



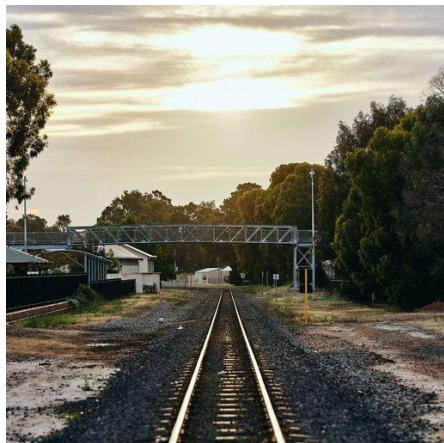
# AGENDA

for the

## ORDINARY MEETING OF COUNCIL

to be held on

**Tuesday, 9 December 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, 9 December 2025**

in Council Chambers at 87 Throssell Street, Collie WA



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Phil Anastasakis  
Chief Executive Officer

3 December 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 2026

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 10 February 2026**

**Ordinary Council Meeting**

6.00pm in Council Chambers

**Tuesday 10 March 2026**

**Ordinary Council Meeting**

6.00pm in Council Chambers

**Tuesday 14 April 2026**

**Ordinary Council Meeting**

6.00pm in Council Chambers

**Tuesday 12 May 2026**

**Ordinary Council Meeting**

6.00pm in Council Chambers

**Tuesday 9 June 2026**

**Ordinary Council Meeting**

6.00pm 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.

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Name (Please Print)

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Signature

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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.**

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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**



## **REVOKING OR CHANGING DECISIONS MADE AT COUNCIL MEETINGS**

## *Local Government (Administration) Regulations 1996*

## **(Regulation No.10)**

If a previous Council decision is to be changed then support for a rescission motion must be given by an **Absolute Majority** of Councillors (that is at least 6 Councillors) if a previous attempt to rescind has occurred within the past three months or, if no previous attempt has been made the support must be given by at least **1/3<sup>rd</sup>** of all Councillors (that is at least 4 Councillors).

Regulation 10(1a) also requires that the support for rescission must be in writing and signed by the required number of Councillors, including the Councillor who intends to move the rescission motion.

Any rescission motion must be carried by the kind of vote that put the motion into place in the first instance (that is, if carried originally by an Absolute Majority or Special Majority vote then the rescission motion must also be carried by that same kind of vote).

If the original motion was carried by a Simple Majority vote then any rescission motion must be carried by an Absolute Majority vote.

To the Presiding Member,

The following Councillors give notice of their support for the bringing forward to the Council meeting to be held on \_\_\_\_\_ of a motion for rescission of Council resolution number \_\_\_\_\_ as passed by the Council at its meeting held on \_\_\_\_\_

## Councillor's Names

### Councillor's Signature

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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, 9 December 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 – Food Organic and Garden Organic (FOGO) Waste – 3 Bin System
- 20.2 – Collie Mineworkers Memorial Swimming Pool Update
- 20.3 – Bunbury Geographe Group of Councils
- 20.4 – Industrial Land
- 20.5 – Housing

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

**8. CONFIRMATION OF THE PREVIOUS MEETINGS OF COUNCIL MINUTES**

**8.1 Ordinary Council Meeting – 11 November 2025**

**Officer's Recommendation:**

*That Council confirms the Minutes of the Shire of Collie Ordinary Meeting of Council held on 11 November 2025.*

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

Nil.

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

**Audit, Risk & Improvement Committee Recommendation:**

To be provided following the Committee meeting proposed for 9 December 2025.

## 11. CEO REPORTS

| 11.1 Attendance at Events Policy |   |
|----------------------------------|---|
| <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/031   |
| <b>Appendices:</b>               | Appendix 11.1.A – CP1-022 Attendance at Events Policy<br>Appendix 11.1.B – Operational Guidelines Attendance at Events Policy |
| <b>Voting Requirement</b>        | Absolute Majority   |

### Report Purpose

Policy establishment and review is undertaken as a matter of good governance and forms part of the role of Council under the Local Government Act 1995.

Council is requested to consider and adopt the Attendance at Events Policy (refer to Appendix 11.1.A – Draft CP1-022 Attendance at Events Policy).

### Officer's Recommendation:

*That Council adopt the Shire of Collie Attendance at Events Policy (refer to Appendix 11.1.A – CP1-022 Attendance at Events Policy).*

### Background:

Policies and procedures are an essential part of any organisation and facilitate good governance within local government operations. Together, policies and procedures provide a roadmap for day-to-day operations. They ensure compliance with laws and regulations, give guidance for decision-making, and streamline internal processes.

While it is proposed that the Shire of Collie undertake a full review of Council Policies in the new year and then on a triennial basis, it has been identified that a number of new policies need to be created due to recent changes in legislation.

This report recommends the creation of a new Shire of Collie Attendance at Events Policy (refer to Appendix 11.1.A – CP1-022 Attendance at Events). Section 5.90A of *Local Government Act 1995* requires that local governments have an Attendance at Events Policy. The purpose of the Policy is for the Council to actively consider the purpose of and benefits to the community from Council Members and the Chief Executive Officer (CEO) attending events.

### Statutory and Policy Implications:

Policy review is undertaken as a matter of good governance with some policies being required under the Local Government Act 1995. Strategic policies that set governing principles and guide the direction of the organisation to align with community values and aspirations, are outlined in section 2.7 of the Local Government Act 1995.

**2.7. Role of council**

- (1) *The council governs the local government's affairs and, as the local government's governing body, is responsible for the performance of the local government's functions.*
- (2) *The council's governing role includes the following —*
  - (a) *overseeing the allocation of the local government's finances and resources;*
  - (b) *determining the local government's policies;*
  - (c) *planning strategically for the future of the district;*
  - (d) *determining the services and facilities to be provided by the local government in the district;*
  - (e) *selecting the CEO and reviewing the CEO's performance;*
  - (f) *providing strategic direction to the CEO.*
- (3) *For the purpose of ensuring proper governance of the local government's affairs, the council must have regard to the following principles —*
  - (a) *the council's governing role is separate from the CEO's executive role as described in section 5.41;*
  - (b) *it is important that the council respects that separation.*
- (4) *The council must make its decisions —*
  - (a) *on the basis of evidence, on the merits and in accordance with the law; and*
  - (b) *taking into account the local government's finances and resources.*
- (5) *The council must have regard to the need to support an organisational culture for the local government that promotes the respectful and fair treatment of the local government's employees.*
- (6) *The council has the other functions given to it under this Act or any other written law.*

Section 5.90A outlines the requirements of a policy relating to attendance of events by council members and the CEO.

