



MINUTES

of the

ORDINARY MEETING OF COUNCIL

held on

Tuesday, 24 October 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 October 2017 commencing at 7:00pm.

1. OPENING/ATTENDANCE/APOLOGIES & LEAVE OF ABSENCE

PRESENT:	Sarah Stanley	Councillor (Presiding Member)
	Ian Miffing JP	Councillor (Deputy Member)
	Jodie Hanns	Councillor
	Rebecca Woods	Councillor
	Brett King	Councillor
	Michelle Smith	Councillor
	Leonie Scoffern	Councillor
	Joe Italiano	Councillor
	Gary Faries	Councillor
	Elysia Harverson	Councillor
	David Blurton	CEO
	Brett Lowcock	Director Technical Services
	Allison Fergie	Director Corporate Services
	Andrew Dover	Director Development Services
	Khushwant Kumar	Finance Manager
	Pam Ahlin	Acting CEO PA

GALLERY: Shannon Wood and Jemillah Dawson (Collie Mail), Darryl King,

APOLOGIES:

- 1.1 Councillors granted Leave of Absence at previous meeting/s.
Cr Hanns was granted leave of absence at Special Meeting of Council 24 October 2017.
- 1.2 No Councillors requested Leave of Absence for future Ordinary Meetings of Council.
Nil
- 1.3 Councillors who are applying for Leave of the Absence for this Ordinary Meeting of Council.
Nil

2. AUSTRALIAN CITIZENSHIP CEREMONY

Nil

3. PUBLIC QUESTION TIME

NIL

4. RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

The following questions were taken on notice for further clarification;

EFT21724 – Supply and Fit rain cap to Rego 0075CO

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Response:

EFT 21515- General stationery items for Collie SES

This is for the SES annual stationery order. SES is still on a manual paperwork system and are not provided assistance from DFES for the admin side of the work. This is from ESL and was within budget. Various items purchased are Archive Boxes, Laminating pouches, Dividers A4 size, Box files, Wallet Document, Stick on note, correction tapes etc.

EFT 21499- Supply Alternator to Mercedes Benz Tip Truck

This is our Sterling Truck License Plate 75CO

EFT 21653- Replacement tool box

The tool box is purchased for Holden Colorado LS 4X4 C/CAB Rego: 117 CO

5. DISCLOSURE OF FINANCIAL INTEREST

Councillor/Staff	Agenda Item	Disclosure
Cr Italiano	11.1	Impartial: Member of Golf Club
Mr. Blurton	11.1	Impartial: Member of Golf Club
Cr King	14.1	Financial: Wife works in Council finance department
Cr King	14.2	Financial: Wife works in Council finance department

Chief Executive Officer advised council that he would confirm with the Local Government Authority as to whether Cr King would have to make a declaration of interest for each meeting regarding his wife working for the Shire of Collie.

6. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

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

Nil

8. ITEMS BROUGHT FORWARD DUE TO INTEREST BY ATTENDING PERSONS

Nil

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11.3 Receipt of the Minutes of the Weeds and Waterways Advisory Committee
7603

Recommendation/Council Decision:

Moved: Cr Faries

Seconded: Cr Harverson

That Council receives the minutes of the Weeds and Waterways Advisory Committee held on 5 October 2017.

CARRIED: 10/0

11.4 Adoption of the Recommendations of the Weeds and Waterways Advisory Committee Receive minutes

Recommendation:

Council adopts en bloc the recommendations contained within the minutes of the Weeds and Waterways Advisory Committee held on 5 October 2017;

11.2.1: To advertise immediately to Council the Public Member positions for the Weeds and Waterways Advisory Committee.

11.2.2: That Council express their disappointment at not being invited to the meeting between the Shire of Collie and the Department of Water.

11.2.3: That Council commend the Shire's Parks and Gardens department regarding their prompt and effective treatment of weeds over the last 18 months.

11.2.4: That Council thanks Cr Nola Green for their ongoing commitment to the Weeds and Waterways Committee.

11.2.5: That the Weeds and Waterways Advisory Committee Council will not hold their scheduled meeting on the 2 November 2017 and will convene the next meeting of the Committee 7 December 2017.

