteria. In some instances, this may result in commentary or scoring that may be critical or a negative reflection on an individual tender submission.

It is this aspect of the Evaluation Panel Report, which is considered to be confidential, in accordance with s.5.23(2)(e)(ii) information that has a commercial value to a person, or (iii) information about the business, professional, commercial or financial affairs of a person. The ranking of tender submissions and recommended tenderer in the Evaluation Panel Report is therefore referenced by non-identifying methods.

#### Evaluation of Tenders

The objective of the Tender Evaluation Panel is to recommend a suitably qualified and experienced Contractor to satisfy the requirements of the abovementioned Request for Tender.

Based on evaluation of the received submissions and subsequent compliance assessments, the Tender Evaluation Panel recommends that the Respondent recommended in this report be accepted at the estimated Tender Value.

Submissions were deemed compliant and progressed for assessment against the following predetermined qualitative and price criteria:

**CRITERIA PERCENTAGE**

The weighted criterion of the assessment is outlined in Confidential Attachment 12.1.A – Tender Evaluation Report.

- (a) Relevant Experience 20%
- (b) Tenderers Resources 20%
- (c) Demonstrated Understanding 20%
- (d) Pricing - Modelled Average for Scoring 40%

TOTAL 100%

**Evaluation Justification**

The Tender Evaluation Panel recommends the entity identified as Tenderer 1 in the evaluation report based on an assessment of submissions against the predetermined qualitative criteria shown above. The submission provided by the Respondent performed soundly across criteria's (a), (b) and well across (c) scoring 45.4 against a total potential score of 60, and scoring 35.3 for (d), bringing their overall score to 65.9 out of 100.

Overall, the quality of submissions presented were high. All other responses other than the preferred tenderer were subject to a local recruitment process to meet the requirements of the tender.

If within 6 months of this resolution a contract is unable to be formed for Tender 02/2025 – Cleaning of Public Toilets, Barbecues and Council Facilities Including Minor Maintenance (3 Year Contract) with the entity identified as Tenderer 1 in the evaluation report recommendation as the most advantageous, then the Shire of Collie accepts the tender submission received from the entity identified as Tenderer 2 in the evaluation report as the next most advantageous in the recommendation shown in [Confidential Attachment 12.1.A - Tender 02/2025 Evaluation Report .

In determining the entity identified as Tenderer 1 in the evaluation report as the preferred Tenderer, the supplier has provided the following information:

**Due Diligence YES/NO**

- Has the recommended Tenderer supplied Referees? YES
- Has the recommended Tenderer supplied Financial Information? YES
- Was a Conflict of Interest declared? If yes, please specify how it was managed? NO

The Evaluation Panel therefore recommends that the contract for Cleaning of Public Toilets, Barbecues and Council Facilities Including Minor Maintenance (3 Year Contract) be awarded to the entity identified as Tenderer 1 in the evaluation report at the total estimated contract cost provided in the confidential attachment.

**12.2 Proposed Twelve (12) Month Trading Undertaking – Sale of Sand**

|                              |  |
|------------------------------|--|
| <b>Reporting Department:</b> | Operations                                 |
| <b>Reporting Officer:</b>    | Scott Geere – Director Operations          |
| <b>Accountable Manager:</b>  | Phil Anastasakis – Chief Executive Officer |
| <b>Legislation</b>           | <i>Local Government Act 1995</i>           |
| <b>File Number:</b>          | GOV/049                                    |
| <b>Appendices:</b>           | Nil.                                       |
| <b>Voting Requirement</b>    | Absolute Majority                          |

**Report Purpose**

The purpose of this report is to seek Council's endorsement for the implementation of a twelve (12) month trial commercial arrangement for the sale of sand from the Shire's licensed extraction area at Premier Coal (Pit 4).

The trial will allow the Shire to assess the operational, financial, and compliance requirements associated with commercial sand sales prior to developing a formal Business Case for a medium to long-term trading undertaking.

**Officer's Recommendation:**

*That Council:*

- 1. Endorse the establishment of a twelve (12) month trial Trading Undertaking for the sale of sand from Premier Coal (Pit 4), commencing 1 January 2026 and ceasing 31 December 2026;*
- 2. Authorise the Chief Executive Officer to liaise with Premier Coal to confirm any restrictions, WH&S and other requirements under Sand Extraction Licence PCL-PC-4072, and apply for the relevant permissions;*
- 3. Endorse the introduction of a new Shire of Collie Fee and Charge for the "Sale of Sand at \$15.00 per tonne", with the new Fee and Charge to apply from 1 January 2026;*
- 4. In accordance with S6.2 of the Local Government Act 1995, give local public notice of its intention to introduce a new Shire of Collie Fee and Charge for the "Sale of Sand at \$15.00 per tonne";*
- 5. Endorse the implementation of unbudgeted operational control measures associated with the Trading Undertaking including weighbridge verification, pre-extraction notification, relevant supervision, and passive surveillance;*
- 6. Endorse the commissioning of a volumetric survey to confirm total sand availability at Premier Coal (Pit 4) and set extraction limits;*
- 7. Endorse the allocation net revenue (sales income less expenditure) from the sale of sand being allocated to the Building Reserve; and*
- 8. Note that the findings from the Trading Undertaking trial will inform a formal Business Case to be developed and considered by Council at the December 2026 Council meeting.*



**Background:**

The Shire of Collie currently holds a Sand Extraction Licence (PCL-PC-4072) at Premier Coal (Mining Lease 262SA), specifically within Pit 4. The licence was first obtained on 1 February 2024 for a 36-month duration (expiring 31 January 2027) with a 12-month extension term available to 31 January 2028.