**5.90A. Policy for attendance at events**

- (1) *In this section —*

**event** *includes the following —*

- (a) *a concert;*
- (b) *a conference;*
- (c) *a function;*
- (d) *a sporting event;*
- (e) *an occasion of a kind prescribed for the purposes of this definition.*

(2) A local government must prepare and adopt\* a policy that deals with matters relating to the attendance of council members and the CEO at events, including —

- (a) the provision of tickets to events; and
- (b) payments in respect of attendance; and
- (c) approval of attendance by the local government and criteria for approval; and
- (d) any prescribed matter.

**Budget Implications:**

While this report does not have any direct budget implications, various Policies contained within the Policy Manual have budget allocations and implications.

**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 1AND 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, policies reflect the current position of Council on a variety of matters. Council reviews its policies regularly based either on a periodic full Policy Manual review or consideration of an individual Policy on an ad hoc basis due to the urgency of the matter or changes in legislation.

**Comment:**

In accordance with the Department of Local Government, Industry Regulation and Safety's Guidelines relating to Attendance at Events Policy, "the policy provides a framework for the acceptance of invitations to various events, clarifies who will pay for tickets or the equivalent value of the invitation", (refer to Appendix 11.1.B – Operational Guidelines – Attendance at Events Policy).

The template policy included in the Guideline has been adapted to suit the Shire of Collie, taking into consideration relevant policies of other local governments.

Adoption of the Attendance at Events Policy will ensure compliance with Section 5.90A of the Local Government Act 1995.

**12. OPERATIONS REPORTS**

Nil.

**13. DEVELOPMENT SERVICES REPORTS**

| <b>13.1 Short-Term Rental Accommodation Scheme Amendment - Initiation</b> |  |
|---|--|
| <b>Reporting Department:</b>  | Development Services   |
| <b>Reporting Officer:</b>   | David Quelch – Manager Planning & Development                            |
| <b>Accountable Manager:</b>   | Alex Wiese – Director Development Services                               |
| <b>Legislation</b>  | Amend a Local Planning Scheme - <i>Planning and Development Act 2005</i> |
| <b>File Number:</b>   | LUP/033  |
| <b>Appendices:</b>  | Appendix 13.1.A – Local Planning Scheme No.6<br>Proposed Amendment No.3  |
| <b>Voting Requirement</b>   | Simple Majority  |

**Report Purpose**

For Council to initiate the process to amend the Shire of Collie Local Planning Scheme No. 6 to implement the State Government's planning reforms for short-term rental accommodation.

**Officer's Recommendation:**

*That Council*

1. *Pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015, Council ADOPTS (for the purpose of advertising) Scheme Amendment No.3 to Local Planning Scheme No.6 to incorporate land use definitions and permissibility for Short Term Rental Accommodation contained in the Planning and Development (Local Planning Schemes) Amendment (Short Term Rental Accommodation) Regulations 2024 as shown in Appendix 13.1.A – Local Planning Scheme No.6 Proposed Amendment No.3.*
2. *Pursuant to Regulation 35 of the Planning and Development (Local Planning Schemes) Regulations 2015, Council RESOLVES that, in its opinion, Local Planning Scheme No.6 Amendment No.3 is a Standard Amendment as it is an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment.*

**Background:**

The purpose of this report is to consider adopting Scheme Amendment No.3 to Local Planning Scheme No.6 (LPS6) for the purposes of advertising. This amendment proposes modifications to LPS6 that align with changes to the *Planning and Development (Local Planning Schemes) Amendment (Short Term Rental Accommodation) Regulations 2024* which came into effect on 18 September 2024.

**State Government**

A Parliamentary Inquiry into the impact of ShortTerm Rental Accommodation (STRA) commenced in 2018, which resulted in the publication of a report in September 2019 titled Levelling the Playing Field: Managing the impact of the rapid increase of Short-Term Rentals in Western Australia. The report made findings and recommendations which the State Government has been working to implement.

To date, the following actions resulting from the inquiry have been, or are in the process of being, implemented by the State Government:

- Publication of a Position Statement: Planning for Tourism and Short Term Rental accommodation;
- Implementation of a STRA Registration Scheme;
- Proposed changes to the Planning and Development (Local Planning Schemes) Regulations 2015 – Short Term Rental Accommodation (now the STRA Regulations); and
- An incentive scheme to encourage STRA accommodation to be returned to the long-term rental market.

In April/May 2024 the State Government sought feedback on proposed changes to the STRA Regulations. At its meeting held 14 May 2024 Council considered a submission on these changes. These changes involve the use of consistent land use definitions in local planning schemes, which form part of the State Government planning reform package.

To aid with implementing these changes, the Department of Planning, Lands and Heritage published Planning Bulletin 115, which states that “Amendments to local planning schemes to complement and align with new ‘deemed’ land use classes for short term rental accommodation will need to be initiated as soon as possible and should ideally be completed by mid-2025.”

The State Government gazetted the STRA Regulations on 18 September 2024. This Scheme Amendment will ensure the local planning framework is consistent with the STRA Regulations, with the changes eventually incorporated into Local Planning Scheme No.6 (LPS6) once advertising of LPS6 has been finalised.

**Statutory and Policy Implications:**

The local government is required to maintain a local planning scheme that is consistent with the state planning framework, with amendments undertaken as required. *The Planning and Development Act 2005 (the Act)*, section 75, provides for a local government to amend a local planning scheme with reference to any land within its district. Once an amendment has been prepared and following a resolution to advertise by Council, the local government must seek the consent of the Minister to commence advertising, pursuant to section 83A of the Act.

At this stage, the Minister may request modifications be made to the amendment prior to consent being granted. Once consent is granted, the amendment will be advertised for a period of 42 days in accordance with the requirements of regulation 76A.

Key elements of the state and local framework in relation to the proposed amendment include

- *State Planning Policy 3.7 – Planning in Bushfire Prone Areas;*
- *Planning for Tourism and Short-term Rental Accommodation Guidelines; and*
- *Shire of Collie Local Planning Strategy.*

**Budget Implications:**

There are no direct financial implications associated with the officer's recommendation.

**Budget – Whole of Life Cost:**

As this report does not propose new assets, there are no direct financial implications.

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

Not Applicable. Communication is undertaken in accordance with Regulations.

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

| STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN |     |   |
|--|-----|---|
| GOAL:  | 3   | Our Built Environment                                   |
| Objective:   | 3.2 | Sound land planning and building strategies and schemes |

**Relevant Precedents:**

Nil

**Comment:**

State Planning Framework and Requirement

The State Government's planning reforms for short-term rental accommodation are being implemented predominantly through the *Planning & Development (Local Planning Schemes) Regulations 2015* (LPS Regulations), which in turn have been informed by policy direction provided through the Position Statement.

Amendment #3 is required to ensure alignment with new 'deemed' and 'model' land use classes and general definitions introduced into the state planning framework. Most significantly, it includes amendments to reflect the 'deemed' land use classes for 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation', along with removal of superseded land uses. The following report provides further detail and background information on these changes, including specific implications for the Shire of Collie.

The amendment is recommended to be adopted for consent to advertise.

