



# MINUTES

of the

## ORDINARY MEETING OF COUNCIL

held on

Tuesday, 20 June 2017

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Minutes of the Ordinary Meeting of the Collie Shire Council held in Council Chambers, 87 Throssell Street Collie, on Tuesday, 20 June 2017 commencing at 7:15pm.

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

**PRESENT:**

Wayne Sanford	Councillor (Presiding Member)
Gary Faries	Councillor
Nola Green, JP	Councillor
Elysia Harverson	Councillor
Joe Italiano	Councillor
Neil Martin	Councillor
Ian Miffling, JP	Councillor
John Piavanini	Councillor
Sarah Stanley	Councillor
David Blurton	CEO
Allison Fergie	Director Corporate Services
Brett Lowcock	Director Technical Services
Andrew Dover	Director Development Services
Khushwant Kumar	Finance Manager
Geoff Klem	Supertowns Manager (Left the meeting 8.27pm)
Belinda Dent	CEO PA

**APOLOGIES:** Glyn Yates                      Councillor  
Jodie Hanns                                  Councillor

**GALLERY:** Steve Brake – Calibre Consulting (Left the meeting 8.27pm)  
Ning Radford (left the meeting at 7.28pm)

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

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

Cr Italiano has requested Leave of Absence for the following Ordinary Meetings of Council 1 August, 22 August and 12 September 2017.

**7443**

**Moved: Cr Miffling**

**Seconded: Cr Faries**

**That Cr Martin be granted Leave of Absence for the Ordinary Meeting of Council on 11 July and 1 August 2017.**

**That Cr Italiano be granted Leave of Absence for the following Ordinary Meetings of Council being 1 August, 22 August and 12 September 2017.**

**That Cr Faries be granted Leave of Absence for the Ordinary Meeting of Council on 11 July 2017.**

**CARRIED 9/0**

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

Cr Yates and Cr Hanns has requested Leave of Absence from this Ordinary Meeting of Council.

**7444**

<b>Moved: Cr Miffling</b>	<b>Seconded: Cr Faries</b>
<b>That Councillor Yates and Cr Hanns be granted Leave of Absence for this Ordinary Meeting of Council.</b>	
<b>CARRIED 9/0</b>	

**2. AUSTRALIAN CITIZENSHIP CEREMONY**

Nil

**3. PUBLIC QUESTION TIME**

It was noted that Council received a presentation from Shalom House representative Mr. Peter Lyndon-James prior to the meeting (6pm). Mrs Ning Radford representing the Support Shalom for Collie group also presented to Council prior to the meeting.

During public questions time, Mrs Radford asked if Council would provide support to the Shalom House proposal?

Cr Harverson declared an impartial interest in Shalom House proposal.

**7445**

<b>Moved: Cr Harverson</b>	<b>Seconded: Cr Miffling</b>
<b>That Council provide in principle support for Shalom House in Collie.</b>	
<b>CARRIED 9/0</b>	

Mrs Radford left the chambers at 7.28pm.

**4. RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Refer to item 24.1 – Confidential Memo

**5. DISCLOSURE OF FINANCIAL INTEREST**

The Chief Executive Officer advised that Disclosures of Financial Interests have been received from Councillors/staff as listed below:

<b>Councillor/Staff</b>	<b>Agenda Item</b>	<b>Disclosure</b>
Cr Harverson	3 – Public Question Time – Shalom House	Impartial

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**6. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

Members of the public invited by the Chairperson may address the meeting after Standing Orders have been suspended.

- Mr Geoff Klem – Supertowns Project Manager – Provided a presentation showing improvements which Council has made to the Collie CBD through the Super towns program.

Cr Sanford thanked Mr Klem for his presentation and congratulated him for his efforts.

- Petition has been received regarding the Community Emergency Manager Officer/Manager and the Bushfire Risk Planning Co-ordinator roles. (Appendix 1)

**Staff Comment**

The Local Emergency Advisory Committee have recommended to this Ordinary Meeting of Council that:

*11.11.4: That Council write a letter to the Department of Fire and Emergency Services formally requesting that they contribute 0.4 of a Full Time Equivalent toward a Community Emergency Services Manager for the Shire of Collie.*

This request, if successful will provide a full time Community Emergency Services Manager (CESM) position for the Shire. In addition, Council have previously resolved to:

**7364**

*11.2.1 That Council lobby relevant members of the government and opposition on behalf of Council to ensure that funding for the Bushfire Risk Planning Program be continued after the end of the 2016/17 financial year.*

Should both of these requests be refused, the Council may choose to fund either or both position full time within the budget considerations. However, it is recommended that the Council receives a formal response to these requests prior to taking any further action.

**7446**

**Moved: Cr Faries**

**Seconded: Cr Stanley**

**That Council receive the petition regarding the Community Emergency Services Manager.**

**CARRIED 9/0**

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

Refer to Item 24.1 – Confidential Memo

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

Item 13.1 was brought forward due to attending persons.

**7447**

<b>Moved: Cr Faries</b>	<b>Seconded: Cr Miffing</b>
<b>That Council suspends Standing Orders.</b>	
<b>CARRIED 9/0</b>	

A number of questions were asked of Mr. Brake and Mr. Klem in relation to the agenda item.

**7448**

<b>Moved: Cr Faries</b>	<b>Seconded: Cr Martin</b>
<b>That Council resumes Standing Orders.</b>	
<b>CARRIED 9/0</b>	

**13.1 Collie Motorplex Upgrade Project – Appointment of Civil Works Contractor**

<b>Reporting Department:</b>	CEO Office
<b>Reporting Officer:</b>	Supertowns Project Manager
<b>Accountable Manager:</b>	David Blurton - CEO
<b>Legislation</b>	WA Local Government Act 1995
<b>File Number:</b>	EDV076
<b>Appendices:</b>	Yes - Appendices 3 and 4
<b>Voting Requirement</b>	Simple Majority

<b>Report Purpose:</b> To appoint a contractor to undertake civil works for the race track extension as part of the Collie Motorplex Upgrade Project.
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**7449**

<b>Officer's Recommendation/Council Decision:</b>	
<b>Moved: Cr Faries</b>	<b>Seconded: Cr Stanley</b>
<b>That Council accept the quote submitted by Coalcliff Plant Hire P/L for the race track extension as part of the Collie Motorplex Upgrade Project for the price of \$2,759,625.95 (GST Inclusive) subject to:</b>	
1. Endorsement of the amended track extension design by CAMS and Motorcycles Australia.	
2. The necessary approvals and/or agreements between the Department of State Development, Department of Parks and Wildlife, Department of Water and Premier Coal for the supply of sand and access to a water supply.	
<b>CARRIED 9/0</b>	

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**Background/Report**

Following the decision of Motoring South West to not proceed with the Drag Strip project at the Motorplex, endorsement of this decision by Council and agreement by the funding authorities (Department of Sport and Recreation and the Department of Regional Development) to transfer the grant funds to the upgrade the Motorplex, planning work commenced for the upgrade.

