



# MINUTES

of the

## ORDINARY MEETING OF COUNCIL

held on

Tuesday, 14 November 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, 14 November 2017 commencing at 7:01pm.

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

<b>PRESENT:</b>	Sarah Stanley	Councillor (Presiding Member)
	Ian Miffing JP	Councillor (Deputy Member)
	Jodie Hanns	Councillor
	Rebecca Woods	Councillor
	Brett King	Councillor
	Michelle Smith	Councillor
	John Piavanini	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
	Jay Bundela	Assistant Accountant
	Belinda Dent	CEO PA

**GALLERY:** Mr Brian McCormack (left Council Chambers 7.25pm)  
Mr Brett Lynch and Mrs Maria Lynch (left Council Chambers 7.08pm)

**APOLOGIES:**

- 1.1 Councillors granted Leave of Absence at previous meeting/s.
- 1.2 Councillors requesting Leave of Absence for future Ordinary Meetings of Council.
- 1.3 Councillors who are applying for Leave of the Absence for this Ordinary Meeting of Council.

**2. AUSTRALIAN CITIZENSHIP CEREMONY**

Nil

**3. PUBLIC QUESTION TIME**

Mr McCormack directed a question to the Director of Technical Services Mr Lowcock regarding the location of speed calming devices on Mungalup Road.

Mr Lowcock advised that consultation will take place with residents in the future regarding location of speed calming devices on Mungalup Road.

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

The following question was taken on notice for clarification;

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EFT21724 – Supply and Fit rain cap to Rego 0075CO

**Response:**

EFT 21724 - The purchase described as "Supply and Fit rain cap to Rego 0075CO" also included modifications/repairs to the exhaust pipe. The exhaust pipe has been damaged when the tipper was used on uneven ground causing the body to flex and thereby hitting and damaging the exhaust pipe.

**5. DISCLOSURE OF FINANCIAL INTEREST**

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

Councillor/Staff	Agenda Item	Disclosure
Cr Wood	Item 16.1 - Proposed Additions to 2017/18 Roads to Recovery Program	Impartial
Cr Smith	Item 15.1 – Heritage List	Financial
Mrs Fergie	Item 15.1 – Heritage List	Financial

**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**

Item 15.2 has been brought forward due to interest by attending persons.

**15.2 Variation to Outbuilding Wall and Apex Height 183 Railway Pde, Allanson**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	James Packer – Shire Planner
<b>Accountable Manager:</b>	Andrew Dover – Director Development Services
<b>Legislation</b>	Planning and Development Act 2005 WA Local Government Act 1995
<b>File Number:</b>	A3746
<b>Appendices:</b>	Yes – Appendix 12 Plans and Photos 183 Railway Pde
<b>Voting Requirement</b>	Simple Majority

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**Report Purpose:**

For Council to consider a request for permission to construct an outbuilding with wall and apex heights in excess of that allowable under Local Planning Policy 2.1 – Outbuilding Control.

**7626**

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

**Moved: Cr Faries**

**Seconded: Cr Piavanini**

That Council pursuant to the provisions of the Planning and Development Act 2005, in relation to Planning Application No. P066/17 for an Outbuilding at 183 Railway Parade, Allanson hereby resolves to approve the applicant's wall and apex height variations in consideration of the applicant's justification and the neighbours' concerns considering that:

- the effective variation blocking view (apex height) is 658mm; and,
- the effective variation to wall height (wall height of lean to) is 473mm (which is offset by a 1m greater setback from side boundary than required under the scheme).