State Governments Position Statement

The Position Statement foreshadowed a series of amendments to the LPS Regulations with the overall aim of providing more certainty and consistency across jurisdictions in respect to the treatment of STRA. Key changes flagged in this document included dedicated land use classes for STRA to ensure a clear delineation between this use and traditional accommodation types, as well as a state-wide exemption for hosted STRA and a 90-night exemption for unhosted STRA within the Perth Metropolitan Area. The Position Statement also includes guidance on strategic and statutory planning matters for both tourism and STRA, as well as local planning policy development.

### Local Planning Scheme Regulations (the LPS)

The LPS are a key component of Western Australia's planning system comprising of three major parts:

- Regulations proper, which set out the process for preparing or amending a local planning scheme;
- 'Model' provisions, set out in Schedule 1, which are to be used by local governments in preparing or amending a local planning scheme; and
- 'Deemed' provisions, set out in Schedule 2, read automatically into all local planning schemes, and override any existing scheme provision to the extent of any inconsistencies. Where there is a conflict between these provisions and the scheme, the deemed provisions prevail.

Amendments to both Schedules 1 and 2 of these regulations have been made to facilitate the necessary planning changes of the State Government's short-term rental accommodation (STRA) reform initiatives, as envisaged by the Position Statement. These changes, most notably, include:

- i. new 'deemed' land use classes of 'hosted short-term rental accommodation' and 'unhosted short-term rental accommodation' to ensure these accommodation types are classified as dedicated land use classes in planning schemes.
- ii. new 'deemed' general terms to define 'short-term rental accommodation' and link to the overarching Short-Term Rental Accommodation Act 2024, which provides the legal framework for the STRA Register.
- iii. a new 'model' land use class of 'tourist and visitor accommodation' to differentiate these use types from STRA and consolidate a number of existing land use terms for tourist and visitor accommodation (aside from 'hotel'), as well as other changes to general definitions.
- iv. a state-wide development approval exemption for 'hosted short-term rental accommodation' (this includes ancillary dwellings); and
- v. a 90-night (cumulative) exemption within a 12-month period for 'unhosted' short-term rental accommodation in the Perth metropolitan area.

The implications for these changes to the Shire are detailed further in the following sections of this report.

### Shire of Collie Local Planning Strategy 2020

The Shire of Collie Local Planning Strategy 2020 (the Strategy) identifies the Shire has a significant economic reliance on coal mining and associated power plants and therefore recognises the importance of economic diversification that includes tourism. In particular, the Strategy identifies an opportunity for Nature Based Tourism with the Collie River and its surrounding State Forest and National Park being a major recreation and tourism resource.

In the 'Reimagining Collie' report, Lake Kepwari in conjunction with the existing Collie Motorplex is identified as a potential high-octane hub with the main activities being skiing and motor sports and the provision of short stay accommodation. Also, Minningup Pool is identified as a potential nature hub with eco cabin style short stay accommodation. Further, with spur links to the popular Bibbulmun walking track and Mundaring Biddi mountain biking trail, there are plans for Collie to become an identified 'tracks and trails hub' through an expansion of walking and biking trails and facilities.

Given the above, there is expected to be an increase in the number of tourist and short-term accommodation proposals. Fortunately, to date there have been few land use planning issues with 'holiday house' uses, such as noise and activity impacting on residential amenity. Nonetheless, this amendment responds to changes to the LPS Regulations to reflect new land uses and definitions, and where STRA is not exempt the Shire will modify local planning policy provisions as necessary to protect residential amenity and provide a framework to exercise discretion.

#### Local Planning Policies

Currently the Shire has one key local planning policy that relates to short stay accommodation which is discussed below:

#### *LPP 4.3 Holiday Homes*

LPP 4.3 provides development standards for *holiday homes* under the previous Local Planning Scheme No. 5 and is therefore outdated. The equivalent land use term in the current LPS6 would be *holiday house*. LPP 4.3 will require renaming and amending in response to this amendment and changes to the LPS Regulations, including definition and reference to applicable exemptions. It will include development standards for non-exempt STRA development, including management plan requirements.

Note that Clause 4.1 of LPP 4.3 states *If there is a conflict between this local planning policy and the Scheme, then the Scheme shall prevail.*

#### Background – Short stay accommodation in the Shire of Collie

Over the past 5 years (since 6 July 2020), the Shire of Collie has approved four (4) short term rental holiday home / holiday house development applications and one (1) change of use to tourist development application. These approvals are primarily in Collie and Allanson and require a Property Management Plan to be implemented for the duration of the development.

The 'Short Term Rental Accommodation Register' lists 16 properties being registered for short term rental accommodation in the Shire of Collie, comprising of seven (7) hosted and nine (9) unhosted. Only three (3) of the properties registered for unhosted short term rental accommodation have development approval.

#### Proposed Amendment

With the introduction of the new deemed land use classes into planning schemes associated with short-term rental accommodation, this scheme amendment relates to the introduction, modification and deletion of various land use and general definitions to the Shire's planning scheme. The new exemptions are also 'deemed' and as such are already operative, however this amendment does include changes to the zoning table to reflect the hosted STRA exemption as a permitted use.

#### Deemed Short-Term Rental Accommodation Land Use Classes

Whilst the new 'deemed' land use classes are automatically read into the Shire's scheme through the LPS Regulations, along with the previously mentioned exemptions, these uses are being incorporated into scheme zoning table (at the direction of the WAPC) to ensure absolute clarity from an interpretation perspective, particularly given these uses replace long-standing 'model' land use classes within the Shire's planning framework.

To implement the required changes, this amendment requires deletion of all references to the land use classes of *bed and breakfast* and *holiday house*, replaced with the new 'deemed' definitions of *hosted short-term rental accommodation* and *unhosted short-term rental accommodation*. This includes amending the Zoning Table and Definitions schedules of the scheme text accordingly.

In addition to the LPS Regulations, the Position Statement and Planning Bulletin 115 provide further direction for how STRA should be dealt with in local planning schemes from a permissibility standpoint. To reflect these requirements, this amendment proposes the following designations for these new land use classes:

- *hosted short-term rental accommodation*; designate as 'P' uses in zones where a dwelling is capable of approval and 'X' uses in all other zones.
- *unhosted short-term rental accommodation*; designate as 'A' uses in the Commercial, Mixed Use and Residential zones; designate as 'D' uses in the Rural, Rural Residential and Urban Development zones and 'X' uses in all other zones.
- *tourist and visitor accommodation* and designate as 'D' uses in the Commercial and Mixed Use zones, 'A' uses in Residential, Urban Development, Rural Residential and Rural zones and 'X' uses in all other zones.

Aside from the above, where the uses of *holiday house*, *holiday accommodation* and *bed and breakfast* are referenced in other sections of the scheme text, these are to be cross-referenced accordingly.

Given the LPS6 land use term of *holiday house* is to be replaced with *unhosted short-term rental accommodation*, then *LPP 4.3 Holiday Homes* will need to be revised accordingly.

