



MINUTES

of the

ORDINARY MEETING OF COUNCIL

held on

Tuesday, 24 January 2017

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Minutes for the Ordinary Meeting of the Collie Shire Council held in Council Chambers, 87 Throssell Street Collie, on Tuesday, 24 January 2017 commencing at 7:00pm.

1. OPENING/ATTENDANCE/APOLOGIES & LEAVE OF ABSENCE

PRESENT:	Wayne Sanford	Councillor (Presiding Member)
	Glyn Yates	Councillor
	Nola Green JP	Councillor
	Jodie Hanns	Councillor
	Elysia Harverson	Councillor
	Joe Italiano	Councillor
	Neil Martin	Councillor
	Ian Miffling JP	Councillor
	John Piavanini	Councillor
	Sarah Stanley	Councillor
	Allison Fergie	Acting Chief Executive Officer
	Brett Lowcock	Director Technical Services
	Khushwant Kumar	Finance Manager
	Hasreen Mandry	Assistant Accountant
	Belinda Dent	CEO PA
	Julie Pellicciari	CDO

APOLOGIES: David Blurton CEO

GALLERY:

Bruce Green
Patrick Warrand
Michael Campbell

Cr Wayne Sanford - Shire President welcomed Khushwant Kumar as Finance Manager and Belinda Dent as CEO PA.

- 1.1 Councillors granted Leave of Absence at previous meeting/s.
- 1.2 Councillors requesting Leave of Absence for future Ordinary Meetings of Council.

7280

Moved: Cr Miffling

Seconded: Cr Hanns

That Councillor Harverson be granted Leave of Absence for the next two Ordinary Meetings of Council and that Councillor Yates be granted Leave of Absence for the next Ordinary Meeting of Council.

CARRIED 10/0

- 1.3 Councillors who are applying for Leave of the Absence for this Ordinary Meeting of Council.

Councillor Faries has requested Leave of Absence for this Ordinary Meeting of Council.

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7281

Moved: Cr Green

Seconded: Cr Stanley

That Councillor Faries be granted Leave of Absence for this Ordinary Meeting of Council.

CARRIED 10/0

2. AUSTRALIAN CITIZENSHIP CEREMONY

Nil

3. PUBLIC QUESTION TIME

Mr Campbell provided background information regarding the Grey Hound Kennel business operated by his son, and requested that Council consider an amendment to the conditions of planning approval for the business. Mr Campbell thanked staff for their time and assistance with meeting requirements on the given conditions.

Cr Sanford responded to Mr Campbell and asked that Mr Campbell liaise with the Shire Planner to bring an item to Council for Council's consideration.

Mr Green asked that Council give consideration to more frequent collection services for those pick-ups that are currently occurring fortnightly as the fortnightly service is insufficient to meet the needs of his household.

Cr Sanford thanked Mr Green for his comments and Council will take the request into consideration when a review of collection services is undertaken.

4. RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5. DISCLOSURE OF FINANCIAL INTEREST

Nil

6. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Julie Pelliciari CDO - presented to Council the Public Health Advocacy Institute of WA Children's Environment and Health Awards received by the Shire of Collie. In 2016 the Shire of Collie was the winner for the Planning Healthy Communities for Children and the Road and Active Transport Safety categories, and was also the winner of the overall Best in WA Regional Local Government.

Brett Lowcock DTS – presented to Council a certificate recognising the Shire of Collie contribution to the Industry Road Safety Alliance – South West.

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

Nil

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8. ITEMS BROUGHT FORWARD DUE TO INTEREST BY ATTENDING PERSONS

The Shire President requested Item 13.1 be brought forward due to interest by attending persons.

7282

Moved: Cr Yates

Seconded: Cr Hanns

That Council Suspends standing orders for this Ordinary meeting. -

CARRIED 10/0

Mr Patrick Warrand, SWDC, gave an outline on the feedback received to date on the Draft Reimagining Collie Report.

7283

Moved: Cr Yates

Seconded: Cr Stanley

That Council Resumes standing orders for this Ordinary meeting of Council.

CARRIED 10/0

13.1 Draft Reimagining Collie Report

Reporting Department:	Chief Executive Office
Reporting Officer:	Allison Fergie – Acting Chief Executive Officer
Accountable Manager:	N/A
Legislation	N/A
File Number:	EDV/048
Appendices:	Yes – Coloured Appendices 1 and 2
Voting Requirement	Simple Majority

Report Purpose:

For Council to consider the Collie Economic Development Task Force's Draft Reimagining Collie report for comment.

7284

Officer's Recommendation/Council Decision:

Moved: Cr Martin

Seconded: Cr Italiano

That Council:

- 1. Receive the Draft Reimagining Collie Report prepared by the Collie Economic Development Task Force, and**
- 2. Authorise the Shire President and the Chief Executive Officer to seek a funding commitment from State political parties to progress the recommendations of the report.**

CARRIED 10/0

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Background:

The importance of Economic Development for Collie has been recognised previously by the Council by the adoption of an Economic Development Plan (2012) as well as numerous strategies which are identified in the Corporate Business Plan (2015) and Community Strategic Plan (2013) documents.

With a view to progressing the actions contained within the above documents the Shire President and CEO held discussions with South West Development Commission (SWDC) seeking financial support for economic development activities.

These discussions culminated in the development of the Collie Economic Development Task Force (the Task Force) which include representation from each of the following organisations:

- South West Development Commission(SWDC)
- Shire of Collie
- Department of State Development
- Landcorp

The Task Force has explored opportunities to grow, strengthen and diversify Collie's economy into the future through a range of workshops, public consultations and advisory groups. The Task Force has released a Draft Reimagining Collie Report (Coloured Appendix 1) which contains a number of recommendations, and is seeking industry and public feedback into the report through an online feedback form and briefing sessions.

The Draft Reimagining Collie Report is intended to provide guidance for the purpose of exploring possible futures for the economic diversification of Collie as a strategy to mitigate potential risks associated with the town's reliance on one or two industries. The brochure at Coloured Appendix 2 provides a summary of the report and its recommendations.

Statutory and Policy Implications:

N/A

Budget Implications:

Nil

Communications Requirements: (Policy No. CS 1.7)

Feedback to the Collie Economic Development Task Force.

Strategic Community/Corporate Business Plan Implications:

Goal 4 Our Economy A strong and diversified economic base providing a range of business and employment opportunities

Strategy 4.1.1: Monitor, revise and implement the Collie SuperTown Economic Development Plan.

Strategy 4.1.2: Promote and support local industry development and diversification.

Strategy 4.3.6: Support regional tourism initiatives that provide local tourism growth.

Relevant Precedents:

N/A

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Comment:

During the process of preparing the Draft Reimagining Collie Report, the Task Force has worked with the community and expert consultants. Ideas have been sought through forums, workshops and surveys, and the Task Force has engaged appropriate consultants to support the work and assist in completing the Report. Key stakeholders were engaged during the project, including key industry members in and around Collie, relevant members of the Collie community and local associations.

The report has been available to the community for public comment through the online feedback form, and briefing sessions have been held for the Industry Advisory Group and the wider community prior to finalising the document.

The timing of the final report following the close of submissions and any modifications may result in the report not being completed and delivered to Council ahead of or very close to the March 11, 2017 election. Accordingly, subject to Council's broadly based acceptance of the draft report, it could be prudent for Council to use the leverage afforded by the election to seek clear and unambiguous commitments from the major political parties.

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Mrs Pelliciari, Mr Green, Mr Warrand and Mr Campbell left the meeting 7.34pm.

9. CONFIRMATION OF THE PREVIOUS MEETINGS OF COUNCIL MINUTES

7285

Recommendation/Council Decision:

Moved: Cr Yates

Seconded: Cr Green

That Council confirms the Minutes of the Ordinary Meeting of Council held on Tuesday, 6 December 2016.