Appendix 3 is a summary of the actions to date which was presented to the Project Working Group at its meeting on Tuesday 6th June 2017.

Council at its Ordinary meeting on Tuesday, 28th March 2017 resolved to:

Council Decision 7379

Moved Cr Martin, Seconded Cr Hands

*Council endorse the request by staff to use the WALGA eQuote system for the Collie Motorplex Extension Project.*

Three contractors from the South West Region (1 local) were selected from the Preferred Supplier Panel and requests were made for quotes through the WALGA eQuote portal. One contractor withdrew from the process and there was a possibility of another not proceeding to a formal quote.

After discussions with the CEO and Director of Technical Services, it was decided to cancel the Request for Quote (RFQ) and initiate an expanded set of requests. The primary concern was that there would be inadequate submissions from which to make a robust comparison of costs. Of the 7 requests, 4 contractors attended an on-site meeting and submitted comprehensive quotes based on the set of plans and specifications supplied by the consulting engineer (Calibre Consulting).

An Assessment Panel comprising Mr Steve Brake (consulting engineer), Mr Brett Lowcock (Director Technical Services) and Mr Geoff Klem (Project Manager) met to review the four submissions. There were no issues identified in relation to the Compliance Criteria or the Qualitative Criteria for each submission. However, the prices quoted were in excess of the available budget (\$2,617,044.68) and as a consequence, the consulting engineer issued a revised set of plans and specifications to all contractors which included cost savings.

Each member of the Assessment Panel has made a declaration that they have no conflict of interest. Both the CEO and Project Manager have also emphasised with Motoring South West and the Project Working Group the importance of declaring a conflict of interest. In the case of Motoring South West, the Chair has made a declaration at each meeting during the procurement process.

Appendix 4 is a summary of the submissions received from each contractor which shows quotes which are very close for each contractor and to the estimate provided by Calibre Consulting. This gave the Assessment Panel a high degree of confidence that the prices quoted would provide value for money. Given that the Compliance and Qualitative Criteria did not present any issues for any of the contractors, the determining criterion was price.

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Both Coalcliff Plant Hire and Geographe Civil claimed the Local Purchasing concession which is 10% of the net cost to a maximum of \$50,000. Geographe Civil stated that they would be purchasing goods and services from Collie Caltex (Petrol & Diesel), Collie Holcim (Concrete) Cardinal Contractors and local suppliers of meals and accommodation. As the estimated cost of the local purchasing is over \$500,000, Geographe Civil is considered eligible for the full concession.

The final ranking of contractors based on price is Coalcliff Plan Hire (1), Geographe Civil (2) Densford Civil (3) and Leeuwin Civil (4). Although Geographe Civil can include the Local Purchasing concession, it will not change the ranking.

The decision of the Assessment Panel is to recommend to Council that the quote submitted by Coalcliff Plant Hire P/L be accepted. The Panel was aware that there are some outstanding issues that require resolution prior to the endorsement of a contract. These issues are summarised as;

1. Cost savings have involved some modifications to the design and specifications, primarily for the construction of the concrete barrier wall. An alternative design solution has been developed which will require the approval of both CAMS and Motorcycles Australia. Informal advice is that the alternative will be acceptable.
2. There is a large volume of sand that Premier Coal is prepared to give to the project at no cost. Transporting the fill to the Motorplex site will however be a project cost. The Department of State Development, which is responsible for the administration of the State Agreement Act that covers the coal mining operations, has requested that the suitability of the fill be assessed and whether the fill is required for rehabilitation and whether Premier coal has met its obligations for rehabilitation. The Department is currently brokering an agreement between the Department of Parks and Wildlife and Premier Coal to address these issues.
3. The rate of supply of water to the construction site is inadequate and therefore it will be necessary to secure approval to access another source.

**Statutory and Policy Implications:**

The procedure for procurement of goods and services is contained in the Local Government (Functions and General) Regulations 1996. Council's Procurement Policy which provides for a Local Price Preference of 10% of the net cost to a maximum of \$50,000.

**Budget Implications:**

**MOTORPLEX UPGRADE AVAILABLE FUNDING**

**(As at 13<sup>th</sup> June 2017)**

	<b>FUNDING</b>	<b>INTEREST</b>	<b>EXPENDITURE</b>	<b>BALANCE</b>
<b>DRD</b>	\$1,000,000	\$122,966.61	\$301,753.41	\$821,213.20
<b>SoC</b>	\$200,000	\$25,831.48	*	\$225,831.48



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<b>(Reserve)</b>				
<b>DSR</b>	\$1,570,000	*	*	\$1,570,000
<b>TOTAL</b>				<b>\$2,617,044.68</b>

The submission from Coalcliff Plant Hire P/L ex GST is \$2,508,750.86 and includes \$150,000 contingency and \$300,000 for works associated with the track tie-ins which will be further refined prior to the endorsement of a contract.

The works as defined in the modified specifications can be delivered within the available budget.

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

A joint media release to be prepared between the Shire and Motoring South West announcing the awarding of the contract.

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

Goal 4 "Our Economy" in the Strategic Community Plan states:

*"Outcome 4.3: A Growing Tourism Industry, Strategy 4.3.2: Promote and support the Collie Motor Sport Complex development."*

**Relevant Precedents:**

The Shire of Collie regularly engages in the procurement of goods and services which involves tendering and RFQ procedures.

Mr. Klem and Mr. Brake left the Council Chambers at 8.27pm.

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

**7450**

Recommendation/Council Decision:

Moved: Cr Martin

Seconded: Cr Stanley

That Council confirms the Minutes of the Ordinary Meeting of Council held on Tuesday, 30 May 2017.

CARRIED 9/0

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 Museum Advisory Committee

**7451**

Recommendation/Council Decision:

Moved: Cr Piavanini

Seconded: Cr Faries

That Council receives the Minutes of the Museum Advisory Committee held on 24 May 2017.