#### Model 'Tourist and Visitor Accommodation' Land Use

A new model land use class of 'Tourist and Visitor Accommodation' has been introduced to supersede various traditional accommodation land use types (excluding 'hotel') and provide a clearer delineation between these uses and 'short-term rental accommodation'. In the context of the Shire's scheme, uses to be deleted through this change include:

- *Motel – specifically referenced in the new land use class definition;*
- *Serviced apartment – specifically referenced in the new land use class definition;*
- *Tourist development – directly replaced by the new use class;*

Given the LPS6 land use term of *holiday accommodation* is to be replaced with *tourist and visitor accommodation*, then 'Clause 32.8 Holiday accommodation' will need to be deleted from LPS6. Consequently, it is recommended that a local planning policy be prepared to provide guidance for application requirements, consideration and assessment of proposals for *tourist and visitor accommodation*.

#### New and Revised Land Use & General Definitions

As part of the LPS Regulations changes, amendments to some other model definitions were also introduced so as to not cause confusion or conflict with the new short-term rental accommodation land use terms. These include deletion of the definition for 'short-term accommodation', which has been removed to avoid confusion with new terms relating to 'short-term rental accommodation'. This has consequentially resulted in modifications to the general model terms of 'cabin' and 'chalet', as well as the land use term for 'road house'. The new model terms are proposed to be introduced into the scheme text through this amendment.

Note that in LPS6, *road house* has been spelt as one word and therefore it is recommended that the land use term be spelt as per the LPS Regulations.

Through deletion of the general term 'short term accommodation' it is proposed to insert into the scheme text the deleted model definition in-full wherever referenced, to replicate the changes made in the model provisions; this being:

*accommodation for guests, on a commercial basis, either continuously or from time to time, with no guest accommodated for periods totalling more than 3 months in any 12-month period.*

#### Associated Miscellaneous Amendments to LPS6

To ensure consistency with the STRA amendment, the following amendments to LPS6 are required:

- In clause 17 'Zoning Table', delete *Note 1. Refer to Clause 32.8 – Holiday accommodation.*
- In clause 21 'Special use zones', for SU1 and SU2 in 'Table 6 – Special use zones in Scheme Area', replace *motel* with *tourist and visitor accommodation*.
- In clause 33.2 'Rural Zone Requirements', for part (f), replace *tourist development* and *holiday accommodation* with *tourist and visitor accommodation*.
- Delete Clause '32.8 Holiday accommodation'.
- In Schedule 2 – Car Parking Table, delete references to:
  - *bed and breakfast;*
  - *holiday accommodation;*
  - *holiday house;*
  - *motel;*
  - *serviced apartment;*
  - *tourist accommodation;*
  - *tourist development*
- In Schedule 2 - Car Parking Table, insert *tourist and visitor accommodation* into the Hotel and Tavern Land Use column.

#### External Stakeholder Consultation

Following Council decision for consent to advertise, the draft amendment will be forwarded to the Commission and the Environmental Protection Authority (EPA) for review.

The Commission has 42 days, or a longer period of authorised by the Minister, to review the amendment and provide a recommendation to the Minister. Following review, the Commission may require modifications to the amendment prior to public consultation. Concurrently, the EPA will assess the amendment within 28 days as required under section 48A of the Environmental Protection Act 1986 to determine whether environmental assessment is required.

Pending consent from the Minister, the City will commence formal consultation for a period of 42 days in accordance with regulation 76A, with consultation to involve the following

- The Shire website and social media channels;
- Notification via advertisement in the Collie Bulletin newspaper; and
- Letter to affect property owners

Conclusion

Amendment #3 has been drafted to both align with the STRA framework and introduce new provisions designed to address the implications of standardisation. The recommended approach will align with the state framework while still allowing for protection of identified value.

|  |   |
|--|---|
| <b>13.2 Fire Damage House Shire to Act in Default of Owner Lot 150 (26) Mary Street Collie</b> |   |
| <b>Reporting Department:</b>   | Development Services  |
| <b>Reporting Officer:</b>  | Alex Wiese – Director of Development Services   |
| <b>Accountable Manager:</b>  | Alex Wiese – Director of Development Services   |
| <b>Legislation</b>   | <i>Health (Miscellaneous Provisions) Act 1911</i><br><i>Local Government Act 1995</i> |
| <b>File Number:</b>  | A2131   |
| <b>Appendices:</b>   | Nil   |
| <b>Voting Requirement</b>  | Absolute Majority   |

### Report Purpose

For Council to consider the acting in default of the owner to take down and remove the fire-damaged house at Lot 150 (26) Mary Street, Collie.

### Officer's Recommendation:

*That Council:*

- 1. To enable consideration of acting in default of the owner, endorse seeking quotes to demolish the house and clean the land at Lot 150 (26) Mary Street Collie in accordance with section 140 of the Health (Miscellaneous Provisions) Act 1911.*
- 2. Request a further report be provided to Council after quotes have been received for the demolition.*

### Background:

The house located at Lot 150 (26) Mary Street, Collie (the House) had been unoccupied for several years, resulting in complaints to the Shire about the property's run-down condition and squatting. On 28 June 2025, police and fire personnel attended two deliberately lit fires at the property, which destroyed the house and structures.

On 21 July 2025, the Shire of Collie issued a Notice under sections 137 of the *Health (Miscellaneous Provisions) Act 1911* (the Notice) to the owner of the House, declaring the house unfit for human habitation and requiring it to be taken down and removed due to severe fire damage and the presence of damaged asbestos-containing materials. The Notice had a compliance date of 20 October 2025.

### Statutory and Policy Implications:

The following sections of the *Health (Miscellaneous Provisions) Act 1911* and *Local Government Act 1995* relate to this report.

**Health (Miscellaneous Provisions) Act 1911**

**137. Condemned building to be amended or removed**

*A notice may be served by the local government upon the owner of such house directing him, within a time limited by such notice, either to amend the same in some specified manner or take down and remove the same.*

*Provided that -*

- i) the notice may direct the owner to take down and remove the house, without giving him the alternative of amending the same; and*
- ii) any person aggrieved by any notice under this section may apply to the State Administrative Tribunal for a review of the decision.*

**138. Land to be cleaned up after removal of house or building therefrom**

*Any person who dismantles any house, building, or other structure, whether in pursuance of a notice from the local government or not, shall forthwith clean the land to the satisfaction of the local government, and remove all rubbish to a place appointed by the local government*

**140. Local government may act in default of owner**

- (1) Whenever any owner fails to comply with a notice served upon him under any of the foregoing provisions of this Part, within a time therein specified, he commits an offence, and the local government may carry out the terms of the notice and recover all expenses from the owner:*

*Provided that the local government may sell or dispose of the material taken from a demolished or amended building, but the proceeds of sale shall be applied towards the expense of carrying out the terms of the notice — the surplus (if any) to be paid to the owner.*

- (2) Where, pursuant to subsection (1), a local government is empowered and has resolved to take down and remove a house, any person or authority that supplies electricity, gas or water to the house may, and shall if so requested by the local government, take such action as is necessary to ensure that all equipment, fixtures and fittings on or about the house for the purposes of the supply thereto of electricity, gas or water, as the case may be, are removed or are left in such a state as will not interfere with the taking down and removal of the house.*

**Local Government Act 1995**

**6.8. Expenditure from municipal fund not included in annual budget**

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure –*
  - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or'*
  - (b) is authorised in advance by resolution\*;*

*Additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.*

**Budget Implications:**

This report does not have any direct budget implications.

