Shire of Collie

# MINUTES

of the

# ORDINARY MEETING OF COUNCIL

held on

## Tuesday, 11 August 2026

# Our Vision

**Collie –** *Nature at our doorstep, community at heart.*

# Our Mission

*The Shire of Collie delivers high quality services, advocates for Collie, and fosters partnerships to achieve better outcomes which are guided by the community's vision and balanced by responsible financial management.*

# Our Values

The core values at the heart of the Council's commitment to the community are:

***I****ntegrity*

***T****ransparency*

***A****ccountability*

***C****ollaboration*

***R****espect*

# 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.

# Contents

Minutes of the Ordinary Meeting of the Collie Shire Council held in the Council Chambers, 87 Throssell Street Collie, on Tuesday, 11 August 2026.

The Shire President declared the meeting open at 6:02pm and welcomed Councillors, staff, press and those attending as public gallery.

## 1. OPENING/ATTENDANCE/APOLOGIES & LEAVE OF ABSENCE

| | | |
|---|---|---|
| **PRESENT:** | Ian Miffling OAM JP | Councillor (Presiding Member) |
| | Joe Italiano | Councillor (Deputy Member) |
| | Gary Faries | Councillor |
| | Dale Hill-Power JP | Councillor |
| | Brett Hansen | Councillor |
| | Paul Moyses | Councillor |
| | Michelle Smith | Councillor |
| | Rob Wells | Councillor |
| | | |
| | Phil Anastasakis | Chief Executive Officer |
| | Alex Wiese | Director Development Services |
| | David Quelch | Manager Planning and Development |
| | Nicole Wasmann | Governance Coordinator |
| **APOLOGY:** | John Kearney | Councillor |
| | Brad Grinter | Director Operations |
| | Geoff Lawrence | Acting Director Corporate Services |

**VISITORS:** Nil.

**PRESS:** 1 member of the press attended

**GALLERY:** 3 members of the public attended

### 1.1 Councillors granted Leave of Absence at previous meeting/s

Nil.

### 1.2 Councillors requesting Leave of Absence for future Ordinary Meetings of Council

Nil.

### 1.3 Councillors who are applying for Leave of Absence for this Ordinary Meeting of Council

***Council Decision:*** ***Resolution: 9809***

***Moved:*** ***Cr Faries*** ***Seconded:*** ***Cr Hansen***

*That Council grant Cr Kearney a Leave of Absence for this meeting.*

***Carried: 8/0***

***For:*** *Cr Miffling, Cr Italiano, Cr Faries, Cr Hansen, Cr Hill-Power, Cr Moyses, Cr Smith, Cr Wells.*

***Against:*** *Nil*

## 2. PUBLIC QUESTION TIME

Mr Bill Sloan

Question 1 – Mr Bill Sloan raised a question with Council regarding the Shire Ranger entering his property to collect a cat and trap without contacting him prior to entry. Mr Sloan advised that he had a biosecurity sign displaying his contact details on his front gate. He noted that he had sent emails to the Shire and spoken with officers by telephone and was seeking a response to his request for the details of who had contacted the Shire to request the removal of the cat.

Response 1 – The Shire President advised that the matter was an administrative issue and that the administration would investigate what options were available in response to his enquiries.

Question 2 – Mr Sloan raised concerns regarding the condition of Hebb Road. He indicated that the first kilometre of the road had been resealed approximately five years ago and that he had been advised that a further section would be improved each subsequent year. Mr Sloan noted that this had not occurred and that the condition of the road had deteriorated, with inadequate grading, no edge maintenance, overgrown trees and a number of potholes. He asked when the road is scheduled to be upgraded.

Response 2 – The Shire President advised that the required works would need to be considered as part of the Council budget process if they could not be addressed through routine road maintenance. The matter has now been recorded and will be assessed for further consideration.

Mr Pusky Crescenzi

Question – Mr Crescenzi raised concern about the increase in the fee for the Trading in Public Places permit fee for mobile food businesses operating within the Shire of Collie.

Cr Italiano read aloud a letter submitted by Mr Crescenzi requesting where the owner of MUJA Pizza Bar, raised concerns about the increase in the annual Trading in Public Places Permit fee from approximately $516 to $2,000. Mr Crescenzi noted that the fee was significantly higher than those charged by several comparable local governments.

Mr Pusky outlined MUJA Pizza Bar's contribution to the local economy and community, including employing locals, supporting tourism and local businesses, assisting emergency services and providing community and charitable support.

He requested that the Shire review the current fee structure and provide justification and a breakdown of how the $2,000 annual fee has been calculated, explain why the fee is substantially higher than fees charged by many comparable local shires, and consider whether a more reasonable fee or local-business concession could be introduced.

Response – The Shire President advised that the administration would review the matters raised in the letter to determine whether they could be addressed internally or whether a report to Council was required. It was noted that the full letter read aloud would be registered in the Shire's record-keeping system.

## 3. RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

## 4. DISCLOSURE OF FINANCIAL INTEREST

The Chief Executive Officer advised that Disclosures of Interest had been received from Councillors/staff as listed below:

| Councillor/staff | Agenda Item | Disclosure |
|---|---|---|
| Cr Hill-Power | Item 13.2 - Application for Development Approval (Change of Use) – Holiday House - 193 Steere Street Collie (P045/26) | Financial – same industry. |

## 5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

The Shire President advised that the presentation from the Collie Motorplex included in the agenda had been deferred to a future meeting.

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

20.1 Staff Matter

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

Nil.

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

### 8.1 Ordinary Council Meeting – 14 July 2026

***Officer's Recommendation/Council Decision:*** ***Resolution: 9810***

***Moved:*** ***Cr Faries*** ***Seconded:*** ***Cr Moyses***

*That Council confirms the Minutes of the Ordinary Meeting of Council held on 14 July 2026.*

***Carried: 8/0***

***For:*** *Cr Miffling, Cr Italiano, Cr Faries, Cr Hansen, Cr Hill-Power, Cr Moyses, Cr Smith, Cr Wells.*

***Against:*** *Nil*

## 9. BUSINESS ARISING FROM THE PREVIOUS MINUTES

Nil

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

### 10.1 Bush Fire Advisory Committee – 13 July 2026

***Officer's Recommendation/Council Decision:*** ***Resolution: 9811***

***Moved:*** ***Cr Hansen*** ***Seconded:*** ***Cr Hill-Power***

*That Council receives the Minutes of the Bush Fire Advisory Committee Meeting held on 13 July 2026.*

***Carried: 8/0***

***For:*** *Cr Miffling, Cr Italiano, Cr Faries, Cr Hansen, Cr Hill-Power, Cr Moyses, Cr Smith, Cr Wells.*

***Against:*** *Nil*

***Council Decision:*** ***Resolution: 9812***

***Moved:*** ***Cr Hill-Power*** ***Seconded: Cr Italiano***

*That once the Community Emergency Services Manager is settled, that Council and the Bush Fire Advisory Committee receive an update on outstanding actions noted in the Bush Fire Advisory Committee and bush fire brigades' minutes.*

***Carried: 8/0***

***For:*** *Cr Miffling, Cr Italiano, Cr Faries, Cr Hansen, Cr Hill-Power, Cr Moyses, Cr Smith, Cr Wells.*

***Against:*** *Nil*

## 11. CEO REPORTS

| 11.1 WALGA Annual General Meeting – Appointment of Delegates | |
|---|---|
| **Reporting Department:** | Chief Executive Office |
| **Reporting Officer:** | Phil Anastasakis – Chief Executive Officer |
| **Accountable Manager:** | Phil Anastasakis – Chief Executive Officer |
| **Legislation** | *Local Government Act 1995* |
| **File Number:** | GVR/001 |
| **Appendices:** | Appendix 11.1.A – 2026 Notice of WALGA AGM<br>Appendix 11.1.B – Guidelines for the Submission of Member Motions<br>Appendix 11.1.C – 2025 WALGA AGM Minutes |
| **Voting Requirement** | Simple Majority |

### Report Purpose

To advise Council of the upcoming Annual General Meeting of the Western Australian Local Government Association (WALGA) and for Council to consider the appointment of voting delegates.