In September 2024, the Shire commissioned sand testing through Environmental and Agricultural Testing Services (EATS) (Reference 16110/PFI1472). The results confirmed the material as being suitable for clean fill and civil construction use.

Several local civil contractors have expressed interest in accessing the material for their own projects. The sand resource is therefore considered to have commercial value for controlled distribution.

Under 8.1(b) of Sand Extraction Licence PCL-PC-4072, the Shire must obtain formal consent from Premier Coal before authorising any third-party extraction. A full review of the licence and consultation with Premier Coal will confirm permissions, restrictions, and work health and safety (WH&S) obligations relating to external contractor access.

It is proposed that the Shire implement a twelve (12) month trial commercial Trading Undertaking, to commence from 1 January 2026. This limited duration trial will exclude the requirements and formalities of Section 3.59 of the *Local Government Act 1995* in relation to a Major Trading Undertaking. It will give the Shire an informed position over this trial period to evaluate the operational, financial, risk management and compliance aspects necessary to inform a full Business Case for a medium to long-term Major Trading Undertaking from 1 January 2027 onward, subject to approval and extension of existing lease by Premier Coal.

**Statutory and Policy Implications:**

Local Government Act 1995

Section 3.59 ('*Commercial enterprises by local governments*') of the *Local Government Act 1995* defines the following:

**Major Trading Undertaking** means a trading undertaking that —

- (a) in the last completed financial year, involved; or
- (b) in the current financial year or the financial year after the current financial year, is likely to involve, expenditure by the local government of more than the amount prescribed for the purposes of this definition (*refer Reg 9 - \$2m or 10% of operating expenditure*), except an exempt trading undertaking;

**Trading Undertaking** means an activity carried on by a local government with a view to producing profit to it, or any other activity carried on by it that is of a kind prescribed for the purposes of this definition, but does not include anything referred to in paragraph (a) or (b) of the definition of **land transaction**.

A major trading undertaking is defined under r.9 of the *Local Government (Functions and General) Regulations 1996*. This regulation states:

(1) *The amount prescribed for the purposes of the definition of a major trading undertaking in section 3.59(1) of the Act is —*

(a) *If the trading undertaking is entered into by a local government the district of which is in the metropolitan area or a major regional centre, the amount that is the lesser of —*

- i. *\$5,000,000; or*
- ii. *10% of the lowest operating expenditure described in sub regulation (2);*

*Or*

(b) *If the trading undertaking is entered into by any other local government, the amount that is the lesser of —*

- i. *\$2,000,000; or*
- ii. *10% of the lowest operating expenditure described in sub regulation (2);*

(2) *The lowest operating expenditure referred to in sub regulation (1) is the lowest of —*

(a) *The operating expenditure incurred by the local government from its municipal fund in the last completed financial year; and*

(b) *The operating expenditure likely to be incurred by the local government from its municipal fund in the current financial year; and*

(c) *The operating expenditure likely to be incurred by the local government from its municipal fund in the financial year after the current financial year...*

A commercial enterprise defined as a *Major Trading Undertaking* is to:

1. Have a Business Plan prepared, which meets the requirements prescribed under s.3.59(3), and r.10 of the *Local Government (Functions and General) Regulations 1996*; and
2. Give Statewide public notice inviting submissions to be made about the proposed undertaking, giving a final day not less than 6 weeks after the notice is given; and



3. Make a copy of the Business Plan available for public inspection in accordance with the notice; and
4. Publish a copy of the Business Plan on the local government's official website; and
5. Consider any submissions made to allow for a decision to proceed with the undertaking as proposed, or so that it is not significantly different from what is proposed.

The proposed twelve (12) month trial commercial arrangement does not constitute a "Major Trading Undertaking" due to its restricted timeframe and limited scale, but is defined as a "Trading Undertaking". The trial will inform a future Business Case for a fully compliant, ongoing arrangement as a potential "Major Trading Undertaking".