CARRIED 9/0

11.2 Adoption of the Recommendations of the Museum Advisory Committee

**7452**

Recommendation/Council Decision:

Moved: Cr Piavanini

Seconded: Cr Martin

That Council adopts en bloc the recommendations contained within the minutes of the Museum Advisory Committee held on 24 May 2017.

That Council:

11.2.1: adopts by an ABSOLUTE MAJORITY, the entrance fees to the Collie museum as shown below effective from 1 July 2017:

Adult entry [17+ years of age]	\$5.00
Child entry [4 – 16 years of age]	\$2.50
Under 4 years of age	Free
Student group [per student]	\$1.50
Adults accompanying student group	Free
Special days	Free

11.2.2: That the museum be officially known as the Coalfields Museum.

11.2.3: That appropriate parts of the museum collection be displayed in secure community venues on a rotating basis.

CARRIED 9/0

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11.3 Receipt of the Minutes of the Education Advisory Committee

**7453**

**Recommendation/Council Decision:**

**Moved: Cr Faries**

**Seconded: Cr Miffling**

**That Council receives the Minutes of the Education Advisory Committee held on 30 May 2017.**

**CARRIED 9/0**

11.4 Adoption of the Recommendations of the Education Advisory Committee

**7454**

**Recommendation/Council Decision:**

**Moved: Cr Faries**

**Seconded: Cr Italiano**

**That Council adopts en bloc the recommendations contained within the minutes of the Education Advisory Committee held on 30 May 2017.**

**That the Terms of Reference for the Education Advisory Committee be modified (by deleting text with ~~strike through~~ and including underlined text) to reflect the priorities of the EAC moving forward:**

**2.8 To diversify the ways in which the community could expand the aspirations and attitudes towards the education and employment opportunities for all ~~under-represented groups~~ in the Collie community. ~~For example, young women and indigenous youth.~~**

**2.9 To explore the potential for establishing a community counselling/mental health services and family support programs such as Strong Families.**

**CARRIED 9/0**

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

**7455**

**Recommendation/Council Decision:**

**Moved: Cr Green**

**Seconded: Cr Martin**

**That Council receives the Minutes of the Weeds and Waterways Advisory Committee held on 1 June 2017.**

**CARRIED 9/0**

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**11.6 Adoption of the Recommendations of the Weeds and Waterways Advisory Committee**

**7456**

<p><b>Recommendation/Council Decision:</b></p> <p><b>Moved: Cr Martin</b> <span style="float:right"><b>Seconded: Cr Green</b></span></p> <p><b>That Council adopts en bloc the recommendations contained within the minutes of the Weeds and Waterways Advisory Committee held on 1 June 2017.</b></p> <p><b>11.6.1 That the Council takes immediate action by negotiating with stakeholders and regulatory bodies involved in the Collie rivers to ensure (EWP) Environmental Water Provisions are not compromised in any way by the loss of mine dewater.</b></p> <p><b>11.6.2 That the Council investigates degradation caused by four wheel drive vehicles at Telfers Pool and what can be done to prevent this.</b></p> <p style="text-align:right"><b>CARRIED 9/0</b></p>
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**11.7 Receipt of the Minutes of the Museum Advisory Committee**

**7457**

<p><b>Recommendation/Council Decision:</b></p> <p><b>Moved: Cr Faries</b> <span style="float:right"><b>Seconded: Cr Harverson</b></span></p> <p><b>That Council receives the Minutes of the Museum Advisory Committee held on 7 June 2017.</b></p> <p style="text-align:right"><b>CARRIED 9/0</b></p>
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**11.8 Adoption of the Recommendations of the Museum Advisory Committee**

**7458**

<p><b>Recommendation/Council Decision:</b></p> <p><b>Moved: Cr Faries</b> <span style="float:right"><b>Seconded: Cr Martin</b></span></p> <p><b>That Council adopts en bloc the recommendations contained within the minutes of the Museum Advisory Committee held on 7 June 2017.</b></p> <p><b>That Council advise Bankwest as follows:</b></p> <ol style="list-style-type: none"><li><b>1. It is now the authorized management body for the Coalfields Museum;</b></li><li><b>2. That the four current signatories to the Coalfields Museum account (Stanley Clement Cull, Kaye Diane Mavric, Karen Siggers and Lorel Woodhouse) be removed; and</b></li><li><b>3. That three authorized signatories for the Shire of Collie (David Blurton, Allison Fergie and Khushwant Kumar) become the authorized signatories for the Coalfields Museum account, with any two to sign as per Council policy.</b></li></ol> <p style="text-align:right"><b>CARRIED 9/0</b></p>
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**11.9 Receipt of the Minutes of the Disability Access and Inclusion Advisory Committee**

**7459**

<p><b>Recommendation/Council Decision:</b></p> <p><b>Moved: Cr Green</b> <span style="float:right"><b>Seconded: Cr Miffing</b></span></p> <p><b>That Council receives the Minutes of the Disability Access and Inclusion Advisory Committee held on 8 June 2017.</b></p> <p style="text-align:right"><b>CARRIED 9/0</b></p>
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**11.10 Receipt of the Minutes of the Local Emergency Management Committee**

**7460**

<p><b>Recommendation/Council Decision:</b></p> <p><b>Moved: Cr Green</b> <span style="float:right"><b>Seconded: Cr Faries</b></span></p> <p><b>That Council receives the Minutes of the Local Emergency Management Committee held on 13 June 2017.</b></p> <p style="text-align:right"><b>CARRIED 9/0</b></p>
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**11.11 Adoption of the Recommendations of the Local Emergency Management Committee**

Recommendation:

That Council adopts en bloc the recommendations contained within the minutes of the Local Emergency Management Committee held on 13 June 2017.

11.11.1:

1. Tender for a high-band radio system which is compatible with the Departments of Fire and Emergency Services and Parks and Wildlife systems;
2. Apply for a 50% grant from the Federal Government to fund the purchase of this radio system; and
3. Allocate \$30,000 in the budget for the next 4 financial years for the purchase and maintenance of the radio system.

11.11.2:

Defer the Flood Intelligence Study until further investigation has been carried out by the Department of Fire and Emergency Services

11.11.3:

1. Advise the District Emergency Management Committee that Council considers that the Harris Dam power supply requires urgent bushfire risk mitigation as the current risk of the unmitigated Harris Dam power supply is unacceptable to the Shire of Collie.
2. Request the District Emergency Management Committee consider the Harris Dam power supply Risk Assessment dated 12/05/17 with a view to the Harris Dam power supply Risk Assessment be tabled at the State Emergency Management Committee.