**Officer's Recommendation/*Council Decision:*** ***Resolution: 9813***

***Moved:*** ***Cr Smith*** ***Seconded:*** ***Cr Hill-Power***

*That Council:*

1. *Nominates Councillor Miffling and Councillor Italiano as voting delegates to the 2026 Western Australian Local Government Association Annual General Meeting to be held 17 September 2026.*
2. *Authorise the Chief Executive Officer to act as proxy in the absence of either nominated Councillor.*
3. *Authorises the attendance of those Councillors who wish to attend the 2026 Local Government Convention.*

***Carried: 8/0***

***For:*** *Cr Miffling, Cr Italiano, Cr Faries, Cr Hansen, Cr Hill-Power, Cr Moyses, Cr Smith, Cr Wells.*

***Against:*** *Nil*

### Background:

WALGA is the peak industry body for local government in Western Australia and advocates on behalf of its member local governments.

The Annual General Meeting of WALGA will be held at the Perth Convention and Exhibition Centre on Thursday 17 September 2026 at 2.30pm (refer to Appendix 11.1.A – Notice of WALGA AGM and Order of Business).

Each member local government is entitled to be represented by two voting delegates. Historically the voting representatives have been the Shire President and Deputy Shire President. A proxy is entitled to vote in the absence of a voting delegate. Voting delegates and proxies may be elected members or officers.

Registrations for voting delegates are required by the 1 September 2026, however delegate registrations can be completed or amended up until the start of the Annual General Meeting. Matters considered at the Annual General Meeting are the WALGA's Annual Financial Statements, the President's Annual Report, and executive and member motions. The Agenda will be distributed at least 30 days prior to the meeting.

Should the Shire of Collie wish to submit a Member Motion, Guidelines for the Submission of Member Motions are included as Appendix 11.1.B and must be submitted by 30 July 2026. Minutes of the WALGA AGM held on the 23 September 2025 are included as Attachment 11.1.C.

The Annual General Meeting is being held in conjunction with the WALGA Local Government Convention 2026 which will be held from Wednesday 16 September to Friday 18 September 2026 at the Perth Convention and Exhibition Centre, Mounts Bay Road Perth. Councillors are encouraged to attend this Conference as a professional development and networking opportunity.

The Convention brings together Elected Members, CEOs, Local Government Officers, suppliers and key stakeholders as part of a unique program of professional development, networking and business opportunities. The theme of the convention is "Tomorrow's World" which reflects the rapidly changing environment facing Local Governments across Western Australia. A copy of the Convention Program can be obtained at *https://walga-lgc26.eventsairsite.com/program*.

**Statutory and Policy Implications:**

***Policy CP1-020 Councillor Induction, Training & Professional Development***

4.5 Conferences & Training Courses
The annual budget allocation may be used for any of the following:
c) Local Government Week - Local Government Week (Convention)
In addition to the two delegate participants, opportunity exists for other Elected Members and the Chief Executive Officer to attend Local Government Week.

***Policy CP1-006 Delegates and/or Voting at Association Conferences (previously CS1.4)***

That where practical the position of the Council as it relates to items for decision at the WA Local Government Association (WALGA) Annual General Meeting shall be determined prior, providing nominated voting delegates with guidance on the Council position, not withstanding:

a) In the event new information is obtained / provided subsequent to the position of Council being determined the voting delegate may alter the position of the Council, providing that this be reported back to the Council at the next meeting of the full Council following the Annual General Meeting of WALGA; and
b) In the event the Council is unable to provide direction on all or some matters the delegate must vote giving consideration to the Council's Strategic, or any other plan.

**Budget Implications:**
Attendance at the Annual General Meeting is free for all elected members and officers from local governments who are members of WALGA.

The cost for attending the Conference is based on the level of attendance, ranging from $1,300 for full attendance to $650 for a single day plus any nominated function costs.

There are sufficient funds allocated in the budget to cover travel, accommodation, training and conference expenses.

**Budget – Whole of Life Cost:**
The report does not have any direct financial or whole of life financial implications.

**Communications / Consultation Requirements:**
Nil.

**Strategic Implications:**

| STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN | | |
|---|---|---|
| **GOAL:** | 5 | Our Organisation |
| **Objective:** | 5.1 | Innovative leadership, forward planning, and mutually beneficial partnerships |
| **Strategic Priority:** | 5.1.3 | To collaborate and build partnerships with the Government sector to optimise resources and service delivery. |

**Relevant Precedents:**
Council has previously been represented by elected members and officers at WALGA Annual General Meetings and Conventions.

**Risk Assessment:**
The Risk Management Governance Framework has been considered in arriving at the Officer Recommendation.

| TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk. | |
|---|---|
| Risk Event | WALGA Annual General Meeting – Appointment of Delegates |
| Inherent Risk Rating (prior to treatment or control) | Low (1 - 4) |
| Risk Action Plan (treatment or controls proposed) | As the Residual Risk Rating is below 12, this is not applicable. |
| Residual Risk Rating (after treatment or controls) | Low (1 - 4) |
| Risk Category | Health N/A<br>Financial N/A<br>Service Interruption N/A |

| TIER 2 – 'Low' or 'Moderate' Inherent Risk. | | |
|---|---|---|
| | Legal and Compliance | Failing to appoint voting delegates will impact on the attendee to vote at the AGM. |
| | Reputational | Failing to vote and participate in the AGM may result in diminished confidence in Council representing the constituents of Collie. |
| | Environmental | N/A |
| | Property | N/A |

**Comment:**

Council should appoint voting delegates for the WALGA Annual General Meeting if they wish to be represented at the Meeting. It is recommended that Council appointment proxies for the two nominated Councillors, which in the absence of an elected member is proposed to be the Chief Executive Officer.

The Convention brings together elected members, suppliers, officers and key stakeholders and provides networking and collaboration opportunities. Elected members may benefit from attending the Annual General Meeting and Convention.

| 11.2 Review of Delegations | |
|---|---|
| **Reporting Department:** | Chief Executive Office |
| **Reporting Officer:** | Nicole Wasmann – Governance Coordinator |
| **Accountable Manager:** | Phil Anastasakis – Chief Executive Officer |
| **Legislation** | *Local Government Act 1995* |
| **File Number:** | GOV/043 |
| **Appendices:** | Appendix 11.2.A – Draft Register of Delegations 2026/27 |
| **Voting Requirement** | Absolute Majority |

**Report Purpose:**

The purpose of this report is to complete the annual review of the Register of Delegations.

**Officer's Recommendation/*Council Decision:*** ***Resolution: 9814***

***Moved:*** ***Cr Faries*** ***Seconded:*** ***Cr Moyses***

*That Council:*

1. *Acknowledges that it has completed its annual review of delegations and duties to the Chief Executive Officer, as empowered by the Local Government Act 1995, Regulations, and other relevant statutes.*

2. *In accordance with Section 5.46(2) of the Local Government Act 1995, adopts the Register of Delegations 2026/27, as included in Appendix 11.2.A.*

***Carried: 8/0***

***For:*** *Cr Miffling, Cr Italiano, Cr Faries, Cr Hansen, Cr Hill-Power, Cr Moyses, Cr Smith, Cr Wells.*

***Against:*** *Nil*

**Background:**

The *Local Government Act 1995* empowers Council to delegate certain powers and duties to the Chief Executive Officer (CEO) to enable the efficient administration of Council functions. Section 5.46 requires the delegations to be reviewed at least annually.

Under section 5.42(1), a local government may delegate any of its powers or duties to the CEO, with the exception of powers that require an absolute majority of Council or those that are expressly excluded under the *Local Government Act 1995.*

The attached Draft Register of Delegations 2026/27 (Attachment 11.2.A) outlines the powers and duties delegated by Council to the CEO, together with the CEO's sub-delegations to other officers.

Delegations support the effective operation of local government by allowing decisions to be made at the appropriate administrative level. They are commonly used where:

- the efficient conduct of local government business would be impractical if Council or the CEO were required to personally exercise every power or perform every duty; and
- the CEO needs to authorise other employees to exercise delegated powers, make decisions, or perform duties on behalf of the local government.

In accordance with the *Local Government Act 1995*, all delegations by Council must be made by absolute majority and recorded in a register.