The "Trading Undertaking" arrangement is specifically permitted under s.3.59(8) of the *Local Government Act 1995*, which states:

*A local government can only continue carrying on a trading undertaking after it has become a major trading undertaking if it has complied with the requirements of this section that apply to commencing a major trading undertaking, and for the purpose of applying this section in that case a reference in it to commencing the undertaking includes a reference to continuing the undertaking.*

#### **6.16. Imposition of fees and charges**

- (1) *A local government may impose\* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

*\* Absolute majority required.*

- (2) *A fee or charge may be imposed for the following —*

- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*
- (b) supplying a service or carrying out work at the request of a person;*
- (c) subject to section 5.94, providing information from local government records;*
- (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;*
- (e) supplying goods;*
- (f) such other service as may be prescribed.*

- (3) *Fees and charges are to be imposed when adopting the annual budget but may be —*

- (a) imposed\* during a financial year; and*
- (b) amended\* from time to time during a financial year.*

*\* Absolute majority required.*

#### **6.17. Setting level of fees and charges**

- (1) *In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —*

- (a) the cost to the local government of providing the service or goods; and*
- (b) the importance of the service or goods to the community; and*
- (c) the price at which the service or goods could be provided by an alternative provider.*

- (2) *A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.*
- (3) *The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —*
- (a) under section 5.96 (copy of various registers, reports, plans, local laws, etc); or*
  - (b) under section 6.16(2)(d) (copy of licenses, permits, certificates, etc); or*
  - (c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.*
- (4) *Regulations may —*
- (a) prohibit the imposition of a fee or charge in prescribed circumstances; or*
  - (b) limit the amount of a fee or charge in prescribed circumstances.*

**6.18. Effect of other written laws**

- (1) *If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not —*
- (a) determine an amount that is inconsistent with the amount determined under the other written law; or*
  - (b) charge a fee or charge in addition to the amount determined by or under the other written law.*
- (2) *A local government is not to impose a fee or charge for a service or goods under this Act if the imposition of a fee or charge for the service or goods is prohibited under another written law.*

**6.19. Local government to give notice of fees and charges**

*If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —*

- (a) its intention to do so; and*
- (b) the date from which it is proposed the fees or charges will be imposed.*

**Budget Implications:**

The trial arrangement will generate income based on tonnage extracted. Clean Fill Sand generally retails for approximately \$20.00 per scoop (small tractor), with a single scoop being approximately 0.5 cubic metres (i.e. 0.75 tonnes).

The Shire of Collie is currently being charged \$1.73 per tonne, which equates to roughly \$2.60 per cubic metre.

A fixed sale price of \$15.00 per tonne is therefore proposed to be adopted and incorporated into the 2025/26 Fees and Charges through a formal Council resolution and Local Public Notice.

By offering clean fill for commercial sale / use at a rate below typical market pricing, the Shire can provide a cost advantage to developers and local contractors, support development activity and stimulate growth within the district. As no other local business currently sell clean fill on a large civil scale, it will not adversely impact existing commercial operators within the Shire.

All net revenue generated from sand sales is proposed to be allocated to a dedicated reserve account, such as the Building Reserve. Expansion of the purpose of the Building Reserve to include the purchase of staff housing will provide a source of revenue to assist in this area of need.

Expenditure associated with the trial will include:

- Licence and legal review costs;
- Monitoring and administrative oversight;
- Commissioning of a volumetric survey to determine total site quantity and set extraction caps to protect:
  - Future Shire operational needs; and
  - Compliance thresholds under trading undertaking provisions.

**Budget – Whole of Life Cost:**

N/A

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

- Premier Coal: Confirmation of written consent, operational restrictions, and WH&S access requirements.
- Local Contractors: Notification of the trial program, eligibility requirements, and extraction controls.
- Public Advertising: The Business Case to be developed following the trial will be publicly advertised in accordance with Section 3.59 of the Local Government Act 1995, inviting submissions and ensuring transparency.
- Internal: Ongoing coordination between the Shire's Engineering, Governance, and Finance teams to manage compliance, weighbridge data, and financial reporting.

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

| STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN |     |   |
|--|-----|---|
| <b>GOAL:</b>   | 5   | Our Organisation  |
| <b>Objective:</b>                                    | 5.1 | Innovative leadership, forward planning, and mutually beneficial partnerships |

**Relevant Precedents:**

The Shire has previously undertaken limited resource extraction for internal projects but not as a commercial Trading Undertaking. This proposal represents a structured and compliant approach to resource utilisation that aligns with Council's strategic objective of developing local economic opportunities and optimising Shire managed assets.

**Comment:**

The proposed twelve (12) month trial represents a controlled, low-risk opportunity for the Shire of Collie to test the viability of commercial sand sales while establishing clear governance and operational procedures.

The trial will:

- Generate moderate revenue while protecting the Shire's operational sand needs;
- Provide data and experience to inform a formal Business Case for future trading; and
- Ensure local contractors have access to affordable, high-quality sand for regional development projects.
- Support develop activity and stimulate growth within the district.

The fixed rate of \$15.00 per tonne provides an equitable and transparent pricing structure and simplifies administrative management during the trial period.