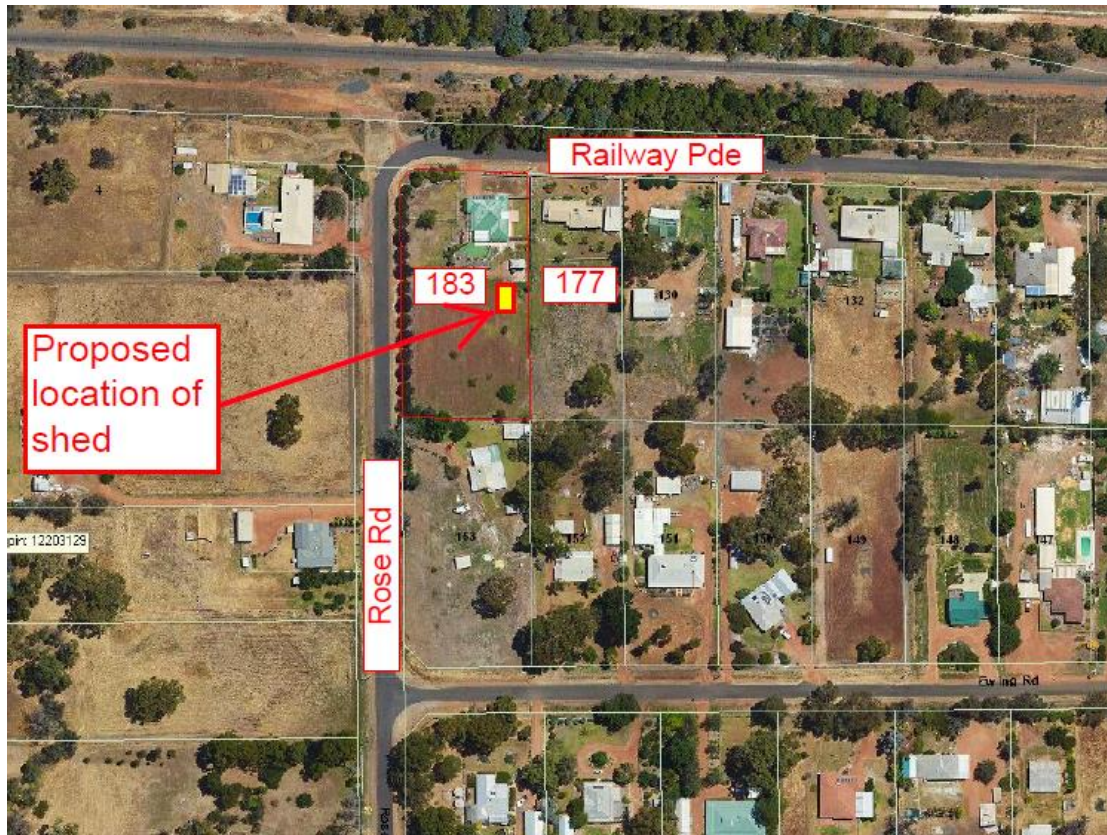
**CARRIED 11/0**

**Background:**

The application has been made to vary R-Code provisions (extended by Local Planning Policy 2.1) for outbuilding control for a shed proposed at 183 Railway Parade Allanson.

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The variation to height was advertised to affected neighbouring property owners on 6 October for 14 days.

One objection was received via phone from the neighbouring property owner and resident of 177 Railway Parade. Objection was made on the grounds that the proposed height of the outbuilding would:

- Decreasing amenity of views to the south west, toward Wellington, and of Railway Parade;
- Contributing to a sense of being caged in; and,
- Resultant devaluation of 177 Railway Parade due to the for mentioned points.

The applicant wishes for the original height variation proposed to be assessed (plans attached) instead of reducing the height as suggested by Shires officers. Applicant's justification for wall height of 4.2 metres is to fit their boat in. The boat is 3.3 metres from the ground to the top of the cab and would require clearance on top of this. Also allowing for the height for the roller door head space and because of the width of the door 4.2 metres is the minimum wall height required for the engineering design specifications.

**Statutory and Policy Implications:**

Planning and Development (Local Planning Schemes) Regulations 2015

*Schedule 2 cl. 60 Requirements for Development Approval*

*Schedule 2 cl. 66 Relevant sub clauses of 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;
- (k) the built heritage conservation of any place that is of cultural significance;
- (l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of 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;
- (p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- (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;
- (w) the history of the site where the development is to be located;
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
- (y) any submissions received on the application;
- (zb) any other planning consideration the local government considers appropriate.