CARRIED 10/0

10. BUSINESS ARISING FROM THE PREVIOUS MINUTES

Nil

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

11.1 Receipt of the Minutes of the Weeds and Waterways Advisory Committee

7286

Recommendation/Council Decision:

Moved: Cr Piavanini

Seconded: Cr Harverson

That Council receives the minutes of the Weeds and Waterways Advisory Committee held on 1 December 2016.

CARRIED 10/0

11.2 Adoption of the Recommendations of the Weeds and Waterways Advisory Committee

7287

Recommendation/Council Decision:

Moved: Cr Green

Seconded: Cr Piavanini

That Council adopts en bloc the recommendations contained within the minutes of the Weeds and Waterways Advisory Committee meeting held on 1 December 2016:

11.2.1 That the Weeds and Waterways Advisory Committee meet in the New Year with a full Committee Meeting on the first Thursday of February 2017, continue to meet on a monthly basis for the remainder of 2017 and gives local public notice of the meeting dates as required by the Local Government Act.

11.2.2 That Council request their consultant, Dr Peter Cook to provide copies of all his reports on issues related to the Collie River, and that these be made available to all members of the Weeds and Waterways Advisory Committee

CARRIED 10/0

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Notation:

Item 10.1 – Tender 6/2016 – Construction of Bio Filtration and Infiltration Basin from the Weeds and Waterways Advisory Committee Meeting Agenda of 1 December 2016 was dealt with at the Ordinary Council Meeting held on 6 December 2016 due to the urgent nature of the Item.

Council resolved the following:

7276:

Moved: Cr Green

Seconded Cr Martin

That Council accept the tender submitted by Coalcliff for the Construction of Bio-Filtration Infiltration Basin at Lefroy Street Collie for \$160,118.00 ex GST.

CARRIED 5/4

Cr Miffling and Cr Faires voted against the motion

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11.3 Receipt of the Minutes of the Youth Advisory Committee
7288

Recommendation/Council Decision:

Moved: Cr Stanley Seconded: Cr Martin

That Council receives the minutes of the Youth Advisory Committee held on 5 December 2016.

CARRIED 10/0

11.4 Receipt of the Minutes of the Australia Day Committee
7289

Recommendation/Council Decision:

Moved: Cr Miffing Seconded: Cr Green

That Council receives the minutes of the Australia Day Committee held on 12 December 2016.

CARRIED 10/0

11.5 Receipt of the Minutes of the Disability Access and Inclusion Committee
7290

Recommendation/Council Decision:

Moved: Cr Martin Seconded: Cr Hanns

That Council receives the minutes of the Disability Access and Inclusion Committee held on 14 December 2016.

CARRIED 10/0

11.6 Adoption of the Recommendations of the Disability Access and Inclusion Committee
7291

Recommendation/Council Decision:

Moved: Cr Green Seconded: Cr Italiano

That Council adopts en bloc the recommendations contained within the minutes of the Disability Access and Inclusion Committee meeting held on 14 December 2016

11.6.1 That the Council staff seek advice from the Supertowns Project Manager as to the current situation on the adult change table in reference to the installation of an adult change table in the Collie Art Gallery and the current funding available.

CARRIED 10/0

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7292

Moved: Cr Green

That Council receives the minutes of the Townscape Advisory Committee held on 10 January 2017.

7293

Moved: Cr Green

That Council adopts en bloc the recommendations contained within the minutes of the Townscape Advisory Committee meeting held on 10 January 2017

11.8.1 DTS to identify funding via the Mid Year Budget Review to part fund Town Centre Signage to the value of \$8,000 with the intention of leveraging these funds to secure the remaining funds from external sources.

Nil

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13. CEO REPORTS

Hasreen Mandry left the room 7.43pm and returned at 7.45pm.

13.2 Establishment of Museum Advisory Committee

Reporting Department:	Chief Executive Office
Reporting Officer:	Allison Fergie – Acting Chief Executive Officer
Accountable Manager:	N/A
Legislation	WA Local Government Act 1995
File Number:	GOV/123
Appendices:	No
Voting Requirement	Absolute Majority

Report Purpose:

For Council to consider the establishment a Museum Advisory Committee to oversee the management of the Collie Museum.

7294

Officers Recommendation/Council Decision:

Moved: Cr Harverson

Seconded: Cr Green

That Council by Absolute Majority:-

- 1. In accordance with provisions of Section 5.8 of the Local Government Act 1995 establishes a Museum Advisory Committee;**
- 2. In accordance with provisions of Section 5.9 of the Local Government Act 1995, resolves that the Committee is to comprise of Councillors, Staff and Other Persons;**
- 3. In accordance with provisions of Section 5.10(1)(a) of the Local Government Act 1995 resolves that the Committee shall have as its Members;**
 - 2 Councillors,**
 - Director of Corporate Services (or his/her nominee),**
 - Information Services Manager, and**
 - up to 5 Community/stakeholder representatives.**
- 4. Review this position prior to the 2019 local government elections.**

CARRIED 10/0

Background:

In considering the future of the Coalfields Museum at its meeting on 25 October 2016 the Council resolved;

7221 - That Council

- 1. Note that the Coalfields Museum representatives have verbally advised they do not wish to continue operating the Museum and have handed over keys to the premises to Council.*
- 2. Form a working party including Information Services Manager, Director of Corporate Services, CEO and Councillors Piavanini and Italiano to oversee the*

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formation of a new incorporated body to manage the Museum with the support of Museums WA and to attend to any other necessary tasks relating to the establishing the museum as deemed appropriate in accordance with national standards for Australian Museums and Galleries.

3. Authorise the use of \$20,000 carried forward in the 2016/17 Budget for any costs associated with the formation of the new incorporated group.

The Museum Working Party met to progress the reopening of the Museum, and as part of the process held a public meeting on Wednesday 14th December in the Council Chambers. The purpose of the meeting was:

- To update the community on the progress of re-opening the Museum;
- To assess the level of support / interest in the community for the Museum;
- To get people to register as potential future volunteers.

The public meeting was well attended, and three options for the ongoing management of the museum were discussed:

Option 1 - Existing incorporated group to manage the museum

Option 2 - New incorporated group to manage the museum

Option 3 - Shire to managed the museum with advisory committee

After extensive discussion of all three options, those present voted unanimously for Option 3, and the option is now presented to Council for their consideration.

Statutory and Policy Implications:

All Committees are established under provisions of Sections 5.8 to 5.18 of the Local Government Act 1995.

Council is able to establish Committees of 3 or more by **ABSOLUTE MAJORITY** vote of the Council (all Committees whether new or re-established ones must be "created" by absolute majority) and Committees may comprise:-

- a) Councillors only,
- b) Councillors and employees,
- c) Councillors, employees and other persons,
- d) Councillors and other persons,
- e) Employees and other persons,
- f) Other persons only

When creating Committees of (a) and/or (b) type above, the Committees are to have as its members -

- i) persons appointed by **ABSOLUTE MAJORITY** of the Council,
- ii) the Shire President if he/she advises the Council at the time of appointment of the Committee his/her wish to be a member of the Committee,
- iii) the Chief Executive Officer or his representative if at the time of appointing the Committee the Council decides that it wants to have

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employees as members of the Committee and it is the Chief Executive Officers wish to be a member of the Committee.

At any given time each Councillor is entitled to be a member of at least one Committee of the (a) and (b) type mentioned above and if a Councillor nominates him/herself to be a member of such a committee or committees, the Council is to appoint that Councillor to at least one of the Committees as the Council decides.

Explanation: If Council has two Committees of the (a) and/or (b) types, and a Councillor nominates to go on 1 of those Committees, the Councillor must be appointed to that Committee. However, if the Councillor nominates to go on both of those Committees, the Council can decide which Committee the Councillor is appointed to (it could be both or only one depending on the circumstances, eg number of nominations received for the Committees)

Budget Implications:

Council has been carrying forward the annual allocation of \$4,000 for the past five years resulting in a balance of \$20,000 available for costs associated with formation of a new group to manage the museum.

Communications Requirements: (Policy No. CS 1.7)

Advertising for community and stakeholder nominations for the Committee.