11.11.4:

That Council write a letter to the Department of Fire and Emergency Services formally requesting that they contribute 0.4 of a Full Time Equivalent toward a Community Emergency Services Manager for the Shire of Collie.

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**7461**

**Council Decision:**

**Moved: Cr Miffling**

**Seconded: Cr Green**

**That Council refer Item 11.11.1 to the 2017/18 draft budget:**

**11.11.1:**

- 1. Tender for a high-band radio system which is compatible with the Departments of Fire and Emergency Services and Parks and Wildlife systems;**
- 2. Apply for a 50% grant from the Federal Government to fund the purchase of this radio system; and**
- 3. Consider to allocate \$30,000 in the draft budget over the next 4 financial years for the purchase and maintenance of the radio system.**

**CARRIED 9/0**

**7462**

**Council Decision:**

**Moved: Cr Green**

**Seconded: Cr Italiano**

**That Council adopts these recommendations contained within the minutes of the Local Emergency Management Committee held on 13 June 2017.**

**11.11.2:**

**Defer the Flood Intelligence Study until further investigation has been carried out by the Department of Fire and Emergency Services**

**11.11.3:**

- 1. Advise the District Emergency Management Committee that Council considers that the Harris Dam power supply requires urgent bushfire risk mitigation as the current risk of the unmitigated Harris Dam power supply is unacceptable to the Shire of Collie.**
- 2. Request the District Emergency Management Committee consider the Harris Dam power supply Risk Assessment dated 12/05/17 with a view to the Harris Dam power supply Risk Assessment be tabled at the State Emergency Management Committee.**

**11.11.4:**

**That Council write a letter to the Department of Fire and Emergency Services formally requesting that they contribute 0.4 of a Full Time Equivalent toward a Community Emergency Services Manager for the Shire of Collie.**

**CARRIED 9/0**

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**11.12 Receipt of the Minutes of the Plant Committee**

**7463**

**Recommendation/Council Decision:**

**Moved: Cr Faries**

**Seconded: Cr Martin**

**That Council receives the Minutes of the Plant Committee held on 29 May 2017.**

**CARRIED 9/0**

**11.13 Adoption of the Recommendations of the Plant Committee**

**Recommendation:**

That Council adopts en bloc the recommendations contained within the minutes of the Plant Committee held on 29 May 2017.

That Council:

11.13.1.

1. Hire a larger Flat Drum Roller on a as-needed basis during 2017-18. Request DTS to carry out a hire vs buy assessment based on a likely road program over the next 4 years and report back to the Plant Committee.

2. CO19304 Replace Old Kubota Tractor with a new Tractor for performing various works undertaken by the Shire. Budget purchase price of \$68,000, trade in estimated at \$10,000 giving an expected changeover of \$58,000 ex GST.

3. CO30537 Replace Old Toro Groundmaster 360 Mower with a new Mower for performing various Mowing activities undertaken by the Shire. Budget purchase price of \$54,000, trade in estimated at \$20,000 giving an expected changeover of \$34,000 ex GST.

4. CO8810 Replace Isuzu Drainage truck with new cab, tray and crane suitable for drainage works and other maintenance duties. Budget purchase price of \$135,000, with trade-in or disposal estimated at \$15,000 giving an expected changeover of \$120,000. The plant purchase is a carry forward from 2016/17 Plant replacement program. Disposal via a local EOI to be advertised and considered against the trade-in price offered.

5. Requested staff to source three (3) quotes, as information presented to the Plant Committee was insufficient. The Director of Technical Services is to present the item to the next Full Council Meeting on 20<sup>th</sup> June 2017 for a decision to be made.



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**7464**

**Council Decision:**

**Moved: Cr Piavanini**

**Seconded: Cr Faries**

**That Council adopts the recommendations contained within the minutes of the Plant Committee held on 29 May 2017 excluding item 11.13.1.4 and that this item be referred back to Council once the Vehicle Review report has been received.**

**That Council:**

**11.13.1.**

**1. Hire a larger Flat Drum Roller on a as-needed basis during 2017-18. Request DTS to carry out a hire vs buy assessment based on a likely road program over the next 4 years and report back to the Plant Committee.**

**2. CO19304 Replace Old Kubota Tractor with a new Tractor for performing various works undertaken by the Shire. Budget purchase price of \$68,000, trade in estimated at \$10,000 giving an expected changeover of \$58,000 ex GST.**

**3. CO30537 Replace Old Toro Groundmaster 360 Mower with a new Mower for performing various Mowing activities undertaken by the Shire. Budget purchase price of \$54,000, trade in estimated at \$20,000 giving an expected changeover of \$34,000 ex GST.**

**5. Requested staff to source three (3) quotes, as information presented to the Plant Committee was insufficient. The Director of Technical Services is to present the item to the next Full Council Meeting on 20<sup>th</sup> June 2017 for a decision to be made.**

**CARRIED 9/0**

- 12. RECEIPT OF NON COUNCIL COMMITTEE MINUTES PRESENTED TO COUNCIL**  
Nil

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**13. CEO REPORTS**

Item 13.1 was brought forward to Item 8.

**14. CORPORATE SERVICES REPORTS**

**14.1 2017 Council Elections**

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Allison Fergie - Director Corporate Services
<b>Accountable Manager:</b>	David Blurton – Chief Executive Officer
<b>Legislation</b>	Local Government Act 1995
<b>File Number:</b>	GOV/038
<b>Appendices:</b>	No
<b>Voting Requirement</b>	Absolute Majority

**Report Purpose:**

For Council to appoint the Electoral Commissioner to be responsible to undertake the 2017 Council elections and to determine postal voting as the method of conducting the elections.

**7465**

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

**Moved: Cr Faries**

**Seconded: Cr Stanley**

**That Council by ABSOLUTE MAJORITY:**

- 1. Declare, in accordance with section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2017 ordinary elections together with any other elections or polls which may be required; and**
- 2. Declare, in accordance with section 4.61(2) of the Local Government Act 1995, that the method of conducting the election will be as a postal election.**

**CARRIED 9/0**

**Background:**

The 2017 local government elections will be held on Saturday, 21 October 2017 and, therefore, Council is required to determine whether the election will be held as an "in person" election on the day or as a postal election, as has been the Shire's practice since 1999.