Staff Comment:

In regard to item 11.2.2 the meeting referred to was operational in nature and related to future options to irrigate Council Parks and Reserves

7604

Council Decision:

Moved: Cr Harverson

Seconded: Cr Woods

Council adopts en bloc the recommendations contained within the minutes of the Weeds and Waterways Advisory Committee held on 5 October 2017;

11.2.1: To advertise immediately to Council the Public Member positions for the Weeds and Waterways Advisory Committee.

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11.2.3: That Council commend the Shire's Parks and Gardens department regarding their prompt and effective treatment of weeds over the last 18 months.

11.2.4: That Council thanks Cr Nola Green, Martin and Yates for their ongoing commitment to the Weeds and Waterways Committee.

11.2.5: That the Weeds and Waterways Advisory Committee Council will not hold their scheduled meeting on the 2 November 2017 and will convene the next meeting of the Committee 7 December 2017.

CARRIED 10/0

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

13. CEO REPORTS
Nil

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14. CORPORATE SERVICES REPORTS

14.1 Financial Report – September 2017

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 One
Voting Requirement	Simple Majority

Report Purpose:

This report provides a summary of the Financial Position for the Shire of Collie for the month ending September 2017.

Cr King declared a financial interest in this item and left chambers at 7.12 pm.

7605

Officers Recommendation/Council Decision:

Moved: Cr Italiano

Seconded: Cr Harverson

That Council accept the Financial Report for September 2017 as presented in Appendix One.

CARRIED: 9/0

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 One.

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

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Relevant Precedents:

N/A

Comment:

The report provided to Council as Appendix One 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. **Law, Order, and Public Safety is \$11,827 under budget predominantly due to less revenue from Dog and Cat Registration fee (\$7,665) and Revenue from Bushfire Risk Management Pilot Project (\$ 3,958). Dog and Cat registration revenue is due to timing factor and will be recovered in the month of October.**
2. Recreation and Culture is \$63,853 under budget due to delay in Swimming Pool revenue (\$27,498) and receipts of Town Site Mountain Bike Trail Project grant (\$40,873). Both these revenues are under-budget due to timing factor.
3. Other Property and Services is \$42,540 under budget due to Profit on Asset Sale – PWO (\$22,500), Workers Comp- Reimbursement (\$8,748) and Private works revenue (\$7,086). Profit on Asset Sale- PWO is under budget due to expected sale of Elouera road property and it is a timing factor.

Operating Expenditure by Program

4. Governance is over budget and all other programs are under budget as the admin allocation, plant allocation and depreciation processes have not yet been run. These will remain outstanding until the 2016/17 annual report process has been finalised.

Operating Revenue by Nature and Type

5. Grants and Subsidies are under budget by \$276,722 due to FAG grant for 2017-18 received in 2016-17. Further Road related grants are still not received for which claim is already submitted.
6. **Contributions and reimbursements are \$14,534 under budget due to worker's compensation Reimbursement and insurance Reimbursement being under budget**

Operating Expenditure by Nature and Type

7. Utility charges are \$24,728 under budget as payment is yet to be made for few electricity accounts.
8. Depreciation is \$858,051 under budget as Q1 2017/18 depreciation expenses have not been posted; these will be processed after the 2016/17 annual report has been finalised.

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9. Insurance is over budget \$51,180 mainly due to annual premiums LGIS and other Workers compensation insurance. This is due to timing factor
10. Other Expenditures are under budget by \$12,000 due to allocation issue and will be rectified in the next month.
11. Profit on disposal of Assets is under budget by \$22,500 due to expected sale of Elouera road property and it is a timing factor

Non-Operating Expenditure

12. Capital purchases are currently under budget year to date due to committed funding not yet received. Capital projects will continue to be monitored by the executive team, and major projects for 2017/18 are identified in the following table;

Project	Original Budget	YTD Actual	Comment
MSW Upgrade Project	2,863,082	533,208	Project progress going satisfactory
Regional Road Group works	710,000	18,383	Work on Mornington road commenced
Roads to Recovery works	263,500	17,165	Work on Siding road commenced
Footpath Program	259,800	0	Work due to commence in November 2017
Special Projects	545,899	38,142	Drainage improvement and Gravel Re-sheeting work commenced

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14.2 Accounts Paid – September 2017

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 Two
Voting Requirement Simple Majority

Report Purpose:

To present the accounts paid during the month of September 2017.