Due to the site's remote location and potential risk of unauthorised extraction, strict operational controls will apply:

- Contracts with successful suppliers will explicitly prohibit resale or sub-letting of sand to unauthorised third parties.
- Contractors will be required to notify the Shire prior to extraction, providing:
  - Proposed quantity;
  - Access times; and
  - Details of machinery and personnel onsite.
- Where possible, a Shire representative will be present during all extraction activities.
- Passive surveillance measures, such as trail cameras or similar monitoring devices, will be installed to deter and detect unauthorised access.
- A Weighbridge control input will be established at the Shire's Waste Transfer Site. Contractors will be required to record all extracted tonnage immediately after leaving the site via the Gibbs Road Landfill site to ensure accountability.
- A volumetric survey will be commissioned to determine total available sand volume and establish maximum extraction limits, ensuring sustainable management and compliance.
- The Shire will also explore options to secure future tenure over the current or alternative sand resource should Premier Coal operations cease before the expiry of the current licence term.

Interested purchasers will need to be pre-qualified and listed on a formal buyers register to assist with administrative control and probity. This will allow for their approval once matters such as business registration, insurances, compliance with site safety and access requirements, and agreement to terms of sale have been suitably evidenced.

**13. DEVELOPMENT SERVICES REPORTS**

Nil.

**14. CORPORATE SERVICES REPORTS**

| <b>14.1 Debt Recovery Report</b> |   |
|----------------------------------|---|
| <b>Reporting Department:</b>     | Corporate Services  |
| <b>Reporting Officer:</b>        | Geoff Lawrence – Finance and Business Excellence Coordinator          |
| <b>Accountable Manager:</b>      | Xandra Curnock – Director Corporate and Community Services            |
| <b>Legislation:</b>              | <i>Local Government Act 1995</i>                                      |
| <b>File Number:</b>              | FIN/024   |
| <b>Appendices:</b>               | Appendix 14.1. – CONFIDENTIAL –Debt Recovery - Overdue Debtors Report |
| <b>Voting Requirement:</b>       | Simple Majority   |

**Report Purpose**

Council is requested to receive the Overdue Debtors Report, reporting details of overdue debts as at 30 September 2025, and identifying those where the amount owing is over 90 days with total debt exceeding \$5,000.

***Officer's Recommendation:***

*That Council receive the Overdue Debtors Report, reporting details of overdue debts as at 30 September 2025, and note the status of various overdue debts owed to the Shire.*

**Background:**

This report provides Council the following information in relation to overdue debtors:

- The amount of total debt outstanding for the period aged from current to over 90 days overdue with a comparison to the same period for the previous year;
- All records of the use of delegated authority, to waive or write off debts valued at \$1,000 or above;
- A confidential report containing the individual debtor information in relation to the outstanding debts exceeding 90 days with a combined value of debt, by debtor, exceeding \$5,000; and
- The Debtor Day Ratio, being the average number of days taken for the Shire to receive payment from its customers for invoices issued to them.

The confidential attachment Overdue Debtors Report – 30 September 2025 sets out the names of debtors and specific details of relevant debt, which are redacted within this report to protect the Shire's legal rights and recognise commercial sensitivity.

**Statutory and Policy Implications:**

Section 6.12 (1) (c) of the Local Government Act 1995 provides authority for Council to write off outstanding monies. In accordance with section 5.42 and 5.44 of the *Local Government Act 1995* the following delegated authority applies:

1. The CEO has delegated authority under the CEO Delegation Register to write-off rate debts or service charges under \$500.
2. Any amount above this must be referred to Council for a determination.

**Budget Implications:**

There are no immediate budget impacts.

**Communications Requirements:**

Nil.

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

| STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN |       |   |
|--|-------|---|
| <b>GOAL:</b>   | 5     | Our Organisation  |
| <b>Objective:</b>                                    | 5.1   | Innovative leadership, forward planning, and mutually beneficial partnerships |
| <b>Strategic Priority:</b>                           | 5.1.5 | To imbed our strategic priorities throughout the organisation                 |

**Relevant Precedents:**

Going forward, each quarter Council will be provided with an update on the Shire's debt recovery status.