For the Shire of Collie, five (5) Councillors' positions will become vacant. Those Councillors whose terms expire in October 2017 are:

- 1) Cr Nola Green
- 2) Cr John Piavanini

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- 3) Cr Wayne Sanford
- 4) Cr Sarah Stanley
- 5) Cr Neil Martin

With respect to recent postal elections the Council has received favourable voter returns:

2011 – 39.2%  
2013 – no election required  
2015 – 34.35% [state average participation rate 27.50%]

**Statutory and Policy Implications:**

The Local Government Act 1995 provides for Council to resolve to conduct elections by postal voting and if so, for the Western Australian Electoral Commission (WAEC) to undertake that task on Council's behalf. The WAEC must appoint a Returning Officer to conduct the election. This appointment must be made at least 80 days prior to the elections.

**Budget Implications:**

A cost estimate for the 2017 election has been provided by the WAEC as \$33,000 inclusive of GST. This is an increase of \$5,000 over 2015 election costs even though there are only five (5) vacancies in 2017 compared to six (6) vacancies in 2015.

The estimate is based on the following assumptions:

- 6,500 electors;
- Response rate of 40%;
- 5 vacancies;
- Count to be conducted at the Shire of Collie offices;
- Appointment of a local Returning Officer; and
- Regular Australia Post delivery service to apply.

In addition, there are computer support and staff costs of approximately \$1,000 associated with the count on the day of the election and into the evening of the count.

**Communications Requirements:** (Policy No. C1.7)

Nil

**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 5.1.2: Promote the role of Council by informing, resourcing, skilling and supporting Elected Members

Action 5.1.2.3: Facilitate the Council Election process

**Relevant Precedents:**

All Shire of Collie elections since 1999 have been conducted as postal elections by the WAEC.

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**Comment:**

As noted above, the Electoral Commissioner has advised the Shire in writing that if Council so required, he would agree to be responsible for the conduct of the October 2017 Shire of Collie Council elections in accordance with section 4.20(4) of the *Local Government Act 1995*.

This being the case, Council needs only to resolve in accordance with Section 4.61(2) of the Local Government Act 1995 by *Absolute Majority* the method of conduct for the upcoming election, which is again recommended to be postal.

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**14.2 Local Law Adoption – Shire of Collie Bush Fire Brigades Local Law 2017**

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Allison Fergie – Director Corporate Services
<b>Accountable Manager:</b>	David Blurton – Chief Executive Officer
<b>Legislation</b>	WA Local Government Act 1995, Bush Fires Act 1954
<b>File Number:</b>	LAW/001
<b>Appendices:</b>	Yes – Appendix 5 and 6
<b>Voting Requirement</b>	Absolute Majority

**Report Purpose:**

To present the submissions received in regards to the Council's proposed *Shire of Collie Bush Fire Brigades Local Law 2017* and for Council to formally adopt the new local law.

**7466**

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

**Moved: Cr Miffling**

**Seconded: Cr Faries**

**That Council by ABSOLUTE MAJORITY adopts the Shire of Collie Bush Fire Brigades Local Law 2017 as presented in Appendix 5.**

**CARRIED 9/0**

**Background:**

The Council resolved at its meeting on 24 January 2017 the following in relation to the above Local Law.

*7297 - 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.*

As per legislative requirements, a copy of the proposed Local Law was advertised by local and state-wide public notice and a copy of the Law was provided to the Minister for Local Government. The Council was required to advertise the proposed law for a period of no less than 6 weeks (as per section 3.12 (3) (a) (iii) of the act) and consider any submissions received in regards to the law at the close of this period.

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Prior to the submission period, comment relating to the manner of bush fire brigades making payments was received. Comment received from the Department of Local Government and Communities and the Department for Fire and Emergency Services can be found at Appendix 5.

**Statutory and Policy Implications:**

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*

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- (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 —*  
*“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.]*

**Budget Implications:**

Payment for local advertising of the new local law and for publication in the Government Gazette.

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

The new Law will be required to be advertised in the Government Gazette.

**Minister's Directions – pursuant to s. 3.12(7) of the LG Act 1995**

**Please note:** Once the Shire has published a local law in the *Government Gazette*, the Shire must comply with the requirements of the Minister's *Local Laws Explanatory Memoranda Directions 2010*. The Shire must, within ten working days of the Gazettal publication date, forward the signed Explanatory Memoranda material to the Committee at the current address –

Committee Clerk  
Joint Standing Committee on Delegated Legislation  
Legislative Council Committee Office  
GPO Box A11  
PERTH WA 6837

**Strategic 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:**

Most recently, at its meeting held 27 January 2016 Council resolved:

*6955 - That Council adopts the Shire of Collie Extractive Industries Local Law 2015 as presented in Appendix 3.*

**Comment:**

Comment received prior to the submission period and the submissions received from the Department of Local Government and Communities and the Department of Fire and Emergency Services [Appendix 5] suggested a number of changes and edits.

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These changes are presented in the table below, with the corresponding staff comment next to each issue raised.

<b>Comment from Department of Local Government and Communities</b>	<b>Response</b>
<b>1. Headings</b> Part headings should be bold lower case and centralised.	Change made to draft local law as suggested.
<b>2. Clause 1.1 – Citation</b> It is suggested that the Shire italicise ‘Shire of Collie Bush Fire Brigades Local Law 2017.’	Change made to draft local law as suggested.
<b>3. Clause 1.3 – Repeal</b> It is suggested that the Shire amend clause 1.3 as follows: ‘The Shire of Collie Local Law No. 7 – Bush Fire Brigades as published in the Government Gazette on 16 August 2000 is repealed.’	Change made to draft local law as suggested.
<b>4. Clause 3.1 – Local Government responsible for structure</b> As Clause 3.1 is currently drafted, the “Council” is responsible for ensuring there is an appropriate structure in the bush fire brigades (this differs from the clause title, which refers to the “local government”). The use of the term “Council” may be interpreted to mean that only the Council will be able to make a decision (by vote), even if the matter is minor or procedural. While this is a viable system, the Shire should consider whether this clause reflects the Shire’s intentions. The Shire may wish to replace the reference to the “Council” with the “local government”. This may enable the Shire to delegate certain decisions in accordance with section 5.16 of the Local Government Act 1995 (eg. to a committee).	“Council” replaced with “local government”.
<b>5. First Schedule</b> Schedules should be titles and followed by a reference to the relevant clause in the local law as follows: <b>Schedule 1 – Rules Governing the Operation of Bush Fire Brigades</b> (Clause 1.1)	Changes made to draft local law as suggested.
<b>6. Minor Edits</b> A number of minor edits were suggested - refer to Appendix C.	Changes made to draft local law as suggested.
<b>Other Comment</b>	
<b>7. Clause 7.3 – Banking</b> Give consideration to payment of accounts by EFT as an alternative to payment by cheques. With the advent of electronic banking for all manner of things, it seems to be a bit limiting to only allow payment by cheque, and given time when cheques disappear altogether, a change to the Local law would be necessary to allow for EFT – perhaps we could be proactive and allow for this an alternative now rather than wait for later.	Referred to BFAC and agreed to that both payment by cheque or payment by EFT would be suitable.
<b>Comment from Department of Fire and Emergency Services</b>	
<b>8. Clause 1.2 Definitions</b> <b>Brigade member</b> – the proposed wording of this definition does not align with the types of membership mentioned in Clause 4.1. The definition could be amended to include <i>honorary life members</i> or amended to mean	Amended to include honorary life members.