**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>   | 5     | Our Organisation  |
| <b>Objective:</b>                                    | 5.1   | Innovative leadership, planning, and mutually beneficial partnerships |
| <b>Strategic Priority:</b>                           | 5.1.5 | To imbed our strategic priorities throughout the organisation         |

**Relevant Precedents:**

Not applicable.

**Comment:**

The Shire values and promotes the provision of a safe, attractive, and liveable environment for the benefit of all persons residing, working, recreating within, or visiting Collie. To support this objective, the Shire responds to concerns and where appropriate, takes action to address negative impacts arising from neglect, dilapidation, untidiness, disrepair, and derelict buildings and property.

After the fires at 26 Mary Street on 28 June 2025, the Shire received complaints about the condition and safety of the property. In response, the Shire's Environmental Health Officer inspected the property, and a notice was served on the owner under section 137 of the *Health (Miscellaneous Provisions) Act 1911*, requiring the demolition of the House and clearing of the land by 20 October 2025. To date, the owner has not complied with the Notice, and subsequent efforts by Shire to contact the owner have been unsuccessful.

The Shire is legally entitled to act in default for non-compliance with the terms of the notice and, under Part V of the *Health (Miscellaneous Provisions) Act 1911*, may carry out the terms of the notice and recover all expenses from the owner. Quotes from contractors holding the appropriate asbestos removal licences have been obtained.

Given the owner's failure to comply with the Notice, and safety complaints from nearby residents and St. Brigid's School, it is recommended that the Shire seek quotes so that Council can consider acting in default of the owner to demolish the House and clean the land in accordance with section 140 of the *Health (Miscellaneous Provisions) Act 1911*.

**13.3 Update on Feasibility of Co-location - Collie Visitor Centre, Coalfields Museum and Historical Research Centre**

|                              |  |
|------------------------------|--|
| <b>Reporting Department:</b> | Development Services                       |
| <b>Reporting Officer:</b>    | Alex Wiese – Director Development Services |
| <b>Accountable Manager:</b>  | Alex Wiese – Director Development Services |
| <b>Legislation</b>           | Not applicable                             |
| <b>File Number:</b>          | RCS/038                                    |
| <b>Appendices:</b>           | Nil  |
| <b>Voting Requirement</b>    | Simple Majority                            |

**Report Purpose**

For the Council to receive an update on the proposal to co-locate the Collie Visitor Centre, and Coalfields Museum, and Historical Research Centre.

**Officer's Recommendation:**

*That Council:*

1. *Receive the proposal to co-locate the Collie Visitor Centre, Coalfields Museum, and Historical Research Centre.*
2. *Note the intention of the Shire of Collie, Coalfields Museum, Historical Research Centre and Collie Visitor Centre to work together to complete the following project stages by July 2026, subject to the available funding:*
  - a. *the project definition;*
  - b. *pre-concept design;*
  - c. *concept design; and*
  - d. *schematic design.*

**Background:**

At the Ordinary Council Meeting of 8 July 2025, Council received the Coalfields Museum & Historical Research Centre Business Case V1.1 and resolved the following (Res 9615):

*That Council*

1. *Receive the Coalfields Museum & Historical Research Centre Business Case V1.1 dated May 2025; and*
2. *Request that the Chief Executive Officer work with the Coalfields Museum and Historical Research Centre and the Collie Visitor Centre to investigate the feasibility of the recommended option in the Business Case (Option 2: Co-location with the Collie Visitor Centre), and provide a report on the outcome to a future Ordinary Council Meeting before the end of 2025.*

**Statutory and Policy Implications:**

Compliance with relevant planning and building legislative requirements and Shire policies.

**Budget Implications:**

No direct budget implications. However, the outcome may result in future expenditure obligations being presented to Council for consideration.

The Coalfields Museum & Historical Research Centre has agreed in-principle to support the proposed project.

**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>   | 2     | Our Economy   |
| <b>Objective:</b>                                    | 2.1   | Economic Development  |
| <b>Strategic Priority:</b>                           | 2.1.1 | Support the State Government Collie's Just Transition initiatives to achieve economic diversification and sustainability. |
| <b>Objective:</b>                                    | 2.2   | Tourism Promotion and Attractions   |
| <b>Strategic Priority:</b>                           | 2.2.3 | To plan for a new cultural and heritage museum to celebrate Collie's unique history                                       |

**Relevant Precedents:**

Nil.

**Comment:**

After the Ordinary Council Meeting on July 8, 2025, the committees of the Coalfields Museum, the Historical Research Centre (CMHRC) and the Collie Visitor Centre (CVC) convened and individually agreed to support the exploration of co-location at Reserve 47294, which is the current site of the CVC.

The Shire's Chief Executive Officer and Director of Development Services have also met with representatives from both groups and have visited the Reserve along with members of the CMHRC.

Preliminary analysis and a walk-through of the Reserve show an undeveloped, available area of 2,690 m<sup>2</sup>, which is larger than the CMHRC site – refer to Figure 1 below.



Figure 1

The blue-highlighted land in Figure 1 above represents the National Trust Reserves (land), which is not currently available.

CMHRC has confirmed they are comfortable with the 2,690 m<sup>2</sup> of available space and have agreed to work with the Shire and the CVC to develop concept plans and assess feasibility based on a co-location design. The CMHRC committed to supporting this work, with advice and input from the Shire, using funding from its 2024 Collie Futures Small Grant. This is subject to adherence to the terms of the grant agreement and securing any necessary approvals from the Department of Primary Industries and Regional Development.

The Shire, CMHRC and CVC will now engage the South-West Development Commission and work to develop a project plan based on co-location. The intent is to progress the project to allow formal consideration by stakeholders in June/July 2026. Budget permitting, *the project definition, pre-concept design, and schematic design work will be completed to achieve a cost plan accuracy of -10 % to +30 %, with a cost element breakdown.*

|   |   |
|---|---|
| <b>13.4 Consent for Easement - Underground Cable System related to RDAP Approval</b><br><b>DAP/25/02916</b> |   |
| <b>Reporting Department:</b>  | Development Services  |
| <b>Reporting Officer:</b>   | Alex Wiese – Director Development Services  |
| <b>Accountable Manager:</b>   | Alex Wiese – Director Development Services  |
| <b>Legislation</b>  | <i>Land Administration Act 1997</i><br><i>Road Traffic Act 1974</i><br><i>Planning and Development Act 2005</i> |
| <b>File Number:</b>   | DAP/25/02916  |
| <b>Appendices:</b>  | Appendix 13.4.A – Transmission Line Easement<br>251201_CLEF IODP (Rev2)_Collie                                  |
| <b>Voting Requirement</b>   | Simple Majority   |

### Report Purpose

For the Council to consider authorising the CEO to provide consent for an easement within an unconstructed local road reserve for the purpose of installing underground electrical cables to Western Power Palmer Terminal.