Cr King has declared a financial interest in this item and remained out of the chambers.

7606

Officer’s Recommendation/Council Decision:

Moved: Cr Faries

Seconded: Cr Italiano

That Council accepts the Accounts as presented in Appendix Two being vouchers 41207-41228 and 3141-3142 totalling \$44,734.76 and direct payments totalling \$2,567,115.35 authorised and paid in September 2017.

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 2017/18	EFT 2017/18	Total Payment 2017/18
July	17,289.27	620,653.33	637,942.60
August	59,402.25	1,027,901.20	1,087,303.45
September	44,734.76	2,567,115.35	2,611,850.11
October			
November			
December			

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Month	Cheques 2017/18	EFT 2017/18	Total Payment 2017/18
January			
February			
March			
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 Two.

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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.*

Prior to adoption, comment was received from the Department of Local Government and Communities and the Department of Fire and Emergency Services, following which a number of changes and edits were made prior to adoption of the local law. On 18 April 2017 Council resolved:

7398 – That Council adopts the Shire of Collie Bush Fire Brigades Local Law 2017 as presented in Appendix 3.

A copy of the current *Shire of Collie Bush Fire Brigades Local Law 2017* is provided at Three for reference.

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:

Budget Implications:

Advertising required to amend the local law.

Communications Requirements: (Policy No. CS 1.7)

Statutory advertising as required for amendment of a local law.

Strategic Community Plan Implications:

Goal 5 Our Business – Good governance through 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.

Relevant Precedents:

Council has previously amended local laws, most recently, at its meeting held 1 August 2017 Council resolved:

7514 - That Council by ABSOLUTE MAJORITY adopts the Shire of Collie Parking and Parking Facilities Amendment Local Law 2017 as presented in Appendix 11.

Comment:

The Joint Standing Committee on Delegated Legislation (the Committee) has now requested that Council provide a letter signed by the Shire President undertaking to make the following amendments to the Shire of Collie Bushfire Brigades Local Law 2017:

The Committee acknowledged in its request that the WALGA template bush fire brigades local law is the source of two of the drafting errors.

The Committee requests that Council provide (by letter signed by the Shire President) the following undertakings:

1. Within six months after the date of the letter providing the undertakings, the

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Council will:

- a) amend the definition of 'Rules' in clause 1.2(1) by deleting the words '*as varied from time to time under clause 2.5*'
 - b) amend the definition of 'local law' in Schedule 1, clause 1.1(2) by adding '20/7' after '*Law*'
 - c) amend Schedule 1, clause 2.3(d) by replacing 'LG' with 'local government'
 - d) amend Schedule 1, clause 2.6 by replacing '*Department of Fire and Emergency Services*' with 'Department'
 - e) amend Schedule 1, clause 2.11(c) by replacing the cross-reference to '*clause 2.8(1)*' to '*clause 2.8(2)*'
 - f) amend Schedule 1, clause 3.8(h) by replacing '*CBFCO*' with 'Chief Bush Fire Control Officer'
 - g) amend Schedule 1, clause 4.2(5) by replacing '*ne*' with 'be'
 - h) amend Schedule 1, Part 7 by inserting a clause which has the same effect as Schedule 1, clause 7.1 of the WALGA template
 - i) make all the necessary consequential amendments arising from the above amendments.
2. In the meantime, the Local Law will not be enforced in a manner contrary to the undertakings given.
 3. Where the local law is made available to the public, whether in hard copy or electronic form, it be accompanied by a copy of these undertakings.

Point 1(h) above which refers to Schedule 1, clause 7.1 of the WALGA template provides for the setting of membership fees for bush fire brigades. While Council did not wish to impose membership fees on volunteer bush fire brigade members, the Committee considers that the clause would be useful to the Shire's bush fire brigades.

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14.4 Adoption of the Shire of Collie Access and Inclusion Plan (AIP) 2017-2021

Reporting Department:	Corporate Services
Reporting Officer:	Allison Fergie – Director Corporate Services
Accountable Manager:	Allison Fergie – Director Corporate Services
Legislation	N/A
File Number:	GOV/022
Appendices:	Yes – Four
Voting Requirement	Simple Majority

Report Purpose: To adopt the updated Shire of Collie Access and Inclusion Plan 2017-2021 to meet Council and regulatory requirements.