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<p>the classes of membership as set out in Clause 4.1.  <b>Department</b> - it is recommended the proposed definition is amended to mean 'the department of the Public Service principally assisting in the administration of the Fire and Emergency Services Act 1998'.</p>	<p>Amended as suggested.</p>
<p><b>9. Clause 2.3 Ranks within bush fire brigade</b>                  The proposed clause could be taken to mean that a Bush Fire Control Officer does not have control over brigade members, only other persons fighting the fire. Section 39(1)(f) of the Bush Fires Act 1954 (the BF Act) provides that a Bush Fire Control Officer can take charge and give direction to any bush fire brigade present at a bush fire, and section 35A defines 'volunteer fire fighter' to include a person working under the direction of a Bush Fire Control Officer.                  Section 44(1) of the BF Act references the chain of command if various people are absent and I recommend this provision be used as a guide, noting however that if the BF Act covers a matter there is no need to replicate this in local laws.</p>	<p>Clauses now references Section 44(1) of the BF Act.</p>
<p><b>10. Schedule 1 – Rules governing the operation of bush fire brigades</b>  <b>Part 3 – Functions of brigade officers</b>                  The setting out of officers in clauses 3.2-3.9 are not in the same order as clauses 1.2(2) and 2.2(1)(c). See also clause 4.2(1).) this may lead to confusion regarding the seniority of officers.                  The word 'brigade' should also be used consistently in referring to officers in clause 3.2-3.9.</p>	<p>Changes made to draft local law as suggested.</p>
<p><b>11. Clause 3.1 Chain of command during fire fighting activities</b>                  Given the contents of clause 2.3 and sections 39(1)(f) and 44(1) of the BF Act this clause would appear to be redundant. If this clause is retained then the term 'fire fighting activities' should be replaced with the term 'normal brigade activities' which is defined in section 35A of the BF Act.</p>	<p>Clause retained and term replaced as suggested.</p>
<p><b>12. Clause 3.2 Duties of Captain</b>                  Sub-clause (2) states 'in the absence of the Captain, the meeting may elect another person to preside at the meeting. The definition of 'normal brigade activities' in section 35A(e) includes 'activities associated with the administration of a bush fire brigade'. Therefore, it would be more appropriate for the next most senior officer of the brigade to preside at a meeting in the absence of the Captain.</p>	<p>Clause retained and term replaced as suggested.</p>
<p><b>13. Clause 5.4 Quorum</b>                  Subclause (1) currently states a quorum is to be 'at least 50% of the number of offices (whether vacant or not) of members of the bush fire brigade'. It is unclear if it is intended that a meeting can be constituted with only office holders of the brigade present. Subclause (2) refers to 'a quorum of brigade members' which would imply that subclause (1) should only refer to 'brigade members' as this term includes officers.</p>	<p>Clause amended to refer to brigade members.</p>

The local law now presented at Appendix 6 incorporates all of the above suggested changes.

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**15. DEVELOPMENT SERVICES REPORTS**

**15.1 Proposed Street Rename – Montgomery Street (Northern Section), Allanson**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	Andrew Dover - Director Development Services
<b>Accountable Manager:</b>	Andrew Dover - Director Development Services
<b>Legislation</b>	Local Government Act 1995
<b>File Number:</b>	A4512
<b>Appendices:</b>	Yes - Appendix 7
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

For Council to consider renaming the northern section of Montgomery Street, Allanson to 'Forrestville Street'.

**7467**

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

**Moved: Cr Harverson**

**Seconded: Cr Italiano**

**That Council request the Geographic Names Committee to rename the current portion of Montgomery Street, between Bedlington Street and Renown Street to 'Forrestville' Street, Allanson.**

**CARRIED 9/0**

**Background:**

The Shire of Collie has received a request from the Landgate expressing their concern regarding Montgomery Street, Allanson. The concern arises from the fact that Montgomery Street is non continuous and the numbering system is not consecutive. This may cause confusion and response delays in an emergency situation as emergency crews find the correct address. As such, Landgate have asked the Shire to rename the northern portion of Montgomery Street between Bedlington Street and Renown Street/Francis Road.

It is proposed to rename this section of Montgomery Street to Forrestville Road as this road terminates where the historic Forrestville Mine was located near the current Allanson School. An extract from 'Our Little Bush School' by Ailleen Rusconi and Esther Saunders provides further information on this name and location of the mine. The relevant sections of this book are attached at Appendix 7.

**Statutory and Policy Implications:**

Street names are allocated by the Geographic Naming Committee [GNC] under the Land Administration Act 1997.

Recommended names are suggested by Council and approved by the GNC in accordance with *Policies and Standards For Geographical Naming In WA, 2015*. The proposed name complies with these guidelines.

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**Budget Implications:**

Nil

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

While there are a number of properties which face this section of Montgomery Street, only one property has an address from this street. The Shire has written to the landowners involved and has received an email of support to this change to Forrestville Street. This email is attached at Appendix 7.

**Strategic 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.

**Relevant Precedents:**

Street names are determined by Council as and when new streets are proposed. There are guidelines issued by the Geographic Names Committee that define how streets can be named.

**Comment:**

Renaming this section of road will assist first responders and other visitors to locate this street as Montgomery Street is split by Allanson School and Allanson Oval. The proposed street name complies with the Geographic Names Committee's guidelines and has been chosen because of the historical significance and local connection of this name.

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Section of road proposed to be renamed.

Alternative pre-approved names for Allanson are 'Bardi' and 'Della'. These names require further research and justification prior to submission to the GNC.