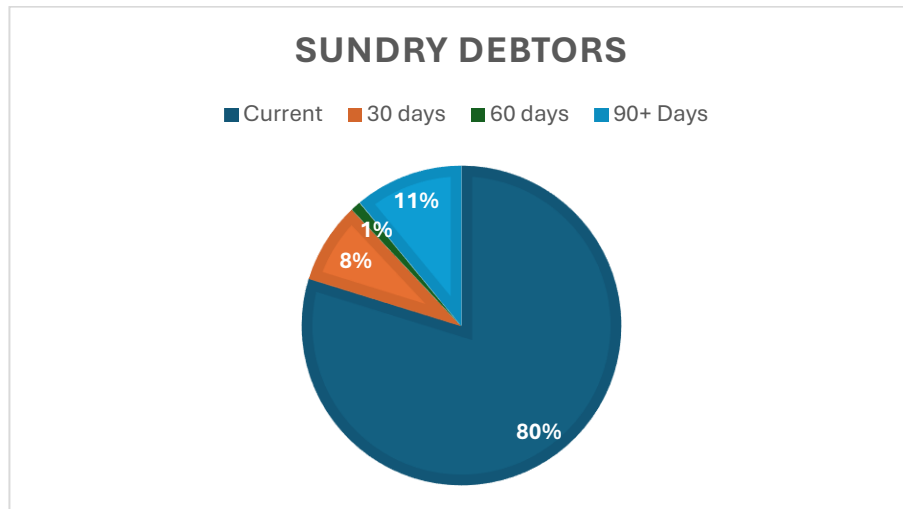
**Comment:**

***Debts Outstanding***

The total debts outstanding as at 30 September 2025 was \$795,422.80. A breakdown of aged debt for the current period compared to prior period is tabled below.

| Period ending              | Current      | 30 days     | 60 days    | 90+ Days     | Total        |
|----------------------------|--------------|-------------|------------|--------------|--------------|
| July 2025 - September 2025 | 80%          | 8%          | 1%         | 11%          | 100%         |
|                            | \$635,161.09 | \$65,250.29 | \$8,249.77 | \$93,509.35  | \$795,422.80 |
| July 2024 - September 2024 | 22%          | 8%          | 4%         | 66%          | 100%         |
|                            | \$40,175.98  | \$13,016.12 | \$7,658.92 | \$113,157.57 | \$171,581.00 |

The graph below shows the aged debt balances as at 30 September 2025.



Compared to the amount of debt outstanding at 30 September 2024:

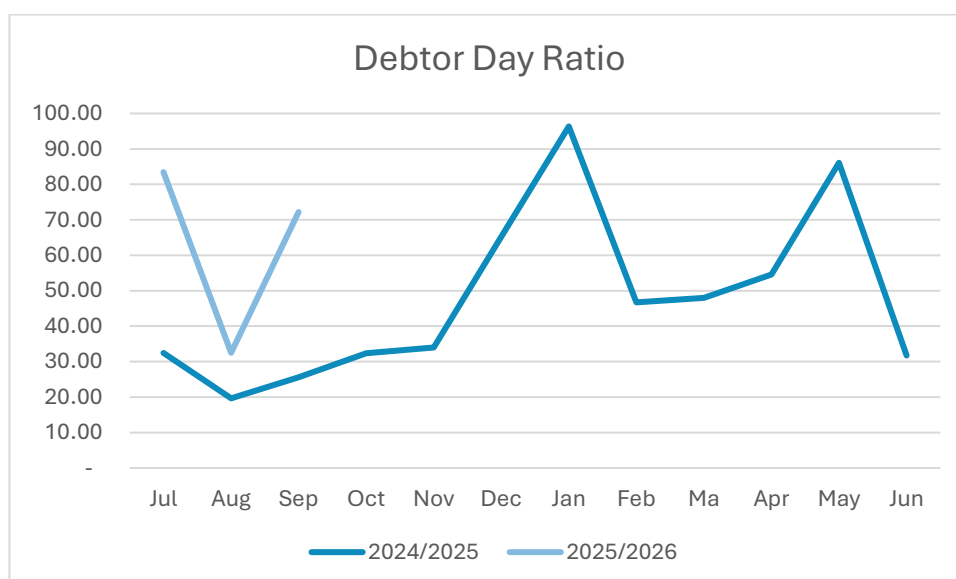
- The total value of debts has increased to \$795,423 from \$171,581;
- Total outstanding debt over 90 days has decreased to \$93,509.35 at the end of 30 September 2025 from previous reporting period of \$113,157.57; and
- The number of overdue debtors over 90 days, and above the total debt reporting threshold of \$5,000 at 30 September 2025 is 2.

### ***Debtor Day Ratio***

The Debtor Day ratio measures how quickly cash is being collected from debtors. The longer it takes for an organisation to collect, the greater the number of debtor days. The calculation of the ratio considers the total amount outstanding at the end of the period divided by the total amount invoiced to that period for the financial year. This is then multiplied by the total number of days from 1 July to the end of the period.

As at 30 September 2025, the Debtor Day Ratio was 72.15, an increase from the 30 September 2024 ratio of 25.60.

The graph below shows debtor days for the current financial year.





**14.2 Financial Management Report – September 2025**

|                              |  |
|------------------------------|--|
| <b>Reporting Department:</b> | Corporate Services   |
| <b>Reporting Officer:</b>    | Geoff Lawrence – Finance and Business Excellence Coordinator                 |
| <b>Accountable Manager:</b>  | Xandra Curnock – Director Corporate and Community Services                   |
| <b>Legislation</b>           | <i>Local Government Act 1995 &amp; Financial Management Regulations 1996</i> |
| <b>File Number:</b>          | FIN/024  |
| <b>Appendices:</b>           | Appendix 14.2.A – Financial Management Report – September 2025               |
| <b>Voting Requirement</b>    | Simple Majority  |

**Report Purpose**

To provide a summary of the financial position for the Shire of Collie for the month ending 30 September 2025.