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Local Planning Policy:

Variation is to outbuilding wall and apex height specified by clause 4.5 as 3m and 4.2m respectively:

- **Wall of lean to – 3.473m (0.473m variation)**
- **Wall of shed – 4.2 (1.2m variation)**
- **Apex height – 4.858m (0.658m variation)**

Proposed floor area complies (160sqm) with floor area permitted under clause 4.4 for Rural Residential Zones. (There is a separate existing shed of 24sqm which is not considered in aggregate in this case).

Local Planning Scheme No. 5

The subject lot is zoned Rural Residential. The proposal has been assessed in accordance with the following clauses *of the Scheme*:

4.4 Complies with Objectives of Local Planning Scheme for Rural Residential zone

- (c) To enable a range of activities and land uses associated with the residential occupation of land; and
- (d) To discourage or prohibit development not compatible with the predominantly rural nature and residential amenity of the zone.

5.9.5 Rural residential zone

Building setbacks comply with the requirements outlined under part (i) for lots with an area of 1ha or less:

- Front 15m required, 48m proposed
- Side 5m required, 6m proposed to nearest side boundary
- Rear 5m required, 42m proposed

State Planning Policy 3.1 - Residential Design Codes

The lean to is open on two sides therefore is “unenclosed” by definition of the Residential Design Codes. The lean to is therefore not include in floor area.

**Budget Implications:**

Nil

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

The proposal has undergone public advertising in accordance with the following policy objectives:

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.*

The public advertising period ran from 6 October until 20 October and communications were made by letters mailed to adjoining land owners in the locality. A total of two submissions were received as a result of the public advertising period. One objection and one non-objection.



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

Goal 4: Our Built Environment

Outcome 4.1 Appropriate Land Use, Development and Conservation of Heritage;

*Strategy 4.1.1: Ensure appropriate Planning Controls for land use and development.*

**Relevant Precedents:**

Nil.

**Comment:**

Nil.

*Alternative recommendation:*

*That Council pursuant to the provisions of the Planning and Development Act 2005, in relation to Planning Application No. P066/17 for an Outbuilding at 183 Railway Parade, Allanson hereby resolves to reduce the proposed building in height to accommodate a maximum 4.2m apex height whilst approving wall height variations as proposed in the original application.*

Mr and Mrs Lynch left Council Chambers at 7.08pm.

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Item 16.1 has been brought forward due to interest by attending persons.

Cr Wood has declared an Impartial interest in Item 16.1.

**16.1 Proposed Additions to 2017/18 Roads to Recovery Program**

<b>Reporting Department:</b>	Technical Services Department
<b>Reporting Officer:</b>	Brett Lowcock- Director Technical Services
<b>Accountable Manager:</b>	Brett Lowcock- Director Technical Services
<b>Legislation</b>	Local Government Act 1995 Local Government Function (Function & General) Regulations 1996
<b>File Number:</b>	
<b>Appendices:</b>	No
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To seek Council endorsement to add two (2) Roads to Recovery funded projects to the 2017-18 Council budget

**7627**

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

**Moved: Cr King**

**Seconded: Cr Faries**

**That Council;**

1. include an amount of \$20,364 for Traffic Calming devices on Mungalup Rd between Crampton St and Prinsep Crescent.
2. include an amount of \$30,000 for Asphalt resurfacing at the intersection of Coombes St and Palmer Rd (Williams Rd)
3. include an amount of \$50,000 for Asphalt resurfacing at the intersection of Medic St/Coombes St and Steere St North.
4. include an amount of \$80,000 for Asphalt resurfacing on Johnston St between Steere St North and Lefroy St.