### Officer's Recommendation:

That Council authorised the Chief Executive Officer to provide written consent on behalf of the Shire of Collie to the Department of Planning, Land and Heritage for the granting of an easement on Lot 500 on Deposit Plan 430465 (an unconstructed road reserve) for the purpose of installing and maintaining underground electrical cable infrastructure.

### Background:

On 27 August 2025, the Regional Development Assessment Panel (DAP) approved a proposed 200MW Battery Energy Storage System [BESS] and Solar PV Facility – Renewable Energy Facility on Lots 100, 102, 787 and 788 (No.4997) Collie-Williams Road, and Land ID 3539122, 3539123 and 3539123, Palmer - DAP/25/02916.

The development included a 330kV underground cable system to connect the Facility collector substation to the Western Power Palmer Terminal, currently under construction. The cable, with an approximate length of 2km, was to be buried within an easement located within existing Shire constructed road reserve (Lot 500 on Deposit Plan 430465) - refer to Appendix 1. The underground cable system proposed to utilise three single-core XLPE (cross-linked polyethylene) aluminium cables. Horizontal directional drilling (HDD) techniques are proposed for traversing roads and creeks.

At the time of the DAP approval, it was acknowledged that subsequent consent for the easement would be sought from the Shire of Collie and State via the State Government's Crown land enquiry process, managed by the Department of Planning, Land and Heritage (DPLH). This is done through the lodgement of the Crown Land Enquire Form (CLEF) with DPLH.

**Statutory and Policy Implications:**

The legislation below applies:

- *Land Administration Act 1997*
- *Road Traffic Act 1974*
- *Planning and Development Act 2005*

**Budget Implications:**

This report does not have any direct budget implications. The DPLH Precedent Easement document (which is registered with Landgate) and an amendment to 'condition 4' of DAP Approval - DAP25/02916 contain provisions to indemnify and protect the State and Shire of Collie for all future liability and costs associated with the proposed easement and proposed underground electricity cable system.

**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>   | 2     | Our Economy   |
| <b>Objective:</b>                                    | 2.1   | Economic Development  |
| <b>Strategic Priority:</b>                           | 2.1.2 | Support the State Government Collie's Just Transition initiatives to achieve economic diversification and sustainability. |
| <b>GOAL:</b>   | 3     | Our Built Environment   |
| <b>Objective:</b>                                    | 3.2   | Sound land planning, building strategies, and schemes   |
| <b>Strategic Priority:</b>                           | 3.2.1 | To revise the Local Planning Strategy to update the residential and industrial chapters, consistent with emerging needs   |

**Relevant Precedents:**

DAP development approval DAP25/02916.

**Comment:**

From time to time, local governments and State government agencies are approached to provide consent for the installation of stormwater, telecommunications, electricity, reticulated water, drainage and sewer infrastructure in public road reserves. This usually involves either creating an easement through the State Government's Crown land enquiry process or developing a legal agreement to permit the infrastructure to be placed within the road reserve.

*A 'road reserve' is a parcel of land, generally owned by the Crown and dedicated for the purposes of road, usually under the care and control of local government or Main Roads WA.*

Where the proposed infrastructure is to be installed on land owned or managed by the Shire of Collie, Shire consent is required through the DPLH CLEF referral process. As the CEO's delegations (as detailed in the CEO Delegation Register 2025/26) does not include the authority to provide consent for easements, the Council's endorsement is required.

**Referral and Summary Crown Land Enquiry Form (CLEF) for Easement:**

Empowered lodged Crown Land Enquiry Form (CLEF) with DPLH, in March 2025, the easement within the unconstructed road reserve (as shown in Figure 1 below and in Appendix 1). The CLEF was referred to the Shire, and the Shire provided a response to DPLH after the Regional Development Assessment Panel (DAP) consideration and approved DAP25/02916.

The easement includes a 9m-wide continuous portion of the 20m-wide unconstructed road reserve - Lot 500 on Deposit Plan 430465. It is for the purpose of installing and maintaining underground electrical cables to Western Power's Palmer Terminal.

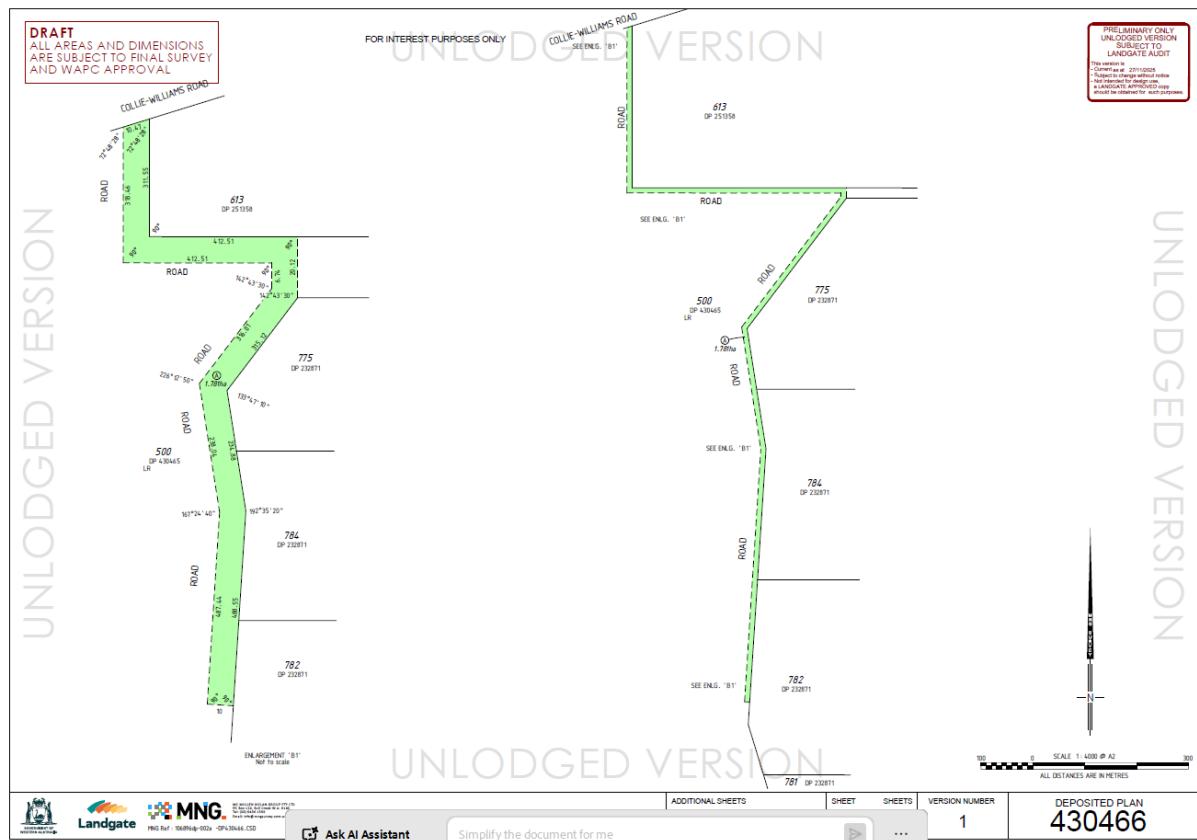


Figure 1.