**Officer's Recommendation:**

*That Council receive the Financial Management Reports for September 2025 as presented in Appendix 14.2.A.*

**Background:**

In accordance with Council policy and the provisions of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* (Regulations), the Shire is required to prepare a monthly Statement of Financial Activity and Statement of Financial Position each month. Refer to Appendix 14.2.A.

**Statutory and Policy Implications:**

**Local Government Act 1995**

**6.4. Financial Report**

- (1) *A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.*
- (2) *The financial report is to —*
  - (a) *be prepared and presented in the manner and form prescribed; and*
  - (b) *contain the prescribed information.*

**Local Government (Financial Management) Regulations 1996**

**34. Financial activity statement required each month (Act s. 6.4)**

- (1A) *In this regulation—*

*committed assets means revenue unspent but set aside under the annual budget for a specific purpose.*

- (1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*
  - (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*
  - (b) *budget estimates to the end of the month to which the statement relates; and*
  - (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
  - (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
  - (e) *the net current assets at the end of the month to which the statement relates.*
- (1B) *The detail included under subregulation (1)(e) must be structured in the same way as the detail included in the annual budget under regulation 31(1) and (3)(a).*
- (1C) *Any information relating to exclusions from the calculation of a budget deficiency that is included as part of the budget estimates referred to in subregulation (1)(a) or (b) must be structured in the same way as the corresponding information included in the annual budget.*
- (2) *Each statement of financial activity is to be accompanied by documents containing*
  - (a) *deleted*
  - (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
  - (c) *such other supporting information as is considered relevant by the local government.*
- (3) *The information in a statement of financial activity may be shown according to nature and type classification.*
- (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
  - (a) *presented at an ordinary meeting of the council within 2 months after the end of the relevant month; and*
  - (b) *recorded in the minutes of the meeting at which it is presented.*

**Local Government (Financial Management) Regulations 1996****35. Financial position statement required each month**

- (1) *A local government must prepare each month a statement of financial position showing the financial position of the local government as at the last day of the previous month (the previous month) and —*
  - (a) *the financial position of the local government as at the last day of the previous financial year; or*
  - (b) *if the previous month is June, the financial position of the local government as at the last day of the financial year before the previous financial year.*
- (2) *A statement of financial position must be —*

- (a) *presented at an ordinary meeting of the council within 2 months after the end of the previous month; and*
- (b) *recorded in the minutes of the meeting at which it is presented.*

**Budget Implications:**

The monthly Financial Management Report provides Council with an overview of budget compared to actual expenditure and revenue.

Future reports will include financial forecasts to the end of the financial year to enable employees to closely monitor revenue and expenditure and provide up to date forecasts for the end of the financial year. This will provide more accurate budget monitoring, assist the mid-year budget review analysis, and will form a solid foundation for the estimated Surplus/(Deficit) at 30 June, which informs the future Budget and Long Term Financial Plan development process.

**Budget – Whole of Life Cost:**

As this report does not propose new assets, there are no direct whole of life or ongoing cost implications.

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

Nil.

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

| STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN |       |   |
|--|-------|---|
| <b>GOAL:</b>   | 5     | Our Organisation  |
| <b>Objective:</b>                                    | 5.1   | Innovative leadership, forward planning, and mutually beneficial partnerships |
| <b>Strategic Priority:</b>                           | 5.1.5 | To imbed our strategic priorities throughout the organisation                 |

**Relevant Precedents:**

Each month Council is presented a monthly Financial Management Report.

**Comment:**

The financial statements provided in Appendix 14.2.A reports on the following information for the reporting period:

- Statement of Comprehensive income by Nature
- Statement of Comprehensive income by Program
- Statement of Financial Activity
- Explanation of material variances on the Statement of Financial Activity
- Statement of Financial Position
- Supplementary notes

The Statement of Financial Activity provides Elected Members with a high level oversight of operating and capital revenues and expenditures. It is also intended to link operating results with balance sheet items and reconcile with the end of month balances.

In accordance with the Regulations, for the 2025/26 period a report must be compiled on variances greater than the percentage agreed by Council which is currently plus (+) or minus (-) 10% or \$50,000, whichever is the greater.

For the period 1 July 2025 to 30 September 2025:

- Income is over budget by 0.99%; and
- Expenditure is under budget by 11.09%.

Commentary in relation to these variances is provided at nature and type level. A nil variance means that the year-to-date actual value is identical to the year-to-date budget estimate. Comments are therefore provided where the variance's value is >10% or >\$50,000 under or over budget.