Strategic Community/Corporate Business Plan Implications:

Goal 4 Our Economy A strong and diversified economic base providing a range of business and employment opportunities

Outcome 4.3: A growing tourism industry.

Strategy 4.3.5 Promote and raise awareness of Collie's tourism potential including natural environmental and heritage attractions.

Action 4.3.5.2 Support the continued display of Collie's social history

Relevant Precedents:

At its meeting held 20 January 2015, Council established the Trails Planning Advisory Committee:

6634 – *That Council by Absolute Majority:-*

4. *In accordance with provisions of Section 5.8 of the Local Government Act 1995 establishes a Trails Planning Advisory Committee;*

5. *In accordance with provisions of Section 5.9 of the Local Government Act 1995, resolves that the Committee is to comprise of Councillors, Staff and Other Persons;*

6. *In accordance with provisions of Section 5.10(1)(a) of the Local Government Act 1995 resolves that the Committee shall have as its Members;*

- *Councillors Faries, Miffling and Stanley,*
- *Executive Manager of Development Services (or his nominee),*
- *The Department of Sport and Recreation*
- *The Department of Parks and Wildlife*
- *The Collie Visitor Centre*
- *Representatives of relevant community groups*

Comment:

The working group was formed to allow the consideration of several important issues relating to the management of the Museum, and in anticipation of an incorporated body being formed to manage the museum a set of objects for the group was

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developed. These objectives would form the basis for the objectives of the draft Terms of Reference for the Museum Advisory Committee if formed.

The objects were:

- a. To manage the items of property known as the Coalfields Museum collection on behalf of the Shire of Collie (who are the legal trustees of the collection) with the interest of the Collie community in mind;
- b. To involve the people of the Collie community in the preservation, documentation, acquisition and interpretation of the history and culture of the coalfields;
- c. To oversee the operation of the Coalfields Museum to ensure it operates as an effective, accountable, and progressive not for profit association;
- d. To educate visitors to the Museum on the history of Collie generally.

A number of people have registered their interest in volunteering at the museum, and in the longer term it is anticipated that an independent, incorporated body would be established to manage the museum into the future. Those present at the meeting were in favour of a Shire Committee to be established to manage the museum in the medium term, with a review to be undertaken prior to the 2019 local government elections.

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13.3 Expression of Interest for Rural Fire Service

Reporting Department:	Chief Executive Office
Reporting Officer:	Allison Fergie – Acting Chief Executive Officer
Accountable Manager:	N/A
Legislation	N/A
File Number:	EDV/048
Appendices:	No
Voting Requirement	Simple Majority

Report Purpose:

For Council to consider preparation and submission of an Expression of Interest for the Rural Fire Service Western Australian Centre for Excellence in Rural and Forest Fire Management to be located in Collie.

Officer's Recommendation:

That Council:

- 1. Authorise staff to engage a consultant to prepare a submission for the head office of the Rural Fire Service and the Western Australian Centre for Excellence in Rural and Forest Fire Management to be located in Collie; and*
- 2. Allocate funding of up to \$2,500 for the preparation of the submission from the funds allocated for the employment of an Economic Development Officer.*

Council requested that parts 1 and 2 be considered separately.

7295

Council Decision:

Moved: Cr Yates

Seconded: Stanley

That Council:

Authorise staff to engage a consultant to prepare a submission for the head office of the Rural Fire Service and the Western Australian Centre for Excellence in Rural and Forest Fire Management to be located in Collie.

CARRIED 10/0

7296

Council Decision:

Moved: Cr Yates

Seconded: Cr Martin

That Council:

Allocate funding of up to \$2,500 for the preparation of the submission from the funds allocated for the employment of an Economic Development Officer.

CARRIED 10/0

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Background:

The importance of Economic Development for Collie has been recognised by the Council with actions leading to the Shire of Collie Draft Reimagining Collie Report presented to Council at this meeting.

The Draft Reimagining Collie Report is intended to provide guidance for the purpose of exploring possible futures for the economic diversification of Collie as a strategy to mitigate potential risks associated with the town's reliance on one or two industries.

In discussions seeking feedback on the Report, an opportunity has been identified from within the Ferguson Report. Euan Ferguson, who was appointed to conduct the review of the devastating January 2016 bush fires, recommends the State Government create a Rural Fire Service with the following opportunity identified:

Opportunity 23: When established, the Rural Fire Service, in conjunction with the Departments of Parks and Wildlife and Fire and Emergency Services, to establish a Western Australian Centre for Excellence in Rural and Forest Fire Management. The Centre to include a networked capability for research, planned burning, lessons learned and facilitating training for rural firefighters, especially for members of volunteer Brigades.

Collie is ideally situated geographically and has many of the necessary related services in proximity, including the Department of Parks and Wildlife, DFES, and a sealed airstrip with a history of supporting fixed wing water bombers and helitacs.

Additionally, the Department of Water and University of Sunshine Coast Mechanical Mitigation Research is being conducted on Rees Block within the Shire boundary, and the Shire has an established history of support of bush fire programs.

Statutory and Policy Implications:

N/A

Budget Implications:

In the 2016/17 budget and amount of \$37,500 was set aside for the employment of an economic development officer, and the recommendation is to allocate up to \$2,500 from these funds to the expression of interest for the Rural Fire Service as this also represents an economic development initiative.

Communications Requirements: (Policy No. CS 1.7)

Feedback to the SWDC as determined by Council.

Strategic Community/Corporate Business Plan Implications:

Goal 4 Our Economy A strong and diversified economic base providing a range of business and employment opportunities

Strategy 4.1.1: Monitor, revise and implement the Collie SuperTown Economic Development Plan.

Strategy 4.1.2: Promote and support local industry development and diversification.

Relevant Precedents:

N/A

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Comment:

While the Draft Reimagining Collie Report does not include reference to the Rural Fire Service, the matter has been raised during feedback to the Task Force. The consultant who was involved in preparing the Draft Reimagining Collie Report is aware of the requirements of the State Government expression of interest template, and has provided an indicative cost for the work.

Collie has a number of potential sites within the Shire for consideration for both the Western Australian Centre for Excellence in Rural and Forest Fire Management and a Rural Fire Service head or regional office.

Other considerations that would make Collie an ideal location include:

- A central location with easy access to Perth metropolitan area, South West, Lower South West, Great Southern and the Wheatbelt,
- Central location allows easy access to a variety of vegetation types including, Jarrah forest, coastal plains and grasslands,
- Existing major road infrastructure from South West Highway to Albany Highway,
- NBN and other major communications infrastructure already in place,
- Large bodies of water available for training and use by Helitacs,
- Heavy industry and mine sites would support training and research carried out within the shire.

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14. CORPORATE SERVICES REPORTS

14.1 Review of Bush Fire Brigades Local Law

Reporting Department:	Corporate Services
Reporting Officer:	Allison Fergie – Director Corporate Services
Accountable Manager:	Allison Fergie – Acting Chief Executive Officer
Legislation	Local Government Act 1995, Bushfires Act 1954
File Number:	LAW/001
Appendices:	Yes – Appendix 1
Voting Requirement	Absolute Majority

Report Purpose:

For Council to consider the revised local law relating to bush fire brigades.

7297

Officer's Recommendation/Council Decision:

Moved: Cr Martin

Seconded: Cr Yates

That Council by ABSOLUTE MAJORITY:

- 1. Advertises its intention to make a new local law to be known as the Shire of Collie Bush Fire Brigades Local Law 2017 as per Appendix 1 and forwards a copy of the proposed Shire of Collie Bush Fire Brigades Local Law 2017 to the Department of Local Government and Communities for the Minister's consideration;**
- 2. Notes the purpose of the proposed Shire of Collie Bush Fire Brigades Local Law 2017 is to make provisions about the organisation, establishment, maintenance and equipment of bush fire brigades; and**
- 3. Notes the effect of the proposed Shire of Collie Bush Fire Brigades Local Law 2017 is that Bush Fire Brigades will be organised and managed to comply with the provisions of this local law.**

CARRIED 10/0

Background:

Bush fire brigades in the Shire of Collie have been regulated by the existing local law established by the Shire of Collie as the *Bush Fire Brigades* local law and published in the *Government Gazette* on 16 August 2000.