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**15.2 Cat Registration Amnesty**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	Andrew Dover - Director Development Services
<b>Accountable Manager:</b>	Andrew Dover - Director Development Services
<b>Legislation</b>	Cat Act 2011
<b>File Number:</b>	N/A
<b>Appendices:</b>	No
<b>Voting Requirement</b>	Absolute Majority

**Report Purpose:**

For Council to consider an amnesty to encourage cat registrations from 1 July – 31 October 2017.

**7468**

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

**Moved: Cr Martin**

**Seconded: Cr Miffling**

**That Council:**

- 1. Implement and advertise an amnesty for cat registrations from 1 July- 31 October 2017 for the 17/18 registration year; and**
- 2. By absolute majority waive the annual cat registration fees for the period between 1 July- 31 October 2017.**

**CARRIED 5/4**

**Background:**

The Cat Act 2011 requires that all cats more than 6 months old are microchipped, sterilised and then registered with the Shire. The purpose of this is to encourage responsible pet ownership and aims to reduce the number of unwanted cats in the community. Microchipping and registration will ensure that your cat is returned to you if they become lost.

By registering all owned cats, any unowned cats can be captured and either rehomed or humanely destroyed. In addition, the requirement for all cats to be sterilised will reduce the number of cats born to owned cats. Cat registration costs are:

- Annual \$20
- 3 years \$42.50
- Lifetime \$100

Concession holders receive a 50% discount on registration fees.

Special cat breeding registrations costing \$100 are available from the Shire. These are valid for 12 months and does not remove the requirement that each cat must be individually microchipped and registered regardless of sex.

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**Statutory and Policy Implications:**

The Shire of Collie is required under the Cat Act 2011 to ensure as far as reasonably possible that all cats within the Shire boundaries are microchipped, sterilised and registered.

**Budget Implications:**

The cat registration amnesty will give free registrations to all current and new cats to be registered for the 17/18 registration year. Registration is \$20 per year. There are currently 147 registered cats (1 year registration). This is a budget implication of \$2,940 in addition to any new cats which are registered because of the amnesty.

For every new cat that is registered because of this amnesty, the Shire will receive \$20 registrations in subsequent years. It is hoped that this amnesty will double the number of cats registered. If this occurs, this amnesty will pay for itself in 1 year.

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

The Shire will place advertisements in the Collie Mail, Southwest Times, Facebook and on the Shire website and will also issue a press release if this proposal proceeds. In addition, the Collie Vet have committed to run a concurrent cat microchipping and sterilisation campaign including discounts for these services. The Collie Vet will text message all current clients advising them of this campaign and the Shire's amnesty.

**Strategic Plan Implications:**

Strategy 5.1: Good governance and leadership.

Outcome 5.1.1: Administer Local Laws and ensure compliance with statutory obligations.

**Relevant Precedents:**

Nil.

**Comment:**

Currently there is significant non compliance with the Cat Act 2011 which requires all cats to be registered with the Shire. There are currently 147 cats registered for 1 year and an additional 46 cats which are registered for 3 years or lifetime periods. This total of 193 cats is a very small number for the population within the Shire. According to the RSPCA, there are 15 cats to every 100 people in Australia. This compares to the registration rate of 2 cats per every 100 people in Collie.

This amnesty will enable the Shire to work with the Collie Vet join in a registration, microchipping and sterilisation campaign to ensure that

1. Owned cats can be returned to their owner;
2. Feral cats (as unregistered) can be recognised and rehomed or euthanised;  
and
3. Limit the number of unwanted cats through sterilisation

This will increase the number of registered cats and will ensure that the Shire complies with the requirements of the Cat Act.

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**15.3 Parking and Parking Facilities Amendment Local Law 2017**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	Andrew Dover – Director Development Services
<b>Accountable Manager:</b>	Andrew Dover – Director Development Services
<b>Legislation</b>	Local Government Act 1995
<b>File Number:</b>	GOV/041
<b>Appendices:</b>	Yes – Appendix 8 and 9
<b>Voting Requirement</b>	Absolute Majority

**Report Purpose:**

To bring the penalties prescribed in the *Parking and Parking Facilities Local Law* into line with other Local Government's Local Laws and the Shire's other Local Laws.

**7469**

**Officers Recommendation/Council Decision:**

**Moved: Cr Stanley**

**Seconded: Cr Martin**

**That Council:**

- 1. Notes the purpose of the Shire of Collie Parking and Parking Facilities Amendment Local Law 2017 is to provide for the orderly management of the Shire's designated public parking areas; and**
- 2. Notes the effect of the Shire of Collie Parking and Parking Facilities Amendment Local Law 2017 is that adequate measures are in place to control parking and stopping areas generally within the Shire of Collie.**

**CARRIED 9/0**

**Background:**

Council have resolved 'to bring the penalties prescribed in the *Parking and Parking Facilities Local Law* into line with other Local Government's Local Laws and the Shire's other Local Laws' on 18 April 2017. The resolution is below:

**7401**

*That Council:*

- 1. Advertises its intention to amend the Parking and Parking Facilities Local Law 2012 as per Table 1 and forward a copy of the proposed amendment to the Local Law to the Department of Local Government for the Minister's consideration;*
- 2. Notes the purpose of the Shire of Collie Parking and Parking Facilities Local Law 2012 is to provide for the orderly management of the Shire's designated public parking areas; and*
- 3. Notes the effect of the Shire of Collie Parking and Parking Facilities Local Law 2012 is that adequate measures are in place to control parking and stopping areas generally within the Shire of Collie.*

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However, the Department of Local Government and Communities (DLGC) have requested that this process be recommenced as the process to amend a local law is different than resolved above. DLGC have stated that the process to make a new local law is to create a new 'Amendment Local Law' which states that it amends the Parking and Parking Facilities Local Law 2012. Staff were not previously aware or advised of this process.

The Parking and Parking Facilities Amendment Local Law 2017 is at Appendix 6.

**Statutory and Policy Implications:**

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 —*



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- (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 —*
- “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:**

Nil.

**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 law. If as a result of public comments, there are significant amendments to the proposed local laws, then the advertising process must recommence.

**Strategic Plan Implications:**

Strategy 5.1.5 Administer Local Laws and ensure compliance with statutory obligations.

**Relevant Precedents:**

As outlined within the background to this report.

**Comment:**

The original report is attached at Appendix 8. This report gives background and further comment on the necessity for an amendment to this local law.

DLGC has advised that the advertising undertaken as a result of Council Resolution 7401 is sufficient and that further advertising is not necessary. As such, there are no additional advertising costs or delays to this process. Advertising for this proposed local law is due to be completed 4PM 30 June 2017.