### Summary of Material Variances

| Description  | Var. \$   | Var. %   |   |
|--|-----------|----------|---|
|  | \$        | %        |   |
| <b>Expenditure from operating activities</b>   |           |          |   |
| <b>Employee costs</b>  | 371,433   | 18.66%   | ▲ |
| Timing variance. Due to vacancies across the organisation. Will be cleared by year end with ongoing recruitment.   |           |          |   |
| <b>Non cash amounts excluded from operating activities</b>   | (649,808) | (92.88%) | ▼ |
| Timing variance, will be cleared by year end. Relates to movements in employee and landfill provisions.  |           |          |   |
| <b>Surplus or deficit at the start of the financial year</b>   | 446,324   | 471.10%  | ▲ |
| Higher surplus than originally anticipated due to more grants income in 2025 than originally forecast. This figure is subject to change as the June 2025 financials have not yet been audited. |           |          |   |

Due to the need to focus on the end of 2025 financial year, the Monthly Financial Statement currently does not incorporate all of the detail anticipated in future reports.

The Financial Management Reports included in Appendix 14.2.A do not include end of year adjustments for the year ended 30 June 2025. The figures presented are unaudited and subject to change.

**14.3 Accounts Paid – 16 September 2025 to 15 October 2025**

|                              |   |
|------------------------------|---|
| <b>Reporting Department:</b> | Corporate Services  |
| <b>Reporting Officer:</b>    | Karen Rushton – Finance Officer   |
| <b>Accountable Manager:</b>  | Geoff Lawrence – Finance and Business Excellence Coordinator                                    |
| <b>Legislation:</b>          | <i>Local Government Act 1995 &amp; Local Government (Financial Management) Regulations 1996</i> |
| <b>File Number:</b>          | FIN/024   |
| <b>Appendices:</b>           | Appendix 14.3.A – List of Accounts Paid   |
| <b>Voting Requirement</b>    | Simple Majority   |

**Report Purpose**

To present the accounts paid for the period 16 September 2025 to 15 October 2025.

**Officer's Recommendation:**

*That Council receives the List of Accounts paid for the period 16 September 2025 to 15 October 2025 as presented in Appendix 14.3.A totalling \$1,277,864.80*

**Background:**

Where a Council has delegated authority to the Chief Executive Officer to make payments from the municipal or trust fund, a list of accounts paid is to be presented at the ordinary meeting each month.

In accordance with Delegation 2.2.21, the Chief Executive Officer is authorised to make payments.

**Statutory and Policy Implications:**

**Local Government Act 1995**

**Local Government (Financial Management Regulations) 1996**

**12. Payments from municipal fund or trust fund, restrictions on making**

- (1) *A payment may only be made from the municipal fund or the trust fund —*
  - (a) *if the local government has delegated to the CEO the exercise of its power make payments from those funds — by the CEO; or*
  - (b) *otherwise, if the payment is authorised in advance by a resolution of the council.*
- (2) *The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.*

**13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.**

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*
  - (a) *the payee's name; and*
  - (b) *the amount of the payment; and*
  - (c) *the date of the payment; and*
  - (d) *sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing —*
  - (a) *for each account which requires council authorisation in that month —*
    - (i) *the payee's name; and*
    - (ii) *the amount of the payment; and*
    - (iv) *sufficient information to identify the transaction; and*
  - (b) *the date of the meeting of the council to which the list is to be presented.*
- (3) *A list prepared under subregulation (1) or (2) is to be —*
  - (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
  - (b) *recorded in the minutes of that meeting.*

**13A. Payments by employees via purchasing cards**

- (1) *If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared —*
  - (a) *the payee's name;*
  - (b) *the amount of the payment;*
  - (c) *the date of the payment;*
  - (d) *sufficient information to identify the payment.*
- (2) *A list prepared under subregulation (1) must be —*
  - (a) *presented to the council at the next ordinary meeting of the council after the list is prepared; and*
  - (b) *recorded in the minutes of that meeting.*

**Council Policy****CS3.7 Payment of Creditors****5.0 List of Accounts Paid**

*A list of all accounts paid shall be presented to the Council within two months. The list shall comprise of details as prescribed in the WA Financial Management Regulations (1996)*

**Budget Implications:**

All liabilities settled have been in accordance with the annual budget provisions.

**Budget – Whole of Life Cost:**

As this report does not propose new assets, there are no direct whole of life or ongoing cost implications.

**Communications Requirements:** (Policy No. CS1.7)

Nil.

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

| STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN |       |   |
|--|-------|---|
| <b>GOAL:</b>   | 5     | Our Organisation  |
| <b>Objective:</b>                                    | 5.1   | Innovative leadership, forward planning, and mutually beneficial partnerships |
| <b>Strategic Priority:</b>                           | 5.1.5 | To imbed our strategic priorities throughout the organisation                 |

**Relevant Precedents:**

Each month Council receives the list of accounts presented.

**Comment:**

A listing of payments is included in Appendix 14.3.A.

Where possible, questions on specific payments should be submitted to the Chief Executive Officer or Director Corporate and Community Services before noon on the day of the scheduled meeting. This will ensure a response can be provided at the Council Meeting.