**CARRIED 11/0**

**Background:**

Council adopted budget for 2017-18 contains the following Roads to Recovery projects:-

- Johnston St – Asphalt Overlay \$75,000
- Cable Street – Seal repairs \$8,500

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- Siding Road – Sealing of gravel Rd                      \$180,000

The total allocation from the Roads to Recovery program from the Federal Government to the Shire of Collie under the current arrangement that covers Financial Years 2013/14 through to 2018/19 is \$2,504,881.00. However, the allocation in 2018/19 to the Shire of Collie is \$0.00 and all remaining funds have to be claimed by 30 June 2018. At present there is \$180,364.00 of unallocated funds in the program that need to be allocated for expenditure before 30 June 2018.

**Statutory and Policy Implications:**

Nil

**Budget Implications:**

The net effect on Councils 2017/18 budget is Nil as the additional projects are fully funded by the Roads to Recovery program. Council received more Roads to Recovery Funds at the end of 16/17 than anticipated.

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

The Director of Technical Services is consulting with residents along Mungilup Rd with regards to the proposed Traffic Calming Treatments.

**Strategic Plan Implications:**

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

OUTCOME 3.3 – A safe and reliable transport system

Strategy 3.3.1: Maintain and develop local roads and footpath networks at appropriate standards.

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:**

The projects selected for the additional Roads to Recovery funding are listed below with justification for their selection.

***Traffic Calming devices on Mungilup Rd between Crampton St and Prinsep Crescent - \$20,364***

This section of Mungilup Rd has been the site of two (2) separate fatalities in recent years, with speed identified as a significant contributor in both these accidents. Local residents have also reported constant hooning/speeding behaviour along this stretch of road heading out of town. Traffic counts have also identified a large proportion of people exceeding the speed limit.

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Staff have proposed the installation of speed cushions at strategic locations to reduce the number of motorists speeding along this section of Mungilup Road.

***Asphalt resurfacing on Prinsep St North between Medic Street and Jones Street  
- \$160,000***

Based on our Roads Asset Management Plan (May 2013), Prinsep St North is identified as a significant Local Distributor Rd and is identified for upgrade to Asphalt based on the volume of traffic, current condition and reduced noise for residents

Mr McCormack left Council Chambers at 7.25pm.

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

**7628**

**Recommendation/Council Decision:**

**Moved: Cr Woods**

**Seconded: Cr Scoffern**

**That Council confirms the Minutes of the Special Meeting of Council held on Tuesday 24 October 2017.**

**CARRIED 11/0**

**7629**

**Recommendation/Council Decision:**

**Moved: Cr Italiano**

**Seconded: Cr Harverson**

**That Council confirms the Minutes of the Ordinary Meeting of Council held on Tuesday 24 October 2017.**

**CARRIED 11/0**

**7630**

**Recommendation/Council Decision:**

**Moved: Cr Woods**

**Seconded: Cr Faries**

**That Council confirms the Minutes of the Special Meeting of Council held on Thursday 2 November 2017.**

**CARRIED 11/0**

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

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

**11.1 Receipt of the Minutes of the Audit Committee**

**7631**

**Recommendation/Council Decision:**

**Moved: Cr Miffling**

**Seconded: Cr Hanns**

**That Council receives the minutes of the Audit Committee held on 1 November 2017.**

**CARRIED 11/0**

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**11.2 Adoption of the Recommendations of the Audit Committee**

**7632**

**Recommendation/Council Decision:**

**Moved: Cr Hanns**

**Seconded: Cr Italiano**

**That Council adopts en bloc the recommendations contained within the minutes of the Audit Committee held on 1 November 2017.**

**That Council:**

**11.2.1: accepts the Management Report and Audit Recommendations from the Council's Auditor for the year ended 30 June 2017.**

**11.2.2: accepts the 2016/17 Annual Financial Report as presented.**

**11.2.3: hold the Shire of Collie Annual Electors Meeting for 2016/17 on Tuesday 12 December 2017 at the Council Chambers, commencing at 6.30pm.**

**CARRIED 11/0**

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

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**13. CEO REPORTS**

**13.1 Council Committees – Nominations from Community Members**

<b>Reporting Department:</b>	CEO Office
<b>Reporting Officer:</b>	David Blurton - CEO
<b>Accountable Manager:</b>	David Blurton - CEO
<b>Legislation</b>	WA Local Government Act 1995
<b>File Number:</b>	CMG/030
<b>Appendices:</b>	Yes – Appendix 1
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:** To present nominations received from members of the public expressing an interest in membership to relevant Council Committees.