7608

Officer's Recommendation/Council Decision:

Moved: Cr Faries

Seconded: Cr Italiano

That Council adopt the Shire of Collie Access and Inclusion Plan 2017-2021 as attached with any amendments noted by ~~strikethrough~~ or underline.

CARRIED: 10/0

Background:

The Shire of Collie's Disability Access and Inclusion Plan 2013-2017 was developed by Shire staff and the Disability Access and Inclusion Committee, and adopted by Council on 7 May 2013 [Council Resolution # 6053]. Following changes to the requirements of DAIP's by the Disability Services Commission an Addendum to the Shire's DAIP was completed to include Outcome 7 and subsequently adopted by Council on 7 July 2015 [Council Resolution # 6780].

Advice was received from the Disability Services Commission that the Shire's DAIP was due for review and updating during 2017.

DAIP's / AIP's are required to be reviewed and updated in accordance with the Disability Service Regulations 2004.

In accordance with the requirements of the Regulations community consultation was undertaken from 15 June to 20 July 2017, inclusive. The consultation was via a survey which was available online, in paper copy at various locations, distributed via email and paper copies delivered with the assistance of Meals on Wheels. A total of 16 responses were received to the survey. The Plan was reviewed by the Disability Access and Inclusion Committee, with the final draft provided to the Committee for their review and also provided to the Disability Services Commission to ensure it meets the requirements of the Disability Service Regulations 2004. Comments received back from staff at the Disability Services Commission were:

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"I have had a look at the draft copy of the DAIP for the Shire and it is very comprehensive. I would suggest though that the availability of alternative formats is added to the front page of the DAIP document as this will save people with disability having to trawl through the document."

This suggestion was incorporated with the document now displaying the alternative formats text on the front page as well as in the body of the document.

Statutory and Policy Implications:

N/A

Budget Implications:

Nil.

Communications Requirements: (Policy No. CS 1.7)

Advertising of final report availability.

Strategic Community Plan Implications:

Outcome 1.1: Health, education and family support services that are accessible and meet the needs of the community.

Strategy 1.1.3: Support the provision of a range of facilities and services to ageing in place in our community.

Strategy 1.1.: Ensure people with disabilities can access and use both Shire and general facilities and services.

Outcome 4.5: Council buildings and service related assets that support community needs.

Strategy 4.5.1: Manage and maintain public buildings, facilities and public amenities.

Outcome 5.1: Good governance and leadership.

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

Outcome 5.2: Effective and efficient people and corporate services.

Strategy 5.2.1: Develop and implement a workforce plan and appropriate human resource management policies and procedures to provide opportunities for our staff in a safe and supportive environment.

Relevant Precedents:

The Shire of Collie Disability Access and Inclusion Plan 2013-2017 and Addendum to the Plan were previously adopted by Council.

Comment:

The Shire is required to provide an annual report to the Disability Services Commission on projects undertaken and areas of compliance with the AIP.

When the Access and Inclusion Plan 2017-2021 is adopted by Council it will be provided to Disability Services Commission for their records.

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15. DEVELOPMENT SERVICES REPORTS

Nil

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 Faries advised fellow Councillors that he represented Council at the recent Collie Adventure Race Event.

Mr. Lowcock Director of Technical Services – presented Councillors an A3 map of Mungilup Road identifying a plan to reduce vehicle speed in this area. Mr. Lowcock will cost the plan in the first instance and bring to council his recommendations after completing the departments consultation processes. Mr Lowcock advised that the most likely source of funding for this would be through the roads recovery monies. Speed cushions are the preferred solution from Main Roads.

21. COUNCILLOR DOCUMENTS OF INTEREST

Building Building Approvals for September 2017- Appendix Five of Agenda
Building Statistic Comparison Table – Appendix Six of Agenda

22. ELECTED MEMBERS TRAINING OPPORTUNITIES

Please refer to the Appendix Seven of the Agenda 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 Eight
- 'All Open' at Appendix Nine
-

The annual prize draw for early payment of rates was conducted by Finance Manager Mr Kumar

Winner was:

A4854 – 10 Williams Road – Collie – Ewan Davies.

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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 7.44 pm.

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

.....

Presiding Member

.....

Date