Shire staff have assessed the referred CLEF and, subject to the underground cable system being constructed to a high standard and in a manner that does not become a burden to the community or the Shire through inappropriate location or construction methods, have no concerns.

To address this, Shire officers provided feedback to DPLH, who are responsible for issuing CLEF Precedent Easement – in gross Services Agreements (PED), and to the applicant. The PED is the legal document DPLH uses. The Shire feedback resulted in the following:

- The PED is being updated to acknowledge as a base principle that the primary function of the road reserve is to provide a dedicated route for a future road alignment, and the accommodation of utility service facilities is a secondary function.

- The PED is being updated to clarify functional and operational changes if a road is constructed in the future.
- The amendment 'Condition 4' and the addition of an Advice Notes to DAP25/02916.

**Amended 'Condition 4'**

*Prior to commencement, engineering drawings and specifications are to be submitted, approved and works undertaken in accordance with the approved engineering drawings and specifications, for the provision of site works, internal roads and accessways, and the underground transmission cable in the Crown land road reserve within the application area to the satisfaction of the Shire of Collie. The approved internal roads and accessways are to be constructed by the landowner/proponent. The design of the underground transmission cable must demonstrate that it will not prejudice the future construction and operation of a two-lane rural road within which it is located.*

**New Advice Note:**

*With regard to Condition 4, it is the applicants responsibility to demonstrate that the underground transmission cable design does not conflict with the road design. If, in the opinion of the Shire there is any potential conflict with the road design, then it is the responsibility of the applicant to negotiate appropriate mitigation with the Shire prior to the commencement of construction of the underground transmission cable. The Shire may require the applicant to provide a bank guarantee, or equivalent measure which covers the reasonable estimate of cost of any works required to remedy this in the future. If required, the bank guarantee, or equivalent measure is required to be maintained by the transmission line owner and any successive owner unless ownership is transferred to Western Power.*

**Conclusion**

The above amendments and commitments, in addition to the State's standard legal requirements in its PED template agreement, are considered to appropriately indemnify and protect the State and Shire for all future liability and costs associated with the proposed easement and underground electricity cable system.

The Officer recommends that Council authorise the CEO to provide written consent DPLH for the granting of the easement on Lot 500 on Deposit Plan 430465 for the purpose of installing and maintaining underground electrical cable infrastructure.

**14. CORPORATE SERVICES REPORTS**

| <b>14.1 Disposal of Properties to Recover Rates – Various Assessments</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.A Confidential Attachment                      |
| <b>Voting Requirement:</b>  | Simple Majority  |

**Report Purpose**

Council is requested to utilise CLOUD PAYMENT GROUP to sell the properties and / or the parcels of land attached to:

- Assessment A37
- Assessment A743
- Assessment A744
- Assessment A745
- Assessment A2131
- Assessment A2713
- Assessment A2860

due to non-payment of rates and services for a period of three years or more, under Section 6.64 of the *Local Government Act 1995*.

**Officer's Recommendation:**

*That Council utilise CLOUD PAYMENT GROUP to sell the properties and / or the parcels of land attached to:*

- Assessment A37
- Assessment A743
- Assessment A744
- Assessment A745
- Assessment A2131
- Assessment A2713
- Assessment A2860

*due to non-payment of rates and services for a period of three years or more, under Section 6.64 of the Local Government Act 1995.*

**Background:**

Cloud Payment Group have been engaged by the Shire of Collie to conduct debt collection on rates debt. Currently they are specifically focussing on debt relating to non-pensioner rate payers.

From the work performed to date, the following assessment numbers have been identified as not paying rates for the past 3 years. One of the below mentioned properties was previously brought to Council's attention on 8 February 2022. No further action appears to have occurred since this date by the previously engaged debt collectors. As such, Shire staff are bringing this assessment back to Council to request to utilise Cloud Payment Group to sell the property in accordance with Section 6.64 of the Local Government Act 1995.

**8952**

**Officer's Recommendation/Council Decision:**

**Moved: Cr White**

**Seconded: Cr Faries**

**That Council resolve by Absolute Majority to enact Section 6.64 (1) (b) of the Local Government Act 1995 to sell the parcel of land attached to Assessment 37 (23 Clifton Street, COLLIE WA 6225) due to non-payment of rates and services for a period of three years or more.**

**CARRIED 11/0**

Details of the Assessments including who the Assessment is owned by, are listed within the Confidential Appendix 14.1A.

**Statutory and Policy Implications:**

Section 6.64 of the *Local Government Act 1995* states:

**6.64 Actions to be taken**

- (1) *If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provision of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and –*
  - (a) *from time to time lease the land;*
  - (b) *sell the land;*
  - (c) *cause the land to be transferred to the Crown; or*
  - (d) *cause the land to be transferred to itself.*
- (2) *On taking possession of any land under this section, the local government is to give the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.*
- (3) *Where payment of rates or service charged imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land and may withdraw caveats so lodged by it.*

**Budget Implications:**

Approval will result in rate debts being recovered, but will incur auctioneer cost.

**Communications Requirements:**

Public Auction will be advertised accordingly.

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

| <b>STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN</b> |       |   |
|---|-------|---|
| <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:**

Not applicable.

**Comment:**

Recovery of this property debt has been unsuccessful using all available resources and information at hand by the Shire and their agents.

Therefore, it is determined that this property is now abandoned and under Section 6.64 of the *Local Government Act 1995* the Council may move to sell the land for non-payment of Rates and Services.

There have been legal costs incurred to date towards the recovery process of the property debt. The quoted amount does not include the cost of the Public Auction & Bailiff fees associated with the Sale of Land.

Our current Debt Recovery team of CLOUD PAYMENT GROUP will enable the Shire to now take possession of the property and to offer the land for sale through Public Auction.