**Statutory and Policy Implications:**

***Local Government Act 1995***

Section 3.24 and 3.25 - The powers given to the local government by this Subdivision can only be exercised on behalf of the local government by a person expressly authorised by it to exercise those powers. (This section relates to requiring the owner or occupier of land to do what is specified in the notice in relation to the land).

Section 5.16 - 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. A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

***5.42. Delegation of some powers and duties to CEO***

*(1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —*

*(a) this Act other than those referred to in section 5.43; or*

*(b) the Planning and Development Act 2005 section 214(2), (3) or (5).*

** 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.*

***5.43. Limits on delegations to CEO 28***

*A local government cannot delegate to a CEO any of the following powers or duties —*

*(a) any power or duty that requires a decision of an absolute majority of the council;*

*(b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*

*(c) appointing an auditor;*

*(d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*

*(e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A, 5.100 or 5.129;*

*(f) borrowing money on behalf of the local government;*

*(g) hearing or determining an objection of a kind referred to in section 9.5;*

*(ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;*

*(h) any power or duty that requires the approval of the Minister or the Governor;*

*(i) such other powers or duties as may be prescribed.*

***5.44. CEO may delegate powers and duties to other employees***

*(1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.*

*(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) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —*

*(a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and*

*(b) the exercise of that power or the discharge of that duty by the CEO's delegate,*

*are subject to any conditions imposed by the local government on its delegation to the CEO.*

*(4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.*

*(5) In subsections (3) and (4) —*

**conditions** *includes qualifications, limitations or exceptions.*

***5.45. Other matters relevant to delegations under this Division***

*(1) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —*

*(a) a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and*

*(b) any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.*

*(2) Nothing in this Division is to be read as preventing —*

*(a) a local government from performing any of its functions by acting through a person other than the CEO; or*

*(b) a CEO from performing any of the CEO's functions by acting through another person.*

***5.46. Register of, and records relevant to, delegations to CEO and employees***

*(1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.*

*(2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*

*(3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

Section 9.10 - Appointment of authorised persons - The local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions. The local government is to issue the authorised person with a certificate stating the person is so authorised.

***Bush Fires Act 1954***

Section 59 (3) - A local government may, by written instrument of delegation, delegate authority generally, or in any class of case, or in any particular case, to its bush fire control officer, or other officer, to consider allegations of offences alleged to have been committed against this Act in the district of the local government and, if the delegate thinks fit, to institute and carry on proceedings in the name of the local government against any person alleged to have committed any of those offences in the district, and may pay out of its funds any costs and expenses incurred in or about the proceedings.

Section 48 (1) - A local government may, in writing, delegate to its Chief Executive Officer the performance of any of its functions under this Act.

***Graffiti Vandalism Act 2016***

Section 16 - The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Part.

Section 17 - A CEO may delegate to any employee of the local government the exercise of any of the CEO’s powers or the discharge of any of the CEO’s duties under another provision of this Part other than this power of delegation.

***Food Act 2008***

Section 118 - A local government is authorised to empower an officer to undertake duties as defined by the Act.

***Health (Miscellaneous Provisions) Act 1911 & Public Health Act 2016***

Section 26 - Every local government is hereby authorised and directed to carry out within its district the provisions of this Act and the regulations, local laws, and orders made thereunder: Provided that a local government may appoint and authorise any person to be its deputy, and in that capacity to exercise and discharge all or any of the powers and functions of the local government for such time and subject to such conditions and limitations (if any) as the local government shall see fit from time to time to prescribe, but so that such appointment shall not affect the exercise or discharge by the local government itself of any power or function.

***Cat Act 2011***

Section 44 - The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Act.

Section 45 - A CEO may delegate to any employee of the local government the exercise of any of the CEO’s powers or the discharge of any of the CEO’s duties under another provision of this Act.

***Dog Act 1976***

Section 10 AA - The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Act.

***Town Planning and Development Act 2005***

The Planning and Development (Local Planning Scheme) Regulations 2015 and the Shire of Collie Local Planning Scheme No. 6 provides Council the power to delegate power to the Chief Executive Officer.

***Building Act 2011***

Section 127 of the Building Act 2011 enables local governments to delegate any of its powers or duties as a permit authority under the Act. Such a delegation can only be made to an employee of the local government as per the Local Government Act 1995 section 5.36 [Chief Executive Officer].

***Public Health Act 2016***

The Environmental Health Officer [EHO or PEHO] should be delegated the powers (in the list) for the performance of his/her day-to-day duties. There may, from time to time, be an urgent or emergency situation pertaining to public health in which prompt action by an EHO is required.

There are a number of items on the list which would not pertain to any emergency but such a part of the normal day-to-day functions of an EHO and well within the capabilities and competencies of an EHO.

There are a handful of significant emergency powers which are not included in the list. They pertain to events and matters which only a Chief Executive Officer should preside over.

**Budget Implications:**

While this report does not have any direct budget implications, various Delegations contained within the Delegations Register 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 / Consultation Requirements:**

Not applicable.

**Strategic Implications:**

| STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN | | |
|---|---|---|
| **GOAL:** | 5 | Our Organisation |
| **Objective:** | 5.2 | Good governance and financial management |
| **Strategic Priority:** | 5.2.4 | To benchmark against industry governance and financial standards |

**Relevant Precedents:**

Council consider delegations annually in accordance with the *Local Government Act 1995*. The last review was undertaken on the in September 2025, when Council resolved (Res: 9648) to adopt the reviewed delegations.

**Risk Assessment:**

The Risk Management Governance Framework has been considered in arriving at the Officer Recommendation.

| **TIER 2 – 'Low' or 'Moderate' Inherent Risk.** | | |
|---|---|---|
| Risk Event | Review of Delegations | |
| Inherent Risk Rating (prior to treatment or control) | Moderate (5 - 11) | |
| Risk Action Plan (treatment or controls proposed) | As the inherent Risk Rating is below 12, this is not applicable | |
| Residual Risk Rating (after treatment or controls) | Low (1 - 4) | |
| Risk Category | Health | N/A |
| | Financial | N/A |
| | Service Interruption | That services are delayed if the CEO or relevant officers do not have the necessary delegations to ensure service provision. |
| | Legal and Compliance | That the Shire does not meet its compliance obligations if not reviewed or if the delegations are not in accordance with statutory requirements. |
| | Reputational | Not reviewing in accordance with the *Local Government Act 1995* may lead to loss of confidence by the community or State Government. |
| | Environment | N/A |
| | Property | N/A |

## Comment:

Section 5.42 of the Local Government Act empowers Council to delegate authority to the Chief Executive Officer. Where appropriate, the Chief Executive Officer may on-delegate authority to other officers for operational reasons. Such delegations will be made to the relevant officers that have the relevant qualifications and experience in relation to the delegated powers.

The key changes from the 2025/26 Delegation Register are:

- Removal of 2.1.1 Delegation from Council to Audit Risk and Improvement Committee. Following changes to the *Local Government (Audit) Regulations 1996* the duties and powers in sections 7.12A(3) and (4) of the *Local Government Act* 1995 are now official functions of the Audit, Risk and Improvement Committee.
- Removal of 2.1.2 Delegation from Council to the Behaviour Complaints Committee. The *Local Government (Model) Code of Conduct Regulations 2021* was amended on 1 January 2026. Clause 14B(1) prescribes that the Council must carry out the functions listed in clauses 12 and 13 of the Model Code of Conduct. These functions are no longer capable of delegation. However, a Council may:
    - Authorise, by absolute majority resolution, a committee of Council comprising Council Members only to perform a function for and on behalf of the Local Government (r.14B(2)].

  - Authorise, by absolute majority resolution, a person (excluded persons are prescribed) to perform a function for and on behalf of the Local Government [r.14B(3)]. The resolution of Council authorising a person, must include the matters prescribed in r.14B(4).

- Removal of some conditions under delegation 2.2.19 Tenders for Goods and Services – Exempt Procurement, as these conditions are covered by the Procurement Policy which outlies the processes around procurement and exemptions.
- Increase the amount in conditions c. and d. of delegation 2.2.24 from $20,000 to $50,000.
- Minor alterations and corrections to various delegations including changes to referenced legislation, position titles, and policy numbers, and clarification around conditions. These changes do not alter the power delegated or the intent of the associated conditions.