*Officer's Recommendation/Council Decision:*

*That Council:*

- 1. appoint 5 public members (to be named) to the Weeds and Waterways Advisory Committee;*
- 2. appoint Mr George Colvin, Mrs Rosanne Pimm and Mrs Nola Green to the Townscape Advisory Committee; and*
- 3. appoint Mrs Nola Green to the Access and Inclusion Committee.*

Council did not move the Officer's recommendation above as it decided that encouraging involvement on Committee's by the public important and the Council had no concerns increasing the Weeds and Waterways Committee by one public member.

**7633**

**Council Decision:**

**Moved: Cr Faries**

**Moved: Cr Smith**

**That Council rescind Motion No. 7621 from Special Council meeting of Council dated 2 November 2017.**

**CARRIED 10/1**

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**7634**

**Council Decision:**

**Moved Cr Faries**

**Seconded: Cr Hanns**

**That Council as per 7621 appoint up to 6 public members on the Weeds and Waterways Advisory Committee by Absolute Majority:-**

- 1. In accordance with provisions of Section 5.8 of the Local Government Act 1995 establishes a Weeds & Waterways 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;**
  - At least 3 Councillors – Crs Brett King, Gary Faries and Joe Italiano**
  - Director of Development Services (or nominee);**
  - up to 6 public members;**
  - The Parks and Gardens Supervisor (non-voting);**
  - Representative of the Ngalang Boodja Aboriginal Corporation;**
  - representatives of other key government agencies or stakeholders (non-voting)**
  - Friends of the River Group (non-voting)**

**CARRIED 11/0**

**7635**

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

**Moved: Cr Faries**

**Seconded: Cr Hanns**

**That Council:**

- 1. appoint 6 public members Mr T Wood, Mr D True, Mr P Piavanini, Mr E Riley, Mrs N. Green and Mr T. Morton to the Weeds and Waterways Advisory Committee;**
- 2. appoint Mr George Colvin, Mrs Rosanne Pimm and Mrs Nola Green to the Townscape Advisory Committee; and**
- 3. appoint Mrs Nola Green to the Access and Inclusion Committee.**

**CARRIED 11/0**

**Background:**

Council has traditionally had community membership on several Council Committees including Weeds and Waterways, Access and Inclusion and Townscape.

Staff recently advertised for public members who may have an interest in joining any of the above committees and the advertising period concluded at the close of



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business on 3 November 2017. Six nominations have been received to join the Weeds and Waterways Advisory Committee, three nominations to join the Townscape Advisory Committee and one to join the Access and Inclusion Committee.

Following Council elections, the review of Council's committee structure and the reformation of the Council committees it is now appropriate for Council to consider the nominations received.

**Statutory and Policy Implications:**

N/A

**Budget Implications:**

N/A

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

Letters of appointment to successful applicants.

**Strategic Community Plan/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 appoints the public members to committees for a two year term.

In 2015, Council considered nominations from the public at its Special meeting where Councillors were sworn into office and committees were formed.

In 2013, nominations from the public were referred to each committee for consideration, however this caused issues with quorums with some committees and delayed the appointment of members for several weeks.

**Comment:**

The following nominations have been received;

**Weeds and Waterways Advisory Committee**

1. Mr Tom Wood
2. Mr Dennis True
3. Mr Peter Piavanini
4. Mr Ed Riley
5. Mrs Nola Green
6. Mr Troy Morton

As per the current terms of reference, up to 5 public members can be appointed to the committee.

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**Townscape Advisory Committee**

1. Mr George Colvin
2. Mrs Nola Green
3. Mrs Roseanne Pimm

As per the current terms of reference, up to 4 public members can be appointed to the committee.