A review of the local law is considered appropriate due to the time that has elapsed since the previous law was adopted. Staff and the Shire of Collie Bush Fires Advisory Committee have reviewed the local law and now present the draft *Shire of Collie Bush Fire Brigades Local Law 2017* to Council for their consideration.

Statutory and Policy Implications:

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The process required to be used when adopting or amending a local law is set out in s3.12 –3.14 of the Local Government Act 1995 and is extracted below:

3.12. Procedure for making local laws

- (1) *In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
- (2) *At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*
- (3) *The local government is to —*
 - (a) *give State wide public notice stating that —*
 - (i) *the local government proposes to make a local law the purpose and effect of which is summarized in the notice;*
 - (ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - (iii) *submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*
 - (b) *as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and*
 - (c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
- (3a) *A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.*
- (4) *After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute majority required.*

- (5) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*
- (6) *After the local law has been published in the Gazette the local government is to give local public notice —*
 - (a) *stating the title of the local law;*
 - (b) *summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - (c) *advising that copies of the local law may be inspected or obtained from the local government's office.*
- (7) *The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.*
- (8) *In this section —*

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“making” in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

[Section 3.12 amended by No. 1 of 1998 s. 8; No. 64 of 1998 s. 6; No. 49 of 2004 s. 16(4) and 23.]

In addition, Regulation 3 of the Local Government (Functions and General) Regulations 1996 stipulates that for the purposes of section 3.12 of the Act, the purpose and effect of any proposed local law is to be included in the agenda and minutes of a meeting.

Budget Implications:

Expenditure on advertising as provided within the Budget.

Communications Requirements: (Policy No. CS 1.7)

The Local Government Act requires State wide advertising and local public notice of the proposed local laws for a period of 42 clear days. The results are to be brought back to Council for consideration, after which it may make the local laws. If as a result of public comments, there are significant amendments to the proposed local laws, then the advertising process must recommence.

The local law is to be submitted to the Department of Local Government and Communities and other relevant agencies for comment.

Strategic Community/Corporate Business Plan Implications:

Goal 5 Our Business – Good governance and an effective, efficient and sustainable organisation.

Outcome 5.1: Good governance and leadership

Strategy 5.1.5: Administer local laws and ensure compliance with statutory obligations.

Action 5.1.5.4: Review local laws for the Shire to ensure relevance and compliance with the Local Government Act.

Relevant Precedents:

Council has previously proposed local laws, most recently the Extractive Industries Local Law 2015 at the meeting of Council held 20 October 2015:

6890 – That Council by ABSOLUTE MAJORITY:

1. Advertises its intention to make a new Local Law to be known as the Extractive Industries Local Law 2015 as per Appendix 1 and forwards a copy of the proposed Shire of Collie Extractive Industries Local Law 2015 to the Department of Local Government and Communities for the Minister’s consideration;

2. Notes the purpose of the proposed Shire of Collie Extractive Industries Local Law 2015 is to prohibit the carrying on of an extractive industry unless by authority of a licence issued by the local government; regulate the carrying on of the extractive industry in order to minimise damage to the environment, roads and other peoples’ health and property; and provide for the restoration and reinstatement of any excavation site; and

3. Notes the effect of the proposed Shire of Collie Extractive Industries Local Law 2015 is that any person wanting to carry on an extractive industry will need to be licensed and will need to comply with the provisions of this local law.

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Comment:

The proposed law is based on the WALGA Model Local Law for Bush Fire Brigades with amendments as proposed by the Shire of Collie Bush Fire Advisory Committee at their meeting held 16 November 2016,

The proposed local law will be advertised for public comment for a minimum period of 6 weeks. Following the public comment period, the law will come back to Council for consideration of any submissions prior to being put forward for adoption.

The local law is relevant to the Shire of Collie as the Shire has responsibility for a number of local bush fire brigades.

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Cr Harverson left the room at 7.57pm.

14.2 Accounts Paid – November 2016

Reporting Department:	Corporate Services
Reporting Officer:	Khushwant Kumar – Finance Manager
Accountable Manager:	Allison Fergie – Director of Corporate Services
Legislation:	Local Government Act 1995 & Financial Management Regulations 1996
File Number:	FIN/024
Appendices:	Yes – Appendix 2
Voting Requirement	Simple Majority

Report Purpose:

To present the accounts paid during the month of November 2016.

7298

Officer's Recommendation/Council Decision:

Moved: Cr Yates

Seconded: Cr Stanley

That Council accepts the Accounts as presented in Appendix 2 being vouchers 3097-3105 and 40987-41011 totalling \$69,163.11 and direct payments totalling \$1,494,072.08 authorised and paid in November 2016.

CARRIED 9/0

Background:

In accordance with clause 12 of the WA Local Government Financial Management Regulations (1996) the Council may delegate the authority to the Chief Executive Officer (CEO) to authorise payments from both the municipal, trust and reserve funds in accordance with the Annual Budget provisions. The CEO shall cause for section 13 of the WA Financial Management Regulations (1996) to be adhered to with a list of accounts for approval to be presented to the Council each month.

Month	Cheques 2016/17	EFT 2016/17	Total Payment 2016/17
July	84,704.43	917,730.00	1,002,434.43
August	34,665.50	596,608.27	631,273.77
September	23,179.63	672,191.97	695,371.60
October	18,305.08	740,101.16	758,406.24
November	69,163.11	1,494,072.08	1,563,235.19
December			
January			
February			
March			

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Month	Cheques 2016/17	EFT 2016/17	Total Payment 2016/17
April			
May			
June			

Statutory and Policy Implications:

WA Local Government Act 1995

Financial Management Regulations 1996

Council has Policy number CS3.7 which relates to the payment of Creditors, and in particular item 5.0 which relates to the presentation of accounts paid.

A list of all accounts paid in the month prior shall be presented to the Council. The list shall comprise of details as prescribed in the Local Government Financial Management Regulations (1996).

Budget Implications:

All liabilities settled have been in accordance with the Annual Budget provisions.

Communications Requirements: (Policy No. CS1.7)

Nil

Strategic Community Plan/Corporate Business Plan Implications:

Nil

Relevant Precedents:

Comment:

For a detailed listing of payments see Appendix 2.

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Cr Harverson returned at 7.59pm

14.3 Financial Report – November 2016

Reporting Department:	Corporate Services
Reporting Officer:	Khushwant Kumar– Finance Manager
Accountable Manager:	Allison Fergie – Director of Corporate Services
Legislation:	Local Government Act 1995 & Financial Management Regulations 1996
File Number:	FIN/024
Appendices:	Yes – Appendix 3
Voting Requirement	Simple Majority

Report Purpose:

This report provides a summary to the Financial Position for the Shire of Collie for the month ending November 2016.

7299

Officers Recommendation/Council Decision:

Moved: Cr Martin

Seconded: Cr Stanley

That Council accept the Financial Reports for November 2016 as presented in Appendix 3.

CARRIED 10/0

Background:

In accordance with Council policy and the provisions of the Local Government Act 1995, the Financial Report for the end of the period is presented to Council for information. Refer to Appendix 3.

Statutory and Policy Implications:

WA Local Government Act 1995
Financial Management Regulations 1996

Budget Implications:

Nil

Communications Requirements: (Policy No. CS1.7)

Nil

Strategic Community Plan/Corporate Business Plan Implications:

Nil

Relevant Precedents:

N/A

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Comment:

The report provided to Council as Appendix 3 is inclusive of the information required by the Local Government Act 1995 and includes information as set out in Council Policy.

The report includes a summary of the financial position along with comments relating to the statements. If Councillors wish to discuss the report contents or any other matters relating to this, please contact Council Finance staff prior to the meeting.