The Shire of Collie 2026/27 Register of Delegations has been reviewed by the CEO and is presented for Council consideration and adoption.

| **11.3 Request to Participate - Bunbury Geographe Tourism Partnership Subcommittee** | |
|---|---|
| **Reporting Department:** | Chief Executive Office |
| **Reporting Officer:** | Phil Anastasakis – Chief Executive Officer |
| **Accountable Manager:** | Phil Anastasakis – Chief Executive Officer |
| **Legislation** | N/A |
| **File Number:** | N/A |
| **Appendices:** | 11.3.A – Letter Bunbury Geographe Tourism Partnership Subcommittee |
| **Voting Requirement** | Simple Majority |

**Report Purpose:**

For Council to consider a response to the Bunbury Geographe Group of Councils request to join the Bunbury Geographe Tourism Partnership (BGTP) as a subcommittee member and to contribute to the costs of BGTP Subcommittee.

**Officer's Recommendation/*Council Decision:*** ***Resolution: 9815***

***Moved:*** ***Cr Italiano*** ***Seconded:*** ***Cr Hansen***

*That Council, in response to the notification that the Bunbury Geographe Group of Councils has resolved to establish the Bunbury Geographe Tourism Partnership as a subcommittee, decline the request to join the Bunbury Geographe Tourism Partnership as a subcommittee member and decline the request to contribute to the costs of the subcommittee.*

***Carried: 8/0***

***For:*** *Cr Miffling, Cr Italiano, Cr Faries, Cr Hansen, Cr Hill-Power, Cr Moyses, Cr Smith, Cr Wells.*

***Against:*** *Nil*

**Background:**

The Bunbury Geographe Group of Councils (BGGC) has operated as a voluntary association through a Memorandum of Understanding (MOU) since 1998. Over the years, member Councils have built a proactive organisation, providing regional advocacy through a formal alliance. This syndicated approach has proven successful, fostering productive collaboration for the betterment of the entire region. As of 2025, BGGC members included the City of Bunbury and the Shires of Capel, Dardanup, Donnybrook-Balingup, Harvey, and Collie.

However, at the scheduled BGGC meeting on 8 May 2025, the group discussed the possibility of employing a dedicated full-time Executive Officer. The meeting also noted that some member Councils were considering ways to make the group more active and outcome-focused, moving beyond its traditional advocacy role. These discussions and subsequent resolutions prompted member Councils to formally reconsider their ongoing membership in the Bunbury Geographe Group of Councils under a proposed new operating structure.

On 9 December 2025, in relation to the above, the Shire of Collie Council resolved:

*That Council, in response to the recommendations received from the Bunbury Geographe Group of Councils (BGGC) meeting held on 28 November 2025, resolved (Resolution 9712) the following:*

*That the Shire of Collie does not support Recommendation A relating to the Draft Governance Review Workshop Outcomes.*

- *That the Shire of Collie does not support the draft BGGC Memorandum of Understanding, Governance Charter, Code of Conduct and Executive Officer funding model for the BGGC.*
- *That the Shire of Collie gives notice of its intention to withdraw from the BGGC at the end of 2025/26 in accordance with Clause 9.1 of the BGGC Memorandum of Understanding, effective from 30 June 2026.*
- *Based on withdrawal from the BGGC, the Shire of Collie gives notice to withdraw from the Bunbury Geographe Tourism Partnership at the end of 2025/26 in accordance with Clause 6.5 of the BGGC Memorandum of Understanding, effective from 30 June 2026*

As an outcome of Council resolution of the above, the Shire wrote to BGGC and ceased to be a member of BGGC and Bunbury Geographe Tourism Partnership on 30 June 2026.

**Statutory and Policy Implications:**

*Local Government Act 1995*

The Bunbury Geographe Tourism Partnership (BGTP) is a continuing project under the Bunbury Geographe Group of Councils (BGGC) Memorandum of Understanding, which was previously signed by the Shire of Collie. However, the Shire of Collie has formally withdrawn from the BGGC and BGTP.

**Budget Implications:**

The 2026/27 budget includes within GL#198330 $20,000 towards a Regional Tourism Initiatives. This provides flexibility for Council to consider and determine throughout the year which specific tourism initiatives it would like to support.

The Long-Term Financial Plan includes a general ongoing provision of $20,000 towards Regional Tourism Initiatives.

**Budget – Whole of Life Cost:**

As no assets have been created as part of this agenda item, there are no whole of life cost implications.

**Communications/Consultation Requirements:**

N/A

**Strategic Implications:**

| STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN | | |
|---|---|---|
| **GOAL:** | 2 | Our Economy |
| **Objective:** | 2.2 | Tourism promotion and attractions |
| **Strategic Priority:** | 2.2.1 | To increase the tourism and marketing capability within the Shire with a focus on destination marketing. |

**Relevant Precedents:**
The Shire of Collie has supported the Bunbury Geographe Tourism Partnership and regional tourism initiatives in previous years.

The existing Bunbury Geographe Tourism Partnership and Service Level Agreement contracts initially concluded in October 2024 but were extended to 30 June 2026. They have now expired.
The Regional Tourism Strategy 2024-2027 proposes that the tourism marketing program continues to be guided by the BGGC CEO's, with this group setting the strategic directions of the program and endorsing the Strategic Plan.

**Risk Assessment:**
The Risk Management Governance Framework has been considered in arriving at the Officer Recommendation.

| **TIER 2 – 'Low' or 'Moderate' Inherent Risk.** | | |
|---|---|---|
| Risk Event | Request to Participate - Bunbury Geographe Tourism Partnership Subcommittee | |
| Inherent Risk Rating (prior to treatment or control) | Low (1 - 4) | |
| Risk Action Plan (treatment or controls proposed) | As the Residual Risk Rating is below 12, this is not applicable. | |
| Residual Risk Rating (after treatment or controls) | Low (1 - 4) | |
| Risk Category | Health | N/A |
| | Financial | Tourism funding is available within the budget but needs to be optimised. |
| | Service Interruption | N/A |
| | Legal and Compliance | The Shire has previously withdrawn from the MOU. |
| | Reputational | The Shire may receive negative feedback about not contributing. |
| | Environment | N/A |
| | Property | N/A |

**Comment:**

On 15 July 2026, the Bunbury Geographe Group of Councils (BGGC) wrote to the Shire of Collie to advise that, on 27 March 2026, the BGGC had resolved to establish the Bunbury Geographe Tourism Partnership (BGTP) as a subcommittee of the Board. As part of this resolution, the BGGC further resolved to invite the Shire of Collie to become a member of the subcommittee, to allow for continued participation and contributions towards the objectives of the BGTP.

The BGGC also advised that the group was awaiting the finalisation of Member Councils' budgets, with the intention to appoint a part-time BGTP Officer to coordinate day-to-day activities, including working group coordination, website and social media management, and other promotional initiatives, once all contributions are confirmed.

The BGGC requested a response regarding the Shire of Collie's interest in the subcommittee by Friday, 24 July 2026. As the request matter required Council consideration, an extension was sought and granted until 12 August 2026.

Given Council's previous detailed consideration and decisions regarding both BGGC and BGTP membership, and in light of the predicted reduced decision-making power under the subcommittee structure, it is recommended that the Shire of Collie decline the invitation to join the Bunbury Geographe Tourism Partnership (BGTP) as a subcommittee member.

| **11.4 Request to Participate – Southwest Sports Awards 2026** | |
|---|---|
| **Reporting Department:** | Chief Executive Office |
| **Reporting Officer:** | Phil Anastasakis – Chief Executive Officer |
| **Accountable Manager:** | Phil Anastasakis – Chief Executive Officer |
| **Legislation** | N/A |
| **File Number:** | N/A |
| **Appendices:** | Appendix 11.4.A – Letter of invitation – 2026 Southwest Sports Awards<br>Appendix 11.4.B – 2026 Southwest Sports Awards – Regional Partnership Proposal |
| **Voting Requirement** | Simple Majority |

**Report Purpose:**

For Council to consider a response to the City of Bunbury request to participate in the Southwest Sports Awards 20206.

**Officer's Recommendation:**

*That Council:*

1. *resolves to participate in the 2026 Southwest Sports Awards as a Gold partner.*
2. *resolves to fund the $2,500 contribution as a Regional Resource Sharing Initiative from GL#104600.*

<u>Reason for Decision Being Different to the Officer's Recommendation</u>
*Local Government (Administration) Regulations* – r.11(da) require that where a Council decision is substantially different from the Officer's Recommendation that the reason be recorded.