**Access and Inclusion Committee**

1. Mrs Nola Green

As per the current terms of reference, up to 4 public members can be appointed to the committee.

A brief statement from each nominee can be found at Appendix 1.

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**13.2 Council Meeting Dates - 2018**

<b>Reporting Department:</b>	Chief Executive Office
<b>Reporting Officer:</b>	Belinda Dent – CEO PA
<b>Accountable Manager:</b>	David Blurton – Chief Executive Officer
<b>Legislation</b>	Local Government Act 1995 (Division 2) & Local Government (Administration Regulations)
<b>File Number:</b>	GOV/049
<b>Appendices:</b>	No
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To make a determination as to the meeting dates in 2018.

**7636**

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

**Moved: Cr Harverson**

**Seconded: Cr Faries**

**That Council:**

- 1) adopts the meeting dates as per Table 1 of this report;**
- 2) meetings to commence at 7pm.**

**CARRIED 11/0**

**Background:**

As per the previous year the Full Council Meetings are held every three weeks on a Tuesday of each month. The first meeting in January 2018 will be the fourth Tuesday of the month – 23 January 2018. It is recommended, as in previous years, the meeting held in December is held on the second Tuesday of the month – 11 December 2018.

**Statutory and Policy Implications:**

Local public advertising through the Collie Mail newspaper is required.

**Budget Implications:**

Nil

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

Under Council's Policy, Council is required to inform the public of any changes in meeting dates/times – this is also prescribed by the Local Government Act 1995. Should the Council resolve to make alterations as suggested, the staff will place advertisements within the Collie Mail newspaper and on the Council and Public Library notice boards.

**Strategic Plan Implications:**

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N/A

**Comment:**

The process as outlined above has not caused any difficulties in previous years and it gives Councillors and staff an opportunity to enjoy the Christmas/New Year break without the rush of meeting attendances and deadlines. With respect to the January and December meetings it is proposed that they be held on Tuesday 23 January 2018 and Tuesday, 11 December 2018 respectively.

The schedule of meeting dates for 2018 therefore is as listed below:

**TABLE 1**

23 January 2018	10 July 2018
13 February 2018	31 July 2018
6 March 2018	21 August 2018
27 March 2018	11 September 2018
17 April 2018	2 October 2018
8 May 2018	23 October 2018
29 May 2018	13 November 2018
19 June 2018	11 December 2018

This is an opportunity for Council to review the frequency and commencement time of meetings to ensure the most appropriate schedule is achieved.

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**14. CORPORATE SERVICES REPORTS**

**14.1 Alliance Housing Charitable Housing Rating Concession**

<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 & Financial Management Regulations
<b>File Numbers:</b>	A4295, A5219, A5833, A5838
<b>Appendices:</b>	Yes – Appendix 2 and 3
<b>Voting Requirement</b>	Absolute Majority

**Report Purpose:**

To further consider a request from Alliance Housing (WA) for a full rating concession for the 2016/17 and 2017/18 financial years for the following properties:

- Unit 3, 25 Hutton Street, Collie (A4295)
- 21A Rogers Avenue, Collie (A5219)
- Unit 4, 17 Moira Road, Collie (A5833)
- Unit 9, 17 Moira Road, Collie (A5838)

**7637**

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

**Moved: Cr King**

**Seconded: Cr Faries**

**That Council, by ABSOLUTE MAJORITY:**

- 1. Approve the request to grant charitable status rating exemption to the properties A4295 and A5219 leased from the Housing Authority and managed by Alliance Housing for the 2016/17 and 2017/18 financial years; and**
- 2. Not approve the request to grant charitable status rating exemption to the properties A5833 and A5838 for the 2016/17 and 2017/18 financial years; and**
- 3. Require Alliance Housing to provide evidence annually for each individual property for which it is seeking charitable status that the administration of the lease and selection of tenants results in exclusive use of the property for charitable purposes for that financial year.**

**CARRIED 11/0**

**Background:**

In 2016 Council received a rates objection from Borrello Graham Lawyers, acting for Alliance Housing (WA), requesting a rates concession on four Collie properties for current and future financial years, on the grounds that there is an error in the rate records as the properties are not rateable land. Alliance Housing (WA) is an

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incorporated not-for-profit community housing organisation with Charitable Organisation Status. The objection claims that the properties are used exclusively for charitable purposes and are therefore not rateable land under section 6.26(2)(g) of the LG Act.