Notes to the Financial Statements (items in bold represent new notes)

Operating Revenue by Program

1. **Community Amenities is \$200,239 under budget as businesses are yet to be invoiced for bulk rubbish collection and the remainder of the organics bin grant is yet to be received.**
2. **Recreation and Culture is \$99,475 over budget as the Changing Places Program Access grant of \$62,300 and Town Site Mountain Bike Trail Project grant of \$23,500 were successful (unbudgeted). Additional grant money for the Town Site Mountain Bike Trail Project will be received in 2017/18. \$18,373 has been invoiced for contribution towards the laneway development, which was unbudgeted.**
3. **Transport is \$65,229 over budget due to the Main Roads grant (\$122,951) was received earlier than anticipated but the difference is reduced as the next instalment for the Roads to Recovery grant (\$48,990) is yet to be received.**
4. **Economic Services is under budget by \$18,420 mainly due to the timeliness of disposing the Building Manager's vehicle.**

Operating Expenditure by Program

5. **Governance is \$38,996 under budget due to admin cost such as conferences, telephone, vehicle expense, advertising, photocopier lease and audit fees being under budget.**
6. **Other property and services is \$105,452 under budget due to several public works overheads and plant operations cost accounts being under budget.**

Operating Revenue by Nature and Type

7. **Fees and Charges is \$187,512 under budget due to additional bulk rubbish (\$115,117), transfer station fees (\$21,940), engineering supervision fees (\$4,000), ground maintenance fees (\$2,946), library hazard perception test (\$1,307), instalments administration charge (\$7,991).**

Operating Expenditure by Nature and Type

8. **Materials and Contracts is under budget \$263,712 due to timeliness of payment for accounts such as audit fees (\$7,470), rates legal costs (\$8,890), niche modular system (\$8,625), Roche Park program expense (\$7,557), pool chemicals (\$4,876), library building maintenance (\$8,888), BREC Contributions (\$6,955), museum operating grant (\$20,000), youth care, royal life saving and St John of God contributions (\$20,000), MSW Manager (\$10,000), Collie Heritage Inventory (\$8,087), Asset Management Software (\$17,756), Technical services**

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software (\$4,889), fuel and oil (\$12,462), rating valuation cost (\$5,326), AIIMS Training (\$5,950), Entry Statement Strategy (\$21,958) and waste management business plan (\$25,000).

9. **Utility Charges** is \$85,513 under budget, mainly due to a delayed payment for street lighting and pool utilities.
10. **Interest Expense** is \$24,264 over budget as payment for the new depot loan was earlier than expected.
11. **Insurance Expense** is \$130,983 over budget as payment was made earlier than expected.

Non-Operating Expenditure

12. Capital purchases are currently under year to date budget, generally due to the timing of payments for certain SuperTowns contracts and MSW Redevelopment. Projects will continue to be monitored by the executive team, and major projects for 2016/17 are identified in the following table;

Project	Original Budget	YTD Actual	Comment
SuperTowns Projects	978,239	668,651	Completion expected June 2017
MSW Upgrade	2,939,956	27,205	Ongoing
Piavanini Rd (Coalfields - Powerhouse)	240,000	322	Scheduled January 2017
Mungalup Rd (SLK 7.00 - SLK 8.54)	426,000	130,048	Completion expected February 2017
Powerhouse Rd (Piavanini - SLK 5.10)	120,000	-	Scheduled January 2017
Rowe St (SLK 0.00 - SLK 0.50)	200,000	-	Completion expected April 2017
Venn St East (Burt - David Hay)	120,000	1,300	Completion expected January 2017
Concession St (Bush - SLK 0.07)	200,000	121	Finalising design

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14.4 Accounts Paid – December 2016

Reporting Department:	Corporate Services
Reporting Officer:	Khushwant Kumar – Finance Manager
Accountable Manager:	Allison Fergie – Director of Corporate Services
Legislation:	Local Government Act 1995 & Financial Management Regulations 1996
File Number:	FIN/024
Appendices:	Yes – Appendix 4
Voting Requirement	Simple Majority

Report Purpose:

To present the accounts paid during the month of December 2016.

7300

Officer's Recommendation/Council Decision:

Moved: Cr Yates

Seconded: Cr Miffling

That Council accepts the Accounts as presented in Appendix 4 being vouchers 3106-3112 and 41016-41035 totalling \$94,444.83 and direct payments totalling \$389,492.69 authorised and paid in December 2016.

CARRIED 10/0

Background:

In accordance with clause 12 of the WA Local Government Financial Management Regulations (1996) the Council may delegate the authority to the Chief Executive Officer (CEO) to authorise payments from both the municipal, trust and reserve funds in accordance with the Annual Budget provisions. The CEO shall cause for section 13 of the WA Financial Management Regulations (1996) to be adhered to with a list of accounts for approval to be presented to the Council each month.

Month	Cheques 2016/17	EFT 2016/17	Total Payment 2016/17
July	84,704.43	917,730.00	1,002,434.43
August	34,665.50	596,608.27	631,273.77
September	23,179.63	672,191.97	695,371.60
October	18,305.08	740,101.16	758,406.24
November	69,163.11	1,494,072.08	1,563,235.19
December	94,444.83	389,492.69	483,937.52
January			
February			
March			
April			

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Month	Cheques 2016/17	EFT 2016/17	Total Payment 2016/17
May			
June			

Statutory and Policy Implications:

WA Local Government Act 1995

Financial Management Regulations 1996

Council has Policy number CS3.7 which relates to the payment of Creditors, and in particular item 5.0 which relates to the presentation of accounts paid.

A list of all accounts paid in the month prior shall be presented to the Council. The list shall comprise of details as prescribed in the Local Government Financial Management Regulations (1996).

Budget Implications:

All liabilities settled have been in accordance with the Annual Budget provisions.

Communications Requirements: (Policy No. CS1.7)

Nil

Strategic Community Plan/Corporate Business Plan Implications:

Nil

Relevant Precedents:

Comment:

For a detailed listing of payments see Appendix 4.

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14.5 Financial Report – December 2016

Reporting Department:	Corporate Services
Reporting Officer:	Khushwant Kumar– Finance Manager
Accountable Manager:	Allison Fergie – Director of Corporate Services
Legislation:	Local Government Act 1995 & Financial Management Regulations 1996
File Number:	FIN/024
Appendices:	Yes – Appendix 5
Voting Requirement	Simple Majority

Report Purpose:

This report provides a summary to the Financial Position for the Shire of Collie for the month ending December 2016.

7301

Officers Recommendation/Council Decision:

Moved: Cr Yates

Seconded: Cr Harverson

That Council accept the Financial Reports for December 2016 as presented in Appendix 5.

CARRIED 10/0

Background:

In accordance with Council policy and the provisions of the Local Government Act 1995, the Financial Report for the end of the period is presented to Council for information. Refer to Appendix 5.

Statutory and Policy Implications:

WA Local Government Act 1995

Financial Management Regulations 1996

Budget Implications:

Nil

Communications Requirements: (Policy No. CS1.7)

Nil

Strategic Community Plan/Corporate Business Plan Implications:

Nil

Relevant Precedents:

N/A

Comment:

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The report provided to Council as Appendix 5 is inclusive of the information required by the Local Government Act 1995 and includes information as set out in Council Policy.

The report includes a summary of the financial position along with comments relating to the statements. If Councillors wish to discuss the report contents or any other matters relating to this, please contact Council Finance staff prior to the meeting.