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**16. TECHNICAL SERVICES REPORTS**

**16.1 Purchase of Turf Corer/ Auger**

<b>Reporting Department:</b>	Technical Services
<b>Reporting Officer:</b>	Brett Lowcock – Director Technical Services
<b>Legislation</b>	N/A
<b>File Number:</b>	
<b>Appendices:</b>	No
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

Seek Councils endorsement on the purchase of a Turf Corer/Auger

**7470**

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

**Moved: Cr Stanley**

**Seconded: Cr Harverson**

**That Council approves the Purchase of Ryan Tracaire 72"Tractor Mounted Aerator and its attachment from Western AG Pty Limited for a cost of \$16,460 ex GST.**

**CARRIED 9/0**

**Background:**

At Council's meeting on 19<sup>th</sup> April 2016 motion 7033 was passed by Council;

7033

*That Council adopts en bloc the recommendations contained within the minutes of the Plant Committee meeting held on 11 April 2016:*

*11.10.4 Purchase of a Turf corer/auger attachments for our tractors at an estimated cost of \$25,000*

**Statutory and Policy Implications:**

Quotes were requested for supply of Turf Corer/Auger

**Budget Implications:**

The purchase of a Turf Corer/Auger for \$25,000 is included in the Councils 16/17 budget.

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

Nil

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**Strategic Community Plan Implications:**

The item has the following links with the Strategic Community Plan 2013-2022.

OUTCOME 3.4 – Council buildings and service related assets that support community needs.

*Strategy 3.4.3: Ensure service related machinery, vehicles and equipment are provided and maintained in accordance with asset management principles*

OUTCOME 3.5 – A sustainable asset and infrastructure base.

Strategy 3.5.4: Develop and implement long-term asset management plans for all Council assets

**Relevant Precedents:**

Nil

**Comment:**

Quotes for the supply of a new Turf Corer/Auger were received from Western AG Pty Ltd and Bunbury Machinery with two different options.

<b>Company</b>	<b>Turf Corer/Auger</b>	<b>Amount (ex GST)</b>
Bunbury Machinery	Ryan Tracaire 72" Tractor Mounted Aerator	\$20,510
Bunbury Machinery	Wiedenmann Terra Spike Aerator 1400mm Working Width	\$30,100
Western AG Pty Ltd	Ryan Tracaire 72" Tractor Mounted Aerator	\$16,460

The coring of ovals and parks is currently outsourced at an approximate annual cost of \$7,000. The Turf corer/auger attachment for our tractor would be a cost-effective option to purchase outright. The expected life of the attachment is 10 to 15 years, and is therefore cost effective to buy Turf Corer outright. This would also allow a greater area of our ovals and parks to be cored, as presently only the areas that fit within the parks budget are cored/aerated

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

Nil

**18. QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN**

Cr Italiano

Could Council's senior staff provide with each full council agenda a list of works to be undertaken in the next four to eight weeks. The list should include a brief description and include all structural works, such as the recently installed traffic calming device in Prinsep Street. It should not include regular maintenance works.

Staff Comment;

This can be provided as a document of interest; however it should be acknowledged that this report will add an administrative task to Council's processes. In addition, some urgent works may be required to be undertaken which have not been identified on the list.

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

Nil

**20. ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS**

Cr Green

- Tidy Towns Judges will be in Collie on Thursday 29<sup>th</sup> June.

Cr Sanford

- Thursday 8<sup>th</sup> June, along with the CEO attended a meeting with the Hon David Templeman, Minister for Local Government, Heritage, Culture and the Arts at the invitation of the Local Member for Collie Preston, The Hon Mick Murray. The meeting was provided to allow the CEO and I to inform the Hon Minister of a number of issues, particularly within his Local Government portfolio, and seek his support to further examine ways to assist the Shire of Collie. The Hon Minister was briefed on council's concern relating to the exemption of rates for charitable purposes and how this has the potential to impact councils rating revenue. We also spoke to the Minister about the financial impact the WA Grants Commission decision to change its methodology in allocating the Financial Assistance Grants from the Federal Government and how this has been a major burden on the Shire of Collie and its ratepayers. It was pleasing that the Hon Minister requested that the council re submit our prior submissions for review of the Grants Commissions decision. We also took the opportunity to bring to the attention of the Minister the policy of the previous State Government which was that it intended to divest the government of ownership of property related to early education centres in Western Australia. The Minister gave a commitment to undertake some policy research on the matter and provide a response back to the CEO. We were limited for time with the Minister and Local Member but however did confirm with them that a review of the Local Government Act would be commenced in the near future and that there would be ample opportunity for Local Governments and wider community stakeholders to make submissions. I thanked both Minister Templeman and the Local Member the Hon Mick

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Murray for the opportunity and invited both Ministers to meet with Council at some point if possible.

David Blurton

- 1st June - met with Chris Talentyne - Parliamentary Secretary to Minister for Forestry - Re: Expansion of Wellington National Park
- 6th June - Met with Tony Cheng and a number of Councillors to receive a presentation regarding a potential Solar Project for Collie.
- 8th June - with Shire President met with Hon. David Templeton Minister for Local Government; Heritage; Culture and the Arts and local member Hon. Mick Murray Minister for Seniors and Ageing; Volunteering; Sport and Recreation.
- 8th June - Met with DFES and OBRM representatives regarding draft Bush Fire Risk Management Plan and presenting to Council. A commitment was given to attend Council meeting on 11th July.
- 12th June - attended Bunbury Wellington Group of Councils meeting including Regional Tourism Strategy Steering Committee meeting in Donnybrook
- 16th June - with 7 Councillors and 2 staff attended Community Strategic Planning workshop.

**21. COUNCILLOR DOCUMENTS OF INTEREST**

- Building Approvals for May 2017 (Attached)
- Building Statistic 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 10
- 'All Open' at Appendix 11

Press left the room 10.04pm.

**24. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC**

**7471**

**Moved: Cr Faries**

**Seconded: Cr Harverson**

**That Council moves In Committee.**

**CARRIED 9/0**

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**24.1 Confidential Memo**

**7472**

<b>Moved: Cr Faries</b>	<b>Seconded: Cr Martin</b>
<b>That Council moves out of In Committee.</b>	
<b>CARRIED 9/0</b>	

**25. CLOSE**

The Shire President thanked Council and Staff for their attendance.

The Presiding Member declared the meeting closed 10.24pm.

I certify that these Minutes were confirmed at the Ordinary Meeting of Council held on Tuesday, 11 July 2017.

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Presiding Member

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Date