#### 14.4 Presentation of 2025 Sports Awards

|                              |  |
|------------------------------|--|
| <b>Reporting Department:</b> | Corporate Services   |
| <b>Reporting Officer:</b>    | Tamsin Emmett – Community Development Officer              |
| <b>Accountable Manager:</b>  | Xandra Curnock – Director Corporate and Community Services |
| <b>Legislation</b>           | Not applicable   |
| <b>File Number:</b>          | GOV/007  |
| <b>Appendices:</b>           | Nil  |
| <b>Voting Requirement</b>    | Simple Majority  |

#### Report Purpose

For Council to consider a proposal from the Sports Awards Panel that the Collie Sports Awards be presented at the Australia Day Awards on 26 January 2026, rather than hold a separate event.

#### Officer's Recommendation:

*That Council supports including the presentation of the 2025 Collie Sports Awards at the Australia Day Breakfast in 2026.*

#### Background:

The Shire of Collie has traditionally held an annual event to honour the achievements and contributions of local athletes, coaches, officials, and sporting clubs.

In recent years there has been a decline in the number of nominations and event attendance. The 2024 presentation night was scaled back from the traditional large-format evening function to a smaller, simplified ceremony.

At the October 2025 Ordinary Meeting of Council, as part of the consideration of the Terms of Reference for the Shire of Collie Events & Awards Reference Group, Council resolved that from January 2027, the Collie Sports Awards and Australia Day Awards would be combined into a single annual celebration.

The Sports Awards Panel met on 29 October 2025 to review nominations and plan the 2025 Awards presentation. At this meeting, the Panel proposed that the transition occur one year earlier, with the 2025 Sports Awards presented at the Australia Day Breakfast in January 2026.

#### Statutory and Policy Implications:

There are no statutory implications.

#### Budget Implications:

Whilst not holding a separate event for the sports awards would result in lower financial costs, this consideration was not a contributing factor in the Sports Panel's proposal.

#### Budget – Whole of Life Cost:

As this report does not propose new assets, there are no direct whole of life or ongoing cost implications.

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

Not applicable.

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

| STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN |       |  |
|--|-------|--|
| <b>GOAL:</b>   | 1     | Our Community  |
| <b>Objective:</b>                                    | 1.2   | Community connection, engagement and participation.  |
| <b>Strategic Priority:</b>                           | 1.2.2 | To work with sporting clubs and community groups to promote volunteering and increase participation. |

**Relevant Precedents:**

The Sports Awards have been presented at a separate event for a number of years.

The Shire has successfully introduced other award categories, including the Environmental Award, into shared presentations where appropriate, achieving strong community engagement and operational efficiencies.

**Comment:**

The Sports Awards Panel's proposal supports a streamlined, inclusive approach to community recognition. Presenting the 2025 Collie Sports Awards as part of the Australia Day Awards will create a single, high-profile community celebration that acknowledges both civic and sporting achievements.

This approach aligns with the purpose of the Events & Awards Reference Group to deliver cohesive civic events that promote community pride, recognise achievement, and encourage participation across all sectors.

Council's endorsement will allow planning for the 2026 combined event to proceed, ensuring a smooth transition ahead of the 2027 program when the structure becomes permanent under the new Terms of Reference.

**15. MOTIONS FOR WHICH PRIOR NOTICE HAS BEEN GIVEN**

Nil.

**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**

In accordance with Section 5.23(2)(a) and (c) of the Local Government Act 1995, the following items are confidential.

| <b>20.1 Collie Mineworkers Memorial Swimming Pool – Update</b> |  |
|--|--|
| <b>Reporting Department:</b>                                   | Chief Executive Office                     |
| <b>Reporting Officer:</b>                                      | Phil Anastasakis – Chief Executive Officer |
| <b>Accountable Manager:</b>                                    | Phil Anastasakis – Chief Executive Officer |
| <b>Legislation</b>   | <i>Local Government Act 1995</i>           |
| <b>File Number:</b>  | RCS/002                                    |
| <b>Appendices:</b>   | Nil.                                       |
| <b>Voting Requirement</b>                                      | Simple Majority                            |

A verbal presentation will be provided at the meeting.

| <b>20.2 Confidential – Appointment of Director Operation</b> |  |
|--|--|
| <b>Reporting Department:</b>                                 | Chief Executive Office                     |
| <b>Reporting Officer:</b>                                    | Phil Anastasakis – Chief Executive Officer |
| <b>Accountable Manager:</b>                                  | Phil Anastasakis – Chief Executive Officer |
| <b>Legislation</b>   | <i>Local Government Act 1995</i>           |
| <b>File Number:</b>  | OP/001                                     |
| <b>Appendices:</b>   | Confidential 20.2.A                        |
| <b>Voting Requirement</b>                                    | Simple Majority                            |

A written report will be provided at the meeting.

**21. CLOSE**

There being no further business the Presiding Officer to declare the meeting closed.