Notes to the Financial Statements (items in bold represent new notes)

Operating Revenue by Program

1. Community Amenities is \$197,022 under budget as businesses are yet to be invoiced for bulk rubbish collection, the remainder of the organics bin grant is yet to be received and transfer station fees is lower than expected.
2. Recreation and Culture is \$270,699 over budget as the Changing Places Program Access grant of \$62,300 and Town Site Mountain Bike Trail Project grant of \$23,500 were successful (unbudgeted). Additional grant money for the Town Site Mountain Bike Trail Project will be received in 2017/18. \$199,790 has been invoiced for contribution towards the laneway development, which was unbudgeted.
3. **Transport is \$135,888 under budget due as the next instalment for the Roads to Recovery grant (\$250,007) is yet to be received but is reduced by the over budget in Main Roads grant (\$122,951).**
4. Economic Services is under budget by \$19,190 mainly due to the timeliness of disposing of the Building Manager's vehicle.
5. **Other property and services is \$13,242 under budget as worker's compensation reimbursement is lesser than anticipated.**

Operating Expenditure by Program

6. Governance is \$61,847 under budget due to admin cost such as conferences, telephone, vehicle expense, advertising, photocopier lease and audit fees being under budget.
7. **Law, Order, and Public Safety is \$50,788 over budget due to clothing and accessories-Bushfire Brigade (\$21,986), AIIMMS training (\$3,887), depreciation for fire prevention (\$11,256) and timeliness of payments for accounts such as ranger training, bushfire risk planning coordinator and bushfire risk management.**
8. **Welfare is \$14,625 under budget mostly due to the St John of God contribution has not been paid as we are still waiting for the invoice.**
9. **Community Amenities is \$161,350 under budget due to waste management business plan (\$25,000), entry statement signage strategy (\$21,000), CCTV and wireless internet maintenance (\$7,810), Collie Heritage Inventory (\$8,087) and rubbish contracts (\$104,762).**
10. Other property and services is \$135,494 under budget due to several public works overheads and plant operations cost accounts being under budget.

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Operating Revenue by Nature and Type

11. Fees and Charges is \$201,037 under budget mostly due to additional bulk rubbish (\$115,117), transfer station fees (\$23,869), engineering supervision fees (\$4,000), ground maintenance fees (\$2,946), library hazard perception test \$1,307), instalments administration charge (\$7,985), lease for communication towers (\$2,444), pool revenue (\$2,799), search fees (\$2,905) and legal fees recouped (\$4,878)

Operating Expenditure by Nature and Type

12. Materials and Contracts is under budget by \$308,866 due to timeliness of payment for accounts such as rates legal costs (\$8,890), niche modular system (\$11,500), Roche Park program expense (\$8,929), library building maintenance (\$10,600), BREC Contributions (\$6,955), museum operating grant (\$20,000), youth care, royal life saving and St John of God contributions (\$20,000), MSW Manager (\$10,000), Collie Heritage Inventory (\$8,087), Asset Management Software (\$17,756), Technical services software (\$4,889), fuel and oil (\$14,256), rating valuation cost (\$6,340), Entry Statement Strategy (\$21,958), rubbish contract (\$104,762), bushfire brigade vehicle maintenance (\$22,141) and waste management business plan (\$25,000).
13. Utility Charges is \$95,952 under budget, mainly due to a delayed payment for street lighting and pool utilities.

Non-Operating Expenditure

14. Capital purchases are currently under year to date budget, generally due to the timing of payments for certain SuperTowns contracts and MSW Redevelopment. Projects will continue to be monitored by the executive team, and major projects for 2016/17 are identified in the following table;

Project	Original Budget	YTD Actual	Comment
SuperTowns Projects	978,239	818,994	Completion expected June 2017
MSW Dragstrip	2,939,956	106,682	Ongoing
Piavanini Rd (Coalfields - Powerhouse)	240,000	453	Scheduled January 2017
Mungalup Rd (SLK 7.00 - SLK 8.54)	426,000	267,574	Completion expected February 2017
Powerhouse Rd (Piavanini - SLK 5.10)	120,000	130	Scheduled January 2017
Rowe St (SLK 0.00 - SLK 0.50)	200,000	120	Completion expected April 2017
Venn St East (Burt - David Hay)	120,000	8,811	Completion expected January 2017
Concession St (Bush - SLK 0.07)	200,000	678	Finalising design
Changing Places	-	-	Completion expected June 2017
Town Site Mountain Bike	-	-	Completion expected June 2018

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14.6 Debtor Balance Write off

Reporting Department:	Corporate Services
Reporting Officer:	Khushwant Kumar– Finance Manager
Accountable Manager:	Allison Fergie – Director of Corporate Services
Legislation:	Local Government Act 1995 & Financial Management Regulations 1996
File Number:	FIN/027
Appendices:	Yes - Appendix 6
Voting Requirement	Absolute Majority

Report Purpose:

This report seeks the authority of Council to write off debtor balance for Mr Dane Olofsen (Debtor code: OLF1) for fire breaks works done on his property in 2014/15.

7302

Officers Recommendation/Council Decision:

Moved: Cr Yates

Seconded: Cr Miffing

That Council resolves by ABSOLUTE MAJORITY to write off the balance for Mr Dane Olofsen (Debtor Code: OLF1) totalling \$665.20.

CARRIED 10/0

Background:

Mr Dane Olofsen has a debt of \$ 665.20 from fire breaks work done on his property (6 Ogden Street) back in 2014/15. Council has received a request letter from Lifeline Darling Downs & South West Queensland Ltd representing Mr Olofsen to waive the outstanding debts on compassionate grounds. Mr Olofsen is seriously ill and his only source of income is from Centrelink. He is also in severe financial hardship and his financial position in the near to mid future is not likely to change.

Statutory and Policy Implications:

Section 6.12(1)(c) of the Local Government Act states:-

- (1) Subject to subsection (2) and any other written law, a local government may -
(c) Write off any amount of money, which is owed to the local government.
(An absolute majority is required)

Budget Implications:

A total of \$665.20 will be written off the general ledger account.

Communications Requirements: (Policy No. CS1.7)

Nil

Strategic Community Plan/Corporate Business Plan Implications:

KEY OBJECTIVE 5.0

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Our Business

Good governance and an effective, efficient and sustainable organisation.

Outcome 5.3:

Financial sustainability and accountability, with emphases on the below strategy;

5.3.5, provide corporate financial services that support the Shires operations and meet planning, reporting and accountability requirements

Relevant Precedents:

N/A

Comment:

Council has received a request letter from Lifeline Darling Downs & South West Queensland Lt on behalf of Mr Dane Olofsen to waive the outstanding debts of \$665.20 on compassionate grounds. Copy of the request letter and Mr Olofsen's debtor statement has been attached in Appendix 6. Further information has been received in regards to Mr Olofsen's financial and health situation which are highly confidential but more than sufficient to support his request for a waiver.

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14.7 Changes to Fees and Charges for 2016/17

Reporting Department:	Corporate Services
Reporting Officer:	Khushwant Kumar – Finance Manager
Accountable Manager:	Allison Fergie – Executive Manager Corporate Services
Legislation:	WA Local Government Act (1995)
File Number:	FIN/005
Appendices:	No
Voting Requirements:	Absolute Majority

Report Purpose:

For the Council to consider changes to the schedule of fees and charges for the 2016/17 financial year.

7303

Officer's Recommendation/Council Decision:

Moved: Cr Piavanini

Seconded: Cr Yates

That Council adopts by an ABSOLUTE MAJORITY the changes to the fees and charges for the financial year 2016/17 as per below (effective 3 February 2017):

- **Rate Notice Re-issue (\$13.00)**
- **Annual Commercial Rubbish-General Waste (\$343.20 per bin)**
- **Annual Commercial Rubbish-Recycling (\$343.20 per bin)**
- **Annual Commercial Rubbish-Organic (\$676.00 per bin)**
- **Final Demand Fee (\$20.00)**

CARRIED 10/0

Background:

The proposed changes to the fees and charges for the 2016/17 financial year adopted by Council on 31 May 2016 are presented at this time due to the requirement for accurately assessing Council's costs that need to be recovered.

Statutory and Policy Implications:

Section 6.16 to 6.19 of the WA Local Government Act (1995) governs the imposition of fees and charges.

Specifically, Section 6.19 of the WA Local Government Act (1995) governs the changes to fees and charges after the adoption of the Annual Budget:

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

- (a) its intention to do so; and

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(b) the date from which it is proposed the fees or charges will be imposed.

Budget Implications:

With the introduction of the Annual Commercial Rubbish charges, it will increase revenue by \$57,769.