*The Council's decision differed from the Officer's Recommendation due to feedback from the Sports Awards Sub-Reference Group indicating that, at this stage, it would be preferable to concentrate on the local Collie sports awards.*

**Council Decision** — ***Resolution: 9816***

***Moved:*** ***Cr Italiano*** ***Seconded:*** ***Cr Faries***

*That Council:*

1. *resolves to not participate in the 2026 South West Sports Awards;*
2. *resolves to refer this matter back to the Sports Awards Sub-Reference Group to gauge interest, if any, in participating in the future;*
3. *advises the South West Sports Awards organisers of "1" and "2".*

***Carried: 8/0***

***For:*** *Cr Miffling, Cr Italiano, Cr Faries, Cr Hansen, Cr Hill-Power, Cr Moyses, Cr Smith, Cr Wells.*

***Against:*** *Nil*

**Background:**

Correspondence has been received from the City of Bunbury inviting the Shire of Collie to join the Southwest Sports Awards 2026, which is to be held at the Mantra Lighthouse in Bunbury on Saturday 14 November 2026 – refer to Appendix 11.4.A.

The Southwest Sports Awards aim to recognise and celebrate the outstanding achievements and contributions in the Southwest sports community. The awards are a collaborative initiative to acknowledge the achievements of athletes while recognising the essential contribution of coaches, official, volunteers, clubs and sporting organisations that make community sport possible. The invitation is aimed at including all Southwest municipalities in this awards ceremony, making this a truly Southwest event.

The 2026 Southwest Sports Awards – Regional Partnership Proposal is included in Appendix 11.4.B. Partnership options are Gold ($2,500) or Silver ($2,000), with each option providing different levels or recognition and promotion.

By becoming a partner, the Shire of Collie will:

- enable local Collie athletes, teams and clubs to be recognised through the Southwest Sports Awards.
- Demonstrate leadership in supporting regional sport and community wellbeing.
- Contribute to a collaborative initiative celebrating sporting excellence across the Southwest, and
- Join neighbouring local governments in strengthening regional partnerships and community pride.

**Statutory and Policy Implications:**

The 2026 Southwest Sports Awards – Regional Partnership Proposal is included as appendix 11.4.B, which will include a Partnership Agreement if the Shire of Collie is involved.

**Budget Implications:**

The 2026/27 budget includes within GL#104600 $10,000 towards Regional Resource Sharing Initiatives. This provides flexibility for Council to consider and determine whether it wishes to support the Regional Sports Awards as a suitable regional initiative as a Gold member for $2,500.

The Long-Term Financial Plan includes a general ongoing provision of $2,000 as a donation towards the Southwest Academy of Sports.

**Budget – Whole of Life Cost:**

As no assets have been created as part of this agenda item, there are no whole of life cost implications.

**Communications/Consultation Requirements:**

N/A

**Strategic Implications:**

| STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN | | |
|---|---|---|
| **GOAL:** | 2 | Our Economy |
| **Objective:** | 2.2 | Tourism promotion and attractions |
| **Strategic Priority:** | 2.2.1 | To increase the tourism and marketing capability within the Shire with a focus on destination marketing. |

**Relevant Precedents:**
The Shire of Collie has supported the regional sporting events in previous years.

**Risk Assessment:**

The Risk Management Governance Framework has been considered in arriving at the Officer Recommendation.

| TIER 2 – 'Low' or 'Moderate' Inherent Risk. | | |
|---|---|---|
| Risk Event | Request to Participate - Southwest Sports Awards 2026 | |
| Inherent Risk Rating (prior to treatment or control) | Low (1 - 4) | |
| Risk Action Plan (treatment or controls proposed) | As the Residual Risk Rating is below 12, this is not applicable. | |
| Residual Risk Rating (after treatment or controls) | Low (1 - 4) | |
| Risk Category | Health | N/A |
| | Financial | Sport recognition funding is available within the budget but needs to be optimised. |
| | Service Interruption | N/A |
| | Legal and Compliance | A Partnership Agreement would be established between participating local governments. |
| | Reputational | The Shire may receive negative feedback about not contributing. |
| | Environment | N/A |
| | Property | N/A |

**Comment:**
A Shire Councillor recently participated in a meeting regarding this proposal. If time permits, it is also proposed to obtain the feedback of the former Sports Panel members, now reformed as the Events & Awards Reference Group, Collie Sports Awards sub-group.

Based on anticipated feedback and previous support for this type of event, it is recommended that the Shire of Collie support as a Gold member participation in the Southwest Sports Awards event.

## 12. OPERATIONS REPORTS

Nil

## 13. DEVELOPMENT SERVICES REPORTS

| 13.1 Proposed Extractive Industry (Gravel Extraction – Stage 2) - Lot 1123 (No. 81) Lawson Rd, Palmer | |
|---|---|
| **Reporting Department:** | Development Services |
| **Reporting Officer:** | David Quelch – Manager Planning and Development |
| **Accountable Manager:** | Alex Wiese – Director Development Services |
| **Legislation** | *Planning and Development Act 2005* |
| **File Number:** | A3549 |
| **Appendices:** | 13.1.A – Application<br>13.1.B – Location Map<br>13.1.C – Schedule of Submissions<br>13.1.D – Confidential Appendix Signed Main Roads WA Agreement |
| **Voting Requirement** | Simple Majority |

The Chief Executive Officer advised that Item 13.1 had been withdrawn by the applicant prior to the meeting.

Cr Hill-Power declared a financial interest in Item 13.2, that nature of that interest being that Cr Hill-Power has a business in the same industry as proposed by the proponent. In accordance with s. 5.68(1) of the *Local Government Act 1995*, Cr Hill-Power requested the approval of the meeting to be allowed to participate in the discussion, but not the decision making, relating to the matter.

Cr Hill-Power left the meeting at 7:28pm whilst Council considered the request.

| | |
|---|---|
| ***Council Decision:*** | ***Resolution: 9817*** |
| ***Moved:*** ***Cr Faries*** | ***Seconded: Cr Hansen*** |
| *That Council decline Cr Hill-Power's request to participate in discussion relating to Item 13.2.* | |
| | ***Carried: 7/0*** |
| ***For:*** *Cr Miffling, Cr Italiano, Cr Faries, Cr Hansen, Cr Moyses, Cr Smith, Cr Wells.* | |
| ***Against:*** *Nil* | |

The CEO left the meeting at 7:30pm to advise Cr Hill-Power of Council's decision.
The CEO returned to the meeting at 7:31pm.

## 13.2 Application for Development Approval (Change of Use) – Holiday House - 193 Steere Street Collie (P045/26)

| | |
|---|---|
| **Reporting Department:** | Development Services |
| **Reporting Officer:** | Ryan Varis – Building Surveyor Technician |
| **Accountable Manager:** | Alex Wiese – Director Development Services |
| **Legislation** | *Planning and Development Act 2005* |
| **File Number:** | A2644 |
| **Appendices:** | 13.2.A – Subject Property and Floor Plan<br>13.2.B – Operational Management Plan<br>13.2.C – Schedule of Submissions |
| **Voting Requirement** | Simple Majority |

**Report Purpose:**

For Council to consider an application for development approval for the change of use of a single house to a holiday house at Lot 16 (No. 193) Steere Street, Collie.