Alliance Housing currently owns 2 properties and leases 2 properties in Collie which are intended to provide affordable accommodation to tenants on lower incomes, or requiring assistance. This service is managed through the Bunbury office.

Council first considered the request at its meeting held 15 November 2016 and resolved that:

*7248 – That Council:*

*defer a decision on the charitable status request and write to:*

- *WALGA*
- *Minister of Housing*
- *Local Member*

*expressing our concern about the proliferation of organisations (quite often managing properties on behalf of the Housing Authority claiming charitable status and seeking to avoid paying rates. This has and will lead to a diminishing unsustainable rate base for local governments and urgent attention is required to address this matter.*

The issue was taken to the South West Country Zone of WALGA and then as a Zone Resolution to the WALGA State Council meeting in December 2016:

*That WALGA*

- 1. express concern to the Department of Housing regarding the proliferation of organisations (quite often managing properties on behalf of the Housing Authority) claiming charitable status and seeking to avoid paying rates. This has and will lead to a diminishing unsustainable rate base for local governments and urgent attention is required to address this matter*
- 2. seek agreement from the Department of Housing that the outsourcing of the management of public housing to not for profit organisations will not adversely impact on Councils' rating income.*

The resolution was referred to the appropriate policy area for consideration. At the WALGA State Council Meeting held in May 2017, when considering the Local Government Act Review Process, the Key Areas of a Local Government Act Review listed:

- I. Rating Exemptions – Charitable Purposes, Rate Equivalency Payments of Government Trading entities.

Following this meeting of the WALGA State Council, staff wrote to the Minister for Local Government, the Minister for Housing and the local member. The responses from the Minister for Local Government and the Minister for Housing can be found at Appendix 2.

The Minister for Local Government states that 'I have directed the Department of Local Government and Communities to consider the rating of land used for charitable

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purposes and other rate exemptions within the scope of the multi-staged review of the *Local Government Act 1995*.'

The Minister for Housing states that 'At this time, the Housing Authority does not have any plans to transfer additional properties to community housing organisations.' Additionally, with respect to the review of the *Local Government Act 1995*, the letter states 'Consideration of local government rates exemptions on Housing Authority-owned properties will form part of the Housing Authority's feedback to this review process.'

**Statutory and Policy Implications:**

Under section 6.26(2)(g) of the *Local Government Act 1995* land that is used exclusively for charitable purposes and owned by a not for profit entity can be granted non-rateable (charitable) status.

If the land use is not charitable, the following sections of the *Local Government Act 1995* may apply:

- Section 6.26(2) (k) states that the Local Government can apply to the Minister for the land to be exempt from rates;
- Section 6.47 Concessions states that the local government may waive or grant a concession to any rate or charge (absolute majority required).

Where an application is refused, the applicant may object under section 6.76 of the Local Government Act 1995 to the rate record, on the basis that the land or part of the land was not rateable land. The applicant has the right to appeal a decision made under Section 6.76 to the State Administration Tribunal.

**Budget Implications:**

The applicant has requested a charitable status rating concession on rates for the period 1 July 2016 to 30 June 2018, broken down as follows:

Property Assessment #	2016/17 Rates	2017/18 Rates	
A4295	\$910.00	\$928.00	
A5219	\$910.00	\$928.00	
A5833	\$1,234.10	\$1,258.79	
A5838	\$1,234.10	\$1,258.79	
TOTAL	\$4,288.20	\$4,373.58	\$8,661.78

The Officer's