As required by section 6.17 of the Act, the following was taken into account in determining the amount of a fee or charge for a service;

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

Communications Requirements: (Policy No. CS 1.7)

The revised schedule of Fees and Charges is required to be made available to the public through local public notice.

Strategic Community Plan/Corporate Business Plan Implications:

KEY OBJECTIVE 5.0

Our Business

Good governance and an effective, efficient and sustainable organisation.

Outcome 5.3:

Financial sustainability and accountability, with emphases on the below strategy; 5.3.5, provide corporate financial services that support the Shires operations and meet planning, reporting and accountability requirements.

Relevant Precedents:

Council has previously adopted fees and charges after the budget process. At its meeting held on 10 February 2015 Council resolved as follows:

6649- That Council adopts by an ABSOLUTE MAJORITY, the new Senior Group Fitness and Senior Activities Charges as shown below, effective from 16 February 2015:

<i>Senior Group Fitness Class</i>	<i>\$10</i>
<i>Senior Group Fitness 4 Class Pass</i>	<i>\$35</i>
<i>Senior Activities</i>	<i>\$6</i>

Comment:

In prior years, businesses were charged for rubbish pickups via rates and debtor invoice. However, during the 2016/17 budget process it was decided that all rubbish pickup for businesses were to be charged through the debtor system. This has resulted in the rubbish charges to be a fee rather than a levy. The increase in revenue is a result of an audit that was conducted by Council staff and Cleanaway.

A Final Demand Fee was previously charged upon issue of a Final Demand Notice to cover overheads associated with issuing this notice and provide a deterrent to prevent the late payment of infringements. This was omitted from the adopted 2016/2017 Schedule of Fees and Charges.

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As for waiving off the rate notice re-issue fee of \$13.00, this is considered to be excessive given that the cost of producing a re-issue is negligible.

G/L	CHARGE DETAILS	STATUTORY OR COUNCIL CHARGE	GST STATUS	ADOPTED 2016/17 INCL. GST	PROPOSED 2016/17 INCL. GST
	GENERAL PURPOSE FUNDING		SCHEDULE 03		
105330.55	Rate Notice Re-issue	Council	GST Charged	\$13.00	Free
	COMMUNITY AMENITIES		SCHEDULE 10		
176730.55	Annual Commercial Rubbish- General Waste	Council	GST Charged	-	\$343.20 per bin
176730.55	Annual Commercial Rubbish- Recycling	Council	GST Charged	-	\$343.20 per bin
176730.55	Annual Commercial Rubbish- Organic Waste	Council	GST Charged	-	\$676.00 per bin
	LAW, ORDER & PUBLIC SAFETY		SCHEDULE 05		
108150.55 108430.55	Final Demand Fees	Council	GST Charged	-	\$20.00

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15. DEVELOPMENT SERVICES REPORTS

15.1 Common Seal required on Application to Amalgamate Land Titles at 26 Morrison Way and 20 Cockie Bend (New Depot Site), Collie

Reporting Department:	Development Services
Reporting Officer:	Andrew Dover – Director of Development Services
Accountable Manager:	Andrew Dover – Director of Development Services
Legislation	Transfer of Land Act 1893
File Number:	A5737
Appendices:	Yes - Appendix 7
Voting Requirement	Simple Majority

Report Purpose:

The Common Seal of Council is required to be affixed to an application to Landgate to complete the amalgamation process commenced by Harley Dykstra to acquire a single title for the new depot.

7304

Officer's Recommendation/Council Decision:

Moved: Cr Miffing Seconded: Cr Martin

That Council, pursuant to the provisions of the Transfer of Land Act 1893, hereby resolves to affix the Common Seal of the Shire of Collie to the Application to Amalgamate Land at 26 Morrison Way and 20 Cockie Bend, Collie.

CARRIED 10/0

Background:

The Western Australian Planning Commission approved the amalgamation of the land comprised in Deposited Plan 404244 at 26 Morrison Way and 20 Cockie Bend, Collie (the new depot site) (Appendix 7). The next stage is to apply for the new title for this land to be created by Landgate. This will complete the amalgamation process.

Statutory and Policy Implications:

Local Planning Scheme No. 5

The subject lot is zoned Rural Residential (RR-3).

Budget Implications:

Nil

Communications Requirements: (Policy No. CS 1.7)

Nil

Strategic Community Plan/Corporate Business Plan Implications:

Goal 3: Our Built Environment

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Outcome 3.1 Appropriate Land Use, Development and Conservation of Heritage;
Strategy 3.1.1: Ensure appropriate Planning Controls for land use and development through the administration of the local planning scheme and strategies.

Relevant Precedents:

Council have approved the placement of the Common Seal on documents on a regular basis as required.

Comment:

The amalgamation was required to develop these lots and connect the services to one single lot rather than to both lots individually. This reduced the cost of the development however required the amalgamation process to be completed. The amalgamation has been approved by WAPC and now requires a title from Landgate to complete the process. The application for a title requires the common seal to be affixed.

Under the Shire of Collie *Standing Orders Local Law 2008* Part 20.1 Shire's Common Seal, it states:

- (2) *The common seal may be used only on the authority of the Council, given either generally or specifically, and every document to which the seal is affixed must be signed by the President (unless otherwise authorised by the Council) and by the CEO or a senior employee authorised by the CEO.*

As such, a decision of Council is required for the use of the common seal. It should be noted that a person who affixes the common seal, or a replica of the common seal, of a local government to any document except as authorised by the local government commits an offence (penalty of \$1,000).

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15.2 Shed, Carport & Patio Built Outside Of Building Envelope

Reporting Department:	Development Services
Reporting Officer:	Kelly Beauglehole – Shire Planner
Accountable Manager:	Andrew Dover – Director Development Services
Legislation	Planning and Development Act 2005 WA Local Government Act 1995
File Number:	A5844
Appendices:	Yes – Appendix 8
Voting Requirement	Simple Majority

Report Purpose:

To seek Council Approval for a shed, carport & patio to be built outside of the approved building envelope designated on the North Collie Structure Plan.

7305

Officer's Recommendation/Council Decision:

Moved: Cr Martin

Seconded: Cr Yates

That Council:

pursuant to the provisions of the Planning and Development Act 2005, hereby resolves to:

Grant approval to Henderson Hardware for the construction of a Shed, Carport & Patio Built Outside Of Building Envelope at 26 Annesley Drive, Collie subject to the following conditions:

- (a) At all times, the development the subject of this planning approval must comply with the definitions of 'outbuilding', 'patio' and 'carport' as contained in State Planning Policy 3.1 Residential Design Codes.**
- (b) All development shall be in accordance with the approved development plans (attached) which form part of this planning approval.**
- (c) The building shall not be used as a habitable room, as defined in State Planning Policy 3.1 Residential Design Codes, without the prior approval of the Shire of Collie.**
- (d) Before the development is occupied, all external surfaces of steel cladding must be painted and/or finished to the satisfaction of the Shire of Collie.**

CARRIED 10/0

Statutory and Policy Implications:

Planning and Development (Local Planning Schemes) Regulations 2015

Schedule 2 cl. 27 Effect of a Structure Plan

Schedule 2 cl. 60 Requirements for Development Approval

Schedule 2 cl. 66 Matters to be Considered by Local Government

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- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the Planning and Development (Local Planning Schemes) Regulations 2015 or another proposed planning instrument that the local government is seriously considering adopting or approving;
- (c) any approved State planning policy;
- (g) any local planning policy for the Scheme area;
- (h) any structure plan, activity centre plan or local development plan that relates to the development;
- (n) the amenity of the locality including the following —
 - (i) environmental impacts of the development;
 - (ii) the character of the locality;
 - (iii) social impacts of the development;
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;
- (q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;
- (r) the suitability of the land for the development taking into account the possible risk to human health or safety;
- (y) any submissions received on the application;
- (za) the comments or submissions received from any authority consulted under clause 66;
- (zb) any other planning consideration the local government considers appropriate.