Given the high level of debt to date, noting that this amount does not include auction costs and bailiff fees, the length of debt, the abandonment of the property and the amount of time that has been afforded in searching for ratepayer/s to either clear or reduce this debt, it is now appropriate to apply the relevant section of the *Local Government Act 1995* empowering the sale of land provision in relation to unpaid rates and charges.

It is recommended that Council apply the provisions of Section 6.64(1)(b) of the *Local Government Act 1995* and sell the property to recover outstanding rates and charges, which are in arrears for a period of excess of three (3) years. If at Public Auction there is no successful bidders, the land can be and will be transferred in title to the Shire of Collie.

| <b>14.2 Financial Management Report – October 2025</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 &amp; Financial Management Regulations 1996</i> |
| <b>File Number:</b>                                    | FIN/024  |
| <b>Appendices:</b>                                     | Appendix 14.2.A – Financial Report – October 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 31 October 2025.

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

*That Council receive the Financial Management Reports for 31 October 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 \$10,000, whichever is the greater.

For the period 1 July 2025 to 31 October 2025:

- Income is under budget by 0.22%; and
- Expenditure is under budget by 19.69%.

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 >\$10,000 under or over budget.

| Description  | Var. \$   | Var. %     |
|--|-----------|------------|
|  | \$        | %          |
| <b>Revenue from operating activities</b>   |           |            |
| <b>Other revenue</b>   | (110,431) | (97.66%) ▼ |
| Mainly relates to other sundry income, such as rent income and water reimbursements. Less than budgeted expectations. To be reviewed at mid year budget review.  |           |            |
| <b>Expenditure from operating activities</b>   |           |            |
| <b>Employee costs</b>  | 527,825   | 22.04% ▲   |
| Timing variance. Salaries and wages are \$270k lower due to vacancies across the organisation. Expected be cleared by year end with ongoing recruitment. Less labour overheads than budget, will be reviewed as part of mid year budget review. Timing variance of \$120k re workers compensation insurance. |           |            |
| <b>Materials and contracts</b>   | 387,698   | 21.88% ▲   |
| Timing variance, mainly due to delay in Pool opening, there is a \$28k under spend year to date on Pool utility charges. \$25k less spent on parks and depot utility charges.  |           |            |
| <b>Utility charges</b>   | 60,681    | 26.34% ▲   |
| Timing variance, mainly due to delay in Pool opening, there is a \$28k under spend year to date on Pool utility charges. \$25k less spent on parks and depot utility charges.  |           |            |
| <b>Other expenditure</b>   | 158,192   | 51.39% ▲   |
| Timing variance. \$27k relates to art gallery operating grant, not yet paid out, and \$125k of workers compensation budgeted for, not yet paid.  |           |            |
| <b>Inflows from investing activities</b>   |           |            |
| <b>Proceeds from disposal of assets</b>  | (166,600) | (89.28%) ▼ |
| Timing variance as motor vehicle purchasing is likely to occur in the new calendar year. Currently only two motor vehicles have been traded in and replaced.   |           |            |
| <b>Outflows from investing activities</b>  |           |            |
| <b>Acquisition of property, plant and equipment</b>  | 326,432   | 27.62% ▲   |
| Timing variance between budget and purchase of assets  |           |            |
| <b>Acquisition of infrastructure</b>   | 250,257   | 66.04% ▲   |
| Timing variance between budget and completion of projects  |           |            |
| <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.   |           |            |
| <b>Surplus or deficit after imposition of general rates</b>  | 1,989,099 | 29.87% ▲   |

Due to the need to focus on the end of 2025 financial year audit, 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.

| <b>14.3 Accounts Paid – 16 October to 15 November 2025</b> |   |
|--|---|
| <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 October 2025 to 15 November 2025.

**Officer's Recommendation:**

*That Council receives the List of Accounts paid for the period 16 October 2025 to 15 November 2025 as presented in Appendix 14.3.A totalling \$1,598,368.63*

**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.

**12. 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 Item 20.1 is confidential.

| <b>20.1 Food Organic and Garden Organic (FOGO) Waste – 3 Bin System</b> |   |
|---|---|
| <b>Reporting Department:</b>  | Operational Services  |
| <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>   | WAT/013   |
| <b>Appendices:</b>  | Confidential Attachment 20.1.A – Letter from the Parliamentary Secretary to the Minister for Environment, Ms Kim Giddens MLA – 26 Nov 2025. |
| <b>Voting Requirement</b>   | Simple Majority   |

**20.2 Collie Mineworkers Memorial Swimming Pool Update**

|                              |  |
|------------------------------|--|
| <b>Reporting Department:</b> | Corporate Services   |
| <b>Reporting Officer:</b>    | Phil Anastakis – Chief Executive Officer   |
| <b>Accountable Manager:</b>  | Phil Anastakis – Chief Executive Officer   |
| <b>Legislation:</b>          | <i>Local Government Act 1995</i><br><i>Dangerous Goods Safety Act 2004</i><br><i>Dangerous Goods Safety (Storage and Handling of Non-explosives) Regulations 2007</i><br><i>Health (Aquatic Facilities) Regulations 2007</i> |
| <b>File Number:</b>          | RCS/002  |
| <b>Appendices:</b>           | Nil.   |
| <b>Voting Requirement</b>    | Absolute Majority  |

**20.3 Bunbury Geographe Group of Councils - Executive Officer**

|                              |  |
|------------------------------|--|
| <b>Reporting Department:</b> | Chief Executive Office   |
| <b>Reporting Officer:</b>    | Phil Anastakis – Chief Executive Officer   |
| <b>Accountable Manager:</b>  | Phil Anastakis – Chief Executive Officer   |
| <b>Legislation:</b>          | <i>Local Government Act 1995</i>   |
| <b>File Number:</b>          | GVR/011  |
| <b>Appendices:</b>           | Appendix 20.3.A – Unconfirmed Minutes Bunbury Geographe Group of Councils – meeting held 28 November 2025<br>Appendix 20.3.B - Bunbury Geographe Group of Councils Memorandum of Understanding - July 2024 |
| <b>Voting Requirement:</b>   | Simple Majority  |

**20.4 Industrial Land**

|                              |  |
|------------------------------|--|
| <b>Reporting Department:</b> | Chief Executive Officer                  |
| <b>Reporting Officer:</b>    | Phil Anastakis - Chief Executive Officer |
| <b>Accountable Manager:</b>  | Phil Anastakis - Chief Executive Officer |
| <b>Legislation</b>           | <i>Local Government Act 1995</i>         |
| <b>File Number:</b>          | CPR/056                                  |
| <b>Appendices:</b>           | Nil.                                     |
| <b>Voting Requirement</b>    | Absolute Majority                        |

| <b>20.5 Housing</b>          |  |
|------------------------------|--|
| <b>Reporting Department:</b> | Chief Executive Officer                    |
| <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>          | CPR/056                                    |
| <b>Appendices:</b>           | Nil.                                       |
| <b>Voting Requirement</b>    | Absolute Majority                          |

**21. CLOSE**

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