**Officer's Recommendation/*Council Decision:*** ***Resolution: 9818***

***Moved:*** ***Cr Faries*** ***Seconded:*** ***Cr Italiano***

*That Council approves the Development Application P045/26 for a change of use from single house to holiday house at Lot 16, No. 193 Steere Street, Collie, in accordance with the approved plans in appendix 13.2.A and subject to the following conditions:*

1. *All development shall be in accordance with the approved development plans which form part of this planning approval.*
2. *This planning approval will expire if the approved development has not substantially commenced within two (2) years from the date of issue of the approval, or, within any extended period for which the Shire of Collie has granted prior written consent.*
3. *Guest parking is not permitted to occur on the verges within Steere Street or Vincent Street, except when wholly contained within the driveway on Vincent Street.*
4. *Prior to commencement, signage is to be implemented to display the relevant contact details for the manager of the property (for the purpose of directing complaints), to the satisfaction of the Shire of Collie. Signage for the business to be limited to 0.2m2, unless otherwise agreed by the Shire.*
5. *The approved development shall not cause injury or adversely affect the amenity of the neighbourhood and the owner/operator shall manage the behaviour of guests so that they do not unreasonably impact on adjacent neighbours.*
6. *The Operation Management Plan endorsed within this approval is to be implemented for the duration of the development to the satisfaction of the Shire of Collie.*

***Carried: 5/2***

***For:*** *Cr Miffling, Cr Italiano, Cr Faries, Cr Hansen, Cr Moyses.*

***Against:*** *Cr Smith, Cr Wells*

**Background:**

An application for Development Approval has been lodged with the Shire by Willie Kean Wei Ooi and Melatiah Indah Nimalasari for a change of use of the existing single house to a holiday house at 193 Steere Street, Collie. (Refer Appendices 13.2.A).

Description of Site and Surrounds

The subject site is located on the corner of Steere Street and Vincent Street, has an area of approximately 1075m$^2$ and features a single dwelling, attached games room, double-car garage and garden shed. The site is lightly vegetated, and has a downward fall towards both the western rear boundary and the southern side boundary.

The site is approximately 800m north-east of the town centre, and the Collie District Hospital is opposite the property frontage. The surrounding area is zoned Residential, with a density code of R20 across surrounding properties. Most dwellings and associated outbuildings are setback in a manner consistent with the Residential Design Codes.


**Figure 1 - Aerial Image of Site and Surrounds**

<u>Application</u>

The proposal seeks development approval for a change of use from a Single House to a Holiday House at the above location.

Details as follows:

- 4 bedroom un-hosted short-stay accommodation
- Maximum 10 persons per stay
- Check-in at 3 pm, check-out at 11 am
- Operational Management Plan has been submitted that includes guests, noise, parking, waste, and complaints management measures.

**Statutory and Policy Implications:**

<u>Shire of Collie Local Planning Scheme No. 6</u>

The subject site is zoned Residential under Local Planning Scheme No. 6. The objectives of the Residential zone seek:

- *To provide for a range of housing and a choice of residential densities to meet the needs of the community.*
- *To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.*
- *To provide for a range of non-residential uses, which are compatible with and complementary to residential development.*

Holiday House is a ‘D’ use in the Residential zone, which means that the use is not permitted unless the local government has exercised its discretion by granting development approval.

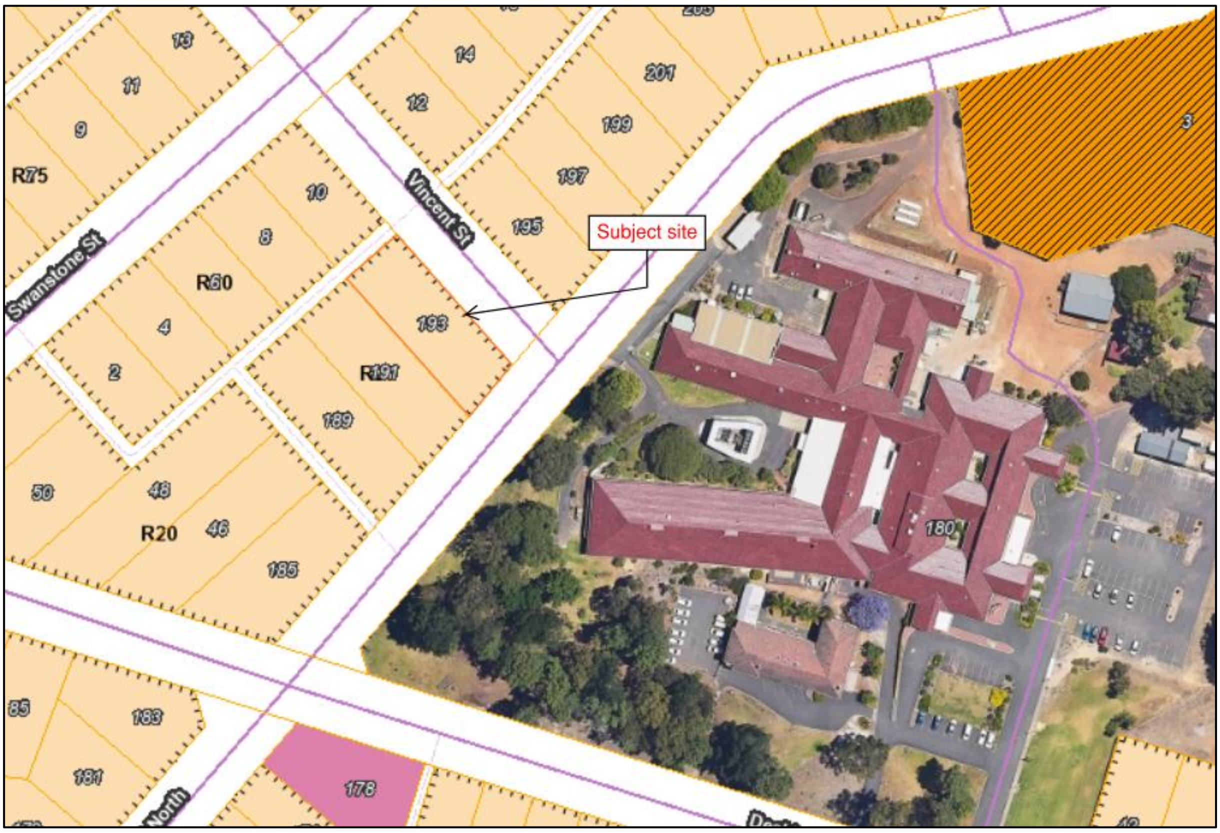


**Figure 2 - Zoning Map**

***Clause 40 Land use terms used***

Pursuant to this clause, **holiday house** means *a single dwelling on one lot used to provide short-term accommodation but does not include a bed and breakfast.*

The proposed holiday house meets these above requirements.

Local Planning Policy 4.3 – Holiday Homes

The objectives of this policy seek to:

1. *Provide clear guidance regarding the assessment of applications for development approval for Holiday Homes;*
2. *Identify circumstances in which Holiday Homes will be supported, and circumstances in which holiday homes may be supported, given more detailed consideration; and*
3. *Balance the interests of residents, Holiday Home owners and the community as a whole.*

An assessment of the proposal against the above policy objectives is provided in the 'Comments' section of the report.

Local Planning Scheme No. 6 – Amendment 3

Proposed Local Planning Scheme No. 6 Amendment 3 seeks to implement the State Government's planning reforms for short term rental accommodation. This amendment has been advertised, adopted by Council and submitted to the Minister for Planning for consideration and decision. Therefore, this amendment requires consideration in the assessment of this application.

As part of this proposed amendment, the 'holiday house' land use will be removed, along with 'bed and breakfast', 'holiday accommodation', 'motel', 'serviced apartment' and 'tourist development', which are being replaced with 'hosted short-term rental accommodation', 'unhosted short-term rental accommodation' and 'tourist and visitor accommodation'. Under the proposed amendment the above application would be considered an 'unhosted short-term rental accommodation' and would be considered as an 'A' use under the Local Planning Scheme.

**Budget Implications:**

There are no direct financial implications for the Shire of Collie associated with the officer's recommendation.

**Budget – Whole of Life Cost:**

As this report does not propose any new public assets or infrastructure, there are no whole of life cost implications for the Shire.

**Communications / Consultation Requirements:**

The application was advertised pursuant to clause 64 of the Deemed Provisions with letters sent to adjoining landowners and occupiers. Advertising was for a period of 14 days, commencing on 25 June 2026 and concluding on 10 July 2026.

Two objections were received which are discussed in the 'Comments' section of the report. For full details of submission and applicant's and officer's response, refer to Appendix 13.2.C –Schedule of Submissions.

**Strategic 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:**

There have been no previous Council decisions regarding the subject site.

**Risk Assessment:**

The Risk Management Governance Framework has been considered in arriving at the Officer Recommendation.

| **TIER 2 – 'Low' or 'Moderate' Inherent Risk.** | |
|---|---|
| Risk Event | Proposed Change of Use to Holiday House – 193 Steere Street, Collie |
| Inherent Risk Rating (prior to treatment or control) | Low (1 - 4) |
| Risk Action Plan (treatment or controls proposed) | Approval conditions |
| Residual Risk Rating (after treatment or controls) | Low (1 - 4) |
| Risk Category | Health N/A<br>Financial N/A<br>Service Interruption N/A |

| TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk. | | |
|---|---|---|
| | Legal and Compliance | Legislative appeal provisions apply. |
| | Reputational | Person or parties may not agree with the development application decision. Addressed through development approval condition(s). |
| | Environment | N/A |
| | Property | N/A |

## Comment:

***Consideration of Character and Amenity***

The proposal meets the planning scheme definition requirements, and is consistent with the Policy Statements of *Local Planning Policy 4.3 – Holiday Homes.* Meeting these requirements indicates there is sufficient control in place to allow the use to occur without adversely affecting the amenity of the area. The dwelling for which the change of use is proposed is set back from all adjacent neighbours by a distance substantially greater than the minimum requirements required for a house under the R-Codes, with the separation contributing positively to mitigate any undue noise concerns that may arise from quiet enjoyment. Concern was raised regarding vehicle access to the property, which can be appropriately managed through conditions and controls to limit vehicle access to the property off Vincent Street only.

Further to the above, the applicant has submitted an Operational Management Plan (OMP) that includes measures to mitigate against amenity impacts, with a nominated manager who will be responsible for the handling of management of complaints, as well as policies and procedures in place to manage waste, noise and anti-social behaviour. These, combined with the State Government’s support through the Short Term Residential Accommodation register and requirements gives appropriate controls to the Shire to manage and control short term accommodation land uses, by allowing suspension or termination of registration where required (which prevents short term accommodation providers from being able to lawfully operate their property).

***Safety***

Submissions received regarding this application referred to concerns regarding safety impacts from the holiday house use. These concerns are adequately addressed through the supplied OMP, as there will be an appointed property manager to address these concerns in a timely and appropriate manner, with a sufficient complaints handling process outlined. It is recommended that the contact details for the manager be prominently displayed at the property to allow for any complainants to contact the property manager efficiently, and as such a condition is recommended to be imposed (Condition 4).

***Noise***

Submitters also provided concerns to unreasonable noise level that may arise from this change of use. The OMP provides adequate controls through the planned noise management procedures, and the property manager will be responsible for dealing with any complaints as outlined above. It is determined that there are appropriate noise management controls in place, with check-in occurring from 3 pm, and check-out occurring from 11 am, reducing any potential noise imposition that can occur with earlier mandatory check-out times. The number of guests is restricted to 10 persons, and no parties or amplified music permitted to occur at the property. Additionally, the dwelling is set off the adjoining property boundary by a greater distance than standard for residential development, allowing for greater noise mitigation from dispersal and attenuation occurring between the property and surrounding dwellings.

***Privacy***
Concern was raised regarding overlooking, due to the natural camber of the surrounding lots. Whilst the dwelling was constructed prior to the Residential Design Codes (R-Codes) being in effect, the separation of the dwelling from the adjacent and adjoining properties meets all the deemed-to-comply requirements for visual privacy, with the dwelling set back 6m from the adjoining boundary (minimum required separation), and the outdoor living area being set 8m from the adjoining boundary (greater than the 7.5m minimum required separation).

***Vehicle Parking & Access***
Vehicle access concerns were also raised, as there has been concern regarding the utilisation of crossovers on Steere Street (not associated with the development location), as there is no current vehicle access arrangement on Steere Street. As the property is bounded by two streets (Steere Street and Vincent Street), there is a preference to direct traffic off the busier primary street and onto the quieter secondary street. As Steere Street is seen as the busier street, it is considered the primary street, so current vehicle access is restricted to Vincent Street only. Given this arrangement, and the difficulty that would be imposed in requiring a crossover to be installed in a manner consistent with Australian Standard 2890.1: Off-street parking facilities, it is recommended that a condition be imposed restricting vehicle parking and access to occur off Vincent Street only. Additionally, it is recommended that there will be no verge parking permitted, as there is no safe access arrangement off the current kerbing, and could lead to undue damage to the verge through excessive vehicle movements (Condition 3). To support this, the applicant has included these proposed restrictions within their OMP, and has pre-emptively installed ‘No Parking’ signs facing Steere Street, and facing the verge along Vincent Street.

Conclusion
Overall, the proposed ‘Holiday House’ will contribute positively to the short stay accommodation offerings within the community and will not have an adverse impact on adjoining owners/occupiers or the local area. Therefore, it is recommended that the proposed change of use to Holiday House is approved, subject to conditions.

Cr Hill-Power returned to the meeting at 8:08pm.

## 14. CORPORATE SERVICES REPORTS

| 14.1 Financial Management Report – June 2026 | |
|---|---|
| **Reporting Department:** | Corporate Services |
| **Reporting Officer:** | Geoff Lawrence – Finance Manager |
| **Accountable Manager:** | Phil Anastasakis – Chief Executive Officer |
| **Legislation** | *Local Government Act 1995 & Financial Management Regulations 1996* |
| **File Number:** | FIN/024 |
| **Appendices:** | Appendix 14.1.A – Financial Report – June 2026 |
| **Voting Requirement** | Simple Majority |

**Report Purpose**

To provide a summary of the financial position for the Shire of Collie for the month ending 30 June 2026.

**Officer's Recommendation/*Council Decision:*** ***Resolution: 9819***

***Moved:*** ***Cr Hill-Power*** ***Seconded:*** ***Cr Italiano***

*That Council receive the Financial Management Report for 30 June 2026 as presented in Appendix 14.1.A..*

***Carried: 8/0***

***For:*** *Cr Miffling, Cr Italiano, Cr Faries, Cr Hansen, Cr Hill-Power, Cr Moyses, Cr Smith, Cr Wells.*

***Against:*** *Nil*

**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.

**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.

**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 / Consultation Requirements:**
Nil

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

| STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN | | |
|---|---|---|
| **GOAL:** | 5 | Our Organisation |
| **Objective:** | 5.2 | Good governance and financial management |
| **Strategic Priority:** | 5.2.2 | To progressively improve the Shire's financial health indicators |
| **Strategic Priority:** | 5.2.4 | To benchmark against industry governance and financial standards |

**Relevant Precedents:**
Each month Council is presented a monthly Financial Management Report.

**Risk Assessment:**
The Risk Management Governance Framework has been considered in arriving at the Officer Recommendation.

| **TIER 2 – 'Low' or 'Moderate' Inherent Risk.** | | |
|---|---|---|
| Risk Event | Financial Management Report – June 2026 | |
| Inherent Risk Rating (prior to treatment or control) | Moderate (5 - 11) | |
| Risk Action Plan (treatment or controls proposed) | As the inherent risk is below 12, this is not applicable | |
| Residual Risk Rating (after treatment or controls) | Low (1 - 4) | |
| Risk Category | Health | N/A |
| | Financial | Not monitoring ongoing financial performance would increase the risk of a negative impact on the financial position. |
| | Service Interruption | N/A |

| TIER 2 – 'Low' or 'Moderate' Inherent Risk. | | |
|---|---|---|
| | Legal and Compliance | Non compliance with the legislative requirements that result in a qualified audit. |
| | Reputational | Non-compliance that results in a qualified audit can lead stakeholders to question the Council's ability to manage finances effectively. |
| | Environmental | N/A |
| | Property | N/A |

**Comment:**

The financial statements provided in Appendix 14.1.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 2025/2026 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.

The Financial Management Reports included in Appendix 14.1.A do not include end of year adjustments for the year ended 30 June 2026. The figures presented are unaudited and subject to change. The final position for the 2025/26 financial year will be reported in the 2025/26 Annual Financial Statements.

| **14.2 Accounts Paid – 16 June to 15 July 2026** | |
|---|---|
| **Reporting Department:** | Corporate Services |
| **Reporting Officer:** | Geoff Lawrence – Finance Manager |
| **Accountable Manager:** | Phil Anastasakis – Chief Executive Officer |
| **Legislation:** | *Local Government Act 1995 & Local Government (Financial Management) Regulations 1996* |
| **File Number:** | FIN/024 |
| **Appendices:** | Appendix 14.2.A – List of Accounts Paid<br>Appendix 14.2.B – List of Purchasing Card Payments |
| **Voting Requirement** | Simple Majority |

**Report Purpose**

To present the accounts paid for the period 16 June 2026 to 15 July 2026

**Officer's Recommendation/*Council Decision:*** ***Resolution: 9820***

***Moved:*** ***Cr Hansen*** ***Seconded:*** ***Cr Faries***

*That Council:*

1. *NOTES the Chief Executive Officer's list of accounts for the period 16 June 2026 to 15 July 2026 paid under delegation in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996, as presented in Appendix 14.2.A totalling $1,042,033.45.*
2. *NOTES the reported card transactions for the the period 16 June 2026 to 15 July 2026 in accordance with Regulation 13A(1) of the Local Government (Financial Management) Regulations 1996, as presented in Appendix 14.2.B totalling $5,753.22.*

***Carried: 8/0***

***For:*** *Cr Miffling, Cr Italiano, Cr Faries, Cr Hansen, Cr Hill-Power, Cr Moyses, Cr Smith, Cr Wells.*

***Against:*** *Nil*

**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*

*(i) 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 / Consultation Requirements:**

Nil

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

| STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN | | |
|---|---|---|
| **GOAL:** | 5 | Our Organisation |
| **Objective:** | 5.2 | Good governance and financial management |
| **Strategic Priority:** | 5.2.2 | To progressively improve the Shire's financial health indicators |
| **Strategic Priority:** | 5.2.4 | To benchmark against industry governance and financial standards |

**Relevant Precedents:**

Each month Council receives the list of accounts presented.

**Risk Assessment:**

The Risk Management Governance Framework has been considered in arriving at the Officer Recommendation.

| **TIER 2 – 'Low' or 'Moderate' Inherent Risk.** | |
|---|---|
| Risk Event | Accounts Paid – 16 June 2026 to 15 July 2026 |
| Inherent Risk Rating (prior to treatment or control) | Moderate (5 - 11) |
| Risk Action Plan (treatment or controls proposed) | As the inherent Risk Rating is below 12, this is not applicable. |
| Residual Risk Rating (after treatment or controls) | Moderate (5 - 11) |

| **TIER 2 – ‘Low’ or ‘Moderate’ Inherent Risk.** | | |
|---|---|---|
| Risk Category | Health | N/A |
| | Financial | That payments are not made in accordance with Shire’s policies and procedures. |
| | Service Interruption | N/A |
| | Legal and Compliance | Not reporting the list of accounts to Council is a contravention of the *Local Government Act 1995.* |
| | Reputational | Non compliance with a legal requirement may lead to community confidence being eroded in Shire’s management and Council |
| | Environmental | N/A |
| | Property | N/A |

**Comment:**
A listing of payments is included in Appendix 14.2.A and 14.2.B.

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

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

Nil

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

Nil.

## 17. URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION

Nil.

## 18. ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS

Shire President Cr Miffling

- 15 July -– met for interview with Ms Isabella Dellerba as correspondent for Le Monde newspaper in Paris to discuss the Just Transition process in Collie.
- 21 July – attended a presentation by the Chamber of Commerce regarding the operations of the Collie Jobs & Skills Centre in Forrest Street.
- 21 July – met with the State Training Board (Dept of Training & Workforce Development) for discussions and a tour of Collie industry sites (Muja Power Station, Synergy CBESS, WesTrac autonomous training centre).
- 23 July – met with Ms Rikki Clarke from Creative Spaces to chat about Collie's history in the energy space (preparation for an upcoming display at the WA Museum in Perth).
- 28 July – attended a meeting at Collie PCYC where discussions were held for NAIDOC celebrations in Collie (which will be held on Friday 9th October 2026).
- 28 July – met with Mr Peter Smith who is conducting an assessment across PCYC operations in WA and to gain an understanding of how Collie PCYC is operating.
- 29 July – participated in a Teams meeting with Dr Emma D'Antoine from Curtin University to discuss a project she is working on relating to housing shortages across the State where renewal energy projects are happening and the impact increases in project workforces is having on housing availability.
- 30 July – attended a Chamber of Commerce 'Business Connections' evening at the new Voltage Lodge (former Collie Co-op building in Steere Street) to hear about the development and to view the new accommodation units – this is wonderful new development for the town and the accommodation units have been designed and built to an exceedingly high standard.
- 4 August – attended another attempt to conduct an AGM for the Mineworkers' Institute (2nd attempt that's been held) for the purpose of forming a management committee for the future management of the Institute but the attempt had to once again be abandoned due to insufficient attendance by members of the public (there is a danger that the whole management of the Institute may well fall into limbo and become unserviceable to the public).
- 7 August – attended the 30th anniversary celebrations of the Collie Italian & Sporting Club at its Ewing Street premises and gave an address on behalf of the Shire (after the Hon Dr Tony Buti MLA, WA Attorney General and State Government Minister for a number of Ministerial portfolios gave an address as a special guest for the occasion).

Deputy Shire President Cr Italiano

- July 14 – attended citizenship ceremony in council chambers.
- July 22 – met with Creative Spaces and Collie Delivery Unit representatives regarding a planned Collie display at the WA Museum.

- August 6 – attended the Tourism and Economic Development Committee meeting.

Cr Hill Power
- 30 July – attended the event at the Voltage Lodge.
- 27 July – attended the South West Regional Road Group meeting.

Cr Smith
- 23 July – attended a meeting of the Collie Visitor Centre Committee.
- 6 August – attended the Tourism and Economic Development Committee

Cr Wells
- 6 August – attended the Tourism and Economic Development Committee

## 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

**Council Decision:** **Resolution: 9821**

**Moved:** **Cr Hansen** **Seconded:** **Cr Faries**

*That in accordance with Section 5.23 (2) of the Local Government Act 1995, that the meeting is closed to members of the public to enable Council to consider a matter relating to the recruitment or employment of a senior employee, with the following aspect(s) of the section of the Act being applicable to these matters:*

*(b) a matter relating to the recruitment or employment of the CEO or a senior employee, including the following —*

*(i) the termination of employment;*

*(ii) a review of performance under section 5.38.*

**Carried: 8/0**

**For:** *Cr Miffling, Cr Italiano, Cr Faries, Cr Hansen, Cr Hill-Power, Cr Moyses, Cr Smith, Cr Wells.*

**Against:** *Nil.*

Staff, with the exception of Mr Anastasakis, and members of the public and the press left the meeting at 8:29pm.

| **20.1 Staff Matter** | |
|---|---|
| **Reporting Department:** | Chief Executive Officer |
| **Reporting Officer:** | Phil Anastasakis - Chief Executive Officer |
| **Accountable Manager:** | Phil Anastasakis - Chief Executive Officer |
| **Legislation** | *Local Government Act 1995* |
| **File Number:** | GOV/111 |
| **Appendices:** | N/A |
| **Voting Requirement** | Simple Majority |

**Officer's Recommendation/*Council Decision:*** ***Resolution: 9822***

***Moved:*** ***Cr Hanson*** ***Seconded:*** ***Cr Wells***

*That Council:*

- *endorse the creation of the Director Community & Culture position as a designated senior employee of the Shire of Collie; and*
- *provide a future report to Council on the related changes needed to the work environment to accommodate the role.*

***Carried: 8/0***

***For:*** *Cr Miffling, Cr Italiano, Cr Faries, Cr Hansen, Cr Hill-Power, Cr Moyses, Cr Smith, Cr Wells.*

***Against:*** *Nil*

Staff returned to the meeting 8:57pm.

***Council Decision:*** ***Resolution: 9823***

***Moved:*** ***Cr Hansen*** ***Seconded:*** ***Cr Moyses***

*That the meeting be reopened to the public.*

***Carried: 8/0***

***For:*** *Cr Miffling, Cr Italiano, Cr Faries, Cr Hansen, Cr Hill-Power, Cr Moyses, Cr Smith, Cr Wells.*

***Against:*** *Nil*

Following consideration of Item 20.1, the meeting was reopened to the public at 9:35 pm.

## 21. CLOSE

There being no further business the Shire President thanked everyone for their attendance and closed the meeting at 9:37pm.