Local Planning Scheme No. 5

The subject lot is zoned 'Residential Development'. The proposal has been assessed in accordance with the following clause(s) of the Scheme:

4.2 Objectives of the Zone

5.9.4 Residential Development Zone

North Collie Structure Plan

Condition 1 - Building Envelopes

Condition 6 - Development Approvals

State Planning Policy 3.1 - Residential Design Codes

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Appendix 1 – Definitions

Local Planning Policy: Outbuilding Control

4.3 *Rural Residential and Residential Development zoned lots more than 8000m² with no further subdivision potential.*

4.4 *Size of Outbuilding in relation to lot size*

Budget Implications:

Nil

Communications Requirements: (Policy No. CS 1.7)

1. *Providing regular and consistent communication on Council's projects and activities to all stakeholders*
2. *Creating a positive and professional image for the Shire of Collie through open, transparent communication and increased awareness of Council's projects and activities*
3. *Fostering meaningful community consultation processes in Council's activities.*

Strategic Community Plan/Corporate Business Plan Implications:

Goal 3: Our Built Environment

Outcome 3.1 Appropriate Land Use, Development and Conservation of Heritage;

Strategy 3.1.1: Ensure appropriate Planning Controls for land use and development through the administration of the local planning scheme and strategies. As per Appendix 8.

Relevant Precedents:

Nil

Comment:

The property is zoned Residential Development under the Scheme, and the Structure Plan assumes Rural Residential 1Ha block requirements. As such, the proposal would meet the requirements of the Scheme for a Rural Residential block with a setback of 5m for a 1Ha lot.

The area has previously been cleared of native vegetation and therefore does not require another referral to Departments of Water or Environment Regulation, however the property is located within a Bushfire Prone Area and may require a BAL assessment at Building Permit stage.

The proposed outbuilding is conditioned to remain uninhabitable as it has not been assessed for bushfire protection. However, it is noted that the required minimum distance of 6m separation from the dwelling has been observed.

The building envelope as depicted on the Structure Plan was based on the vegetation survey conducted prior to subdivision. As the block has been cleared of the vegetation that was assessed, the proposed outbuildings straddling the building envelope are not considered to have any further negative impact.

The floor area of the outbuilding is 82m² which is under the maximum requirement for an equivalent 1Ha Rural Residential block under the Local Planning Policy.

The side boundary setback is 8.5m which is 3.5 metres greater than the required 5m setback under the Scheme.

The wall height is 3m and the length comprises of 6m open sided, 14m of solid wall and 3m of open sided patio totalling 23m in length.

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16. TECHNICAL SERVICES REPORTS

Nil.

17. MOTIONS FOR WHICH PRIOR NOTICE HAS BEEN GIVEN

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

18. 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.

19. URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION

20. ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS

Cr Sanford

- Friday 9th December attended the Annual Council Christmas Dinner held at the Collie Golf Club. The evening was enjoyed by all. Thanks to the House Committee for the organisation of the function. Also, many thanks to Cr Miffing for once again hosting everyone as our Master of Ceremonies. It was also an opportunity on the night and a pleasure to recognise Deb Brown, the CEO's personal assistant who has left our organisation.
- On Friday, the 16th December it was a privilege to represent the Shire and participate in the formal opening of Central Park. Guests included the Hon Brendon Grylls, The Member for Collie Preston Mick Murray, The Hon Rick Wilson as well as industry and agency special guests. Many thanks to Cr Sarah Stanley who was our Master of Ceremonies for the opening. The opening was also an opportunity to announce the naming of the Collie Community Bank Bendigo Music Shell and I was pleased that Mr Jeff Riley assisted with that announcement. I must say that the community response was fantastic and the festivities that followed were well received by all in attendance. I also took the opportunity on behalf of council to acknowledge the contributions to the project by the CBD Revitalisation committee and also Mr Geoff Klem who oversaw the entire project. It is certainly a credit to all involved with the project.
- Thursday 12th of January along with councillors and staff attended the launch at Wellington Dam by the Premier and Minister for Water, of the Water for Food project for Myalup Wellington district. Following the launch council was able to host Minister Mia Davies, Minister Mark Lewis, Hon Colin Holt and MLA Murray Cowper along with senior government department representatives for a luncheon followed by a question and answer session. My thanks to Deputy Shire President Cr Yates, council representative on the Ministerial Working Group for presenting to our guests on the day.
- Also on Thursday 12th January council was able to Host the Western Australian Premier, The Hon Colin Barnett, for a question and answer session about Collie and what the Premier sees for our community into the future. My thanks also to Cr Harverson for her work in securing the meeting with the Premier.
- Tuesday 17th January along with councillors and staff attended a Local Planning Strategy Workshop.

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- Thursday 19th January attended an afternoon tea hosted by the Collie Justices of the Peace and held at the Collie Police Station. The function was an opportunity to recognise the valuable work that our Police officers are doing on behalf of our community. I took the opportunity to thank the Police through the Officer in Charge Mr Mike Dean for the work they do in keeping our community safe.
Cr Green
- Friday 9th December attended the Council Christmas Dinner a pleasant evening thanks to Deb Brown and the House Committee for their work and Cr Miffing for being the MC for the evening.
- Friday 16th December attended the opening of Central Park.
- Thursday 12th January attended launch at Wellington Dam of the Water for Food project.
- Friday 13th January attended Reimagining Collie Workshop.

Cr Martin

- Thursday 12th January attended the launch at Wellington Dam by the Premier and Minister for Water, of the Water for Food project for Myalup Wellington district.

Cr Stanley

- Friday 9th December hosted a table at the Council Christmas Function. I was lucky to share the table with our young Sport Person of the Year and his family.
- Tuesday 13th December attended the Collie Chamber of Commerce Christmas function held at the Collie Art Gallery.
- Friday 16th December hosted the Central Park Official Opening with special guests Kate Hindle, Vienna Frame and Sisters Doll performing. Also attended the official function at the Collie Art Gallery where the new sculpture was unveiled.
- Thursday 12th January attended the meeting with the Hon Minister and Premier Colin Barnett with Council and Senior Staff.
- Friday 13th January attended a briefing for industry and stakeholders on the draft Reimagining Collie report.

Cr Yates

- Thursday 12th January hosted Minister Davies, Minister Lewis along with a number of key staff members for lunch along with a discussion about Collie Water and also toured river site and CBD with Minister Davies and Parliamentary Secretary Holt.
- Thursday 12th January attended the announcement by Premier Barnett regarding Collie Water.
- Friday 13th January represented Council at a workshop on the Reimagining Collie Draft Plan.
- Tuesday 24th January attended announcement by Mr Mark McGowan and Mr Mick Murray about WA Labor plans for the Collie-Preston Electorate.

Acting CEO Allison Fergie

- Friday 9th December attended the LG Report Card Awards with Mr David Blurton and Mrs Julie Pellicciari.
- Thursday 12th January attended launch at Wellington Dam of the Water for Food project.
- Friday 13th January attended a briefing for industry and stakeholders on the draft Reimagining Collie report.

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- Tuesday 24th January attended announcement by Mr Mark McGowan and Mr Mick Murray about WA Labor plans for the Collie-Preston Electorate.

21. COUNCILLOR DOCUMENTS OF INTEREST

- Building Statistics – December 2016 (Attached)
- Building Comparison Table (Attached)

22. ELECTED MEMBERS TRAINING OPPORTUNITIES

Please refer to the **attached** 2017 WALGA Training Calendar and contact CEO PA on 9734 9004 for any training you may wish to undertake

23. STATUS REPORT ON COUNCIL RESOLUTIONS

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

- 'Closed Since Last Meeting' at Appendix 9
- 'All Open' at Appendix 10

Lighting Plan at Soldiers Park

24. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

25. CLOSE

The Shire President thanked Council and Staff for their attendance.

The Presiding Member declared the meeting closed 8.14pm.

I certify that these Minutes were confirmed at the Ordinary Meeting of Council held on Tuesday, 14 February 2017.

.....
Presiding Member

.....
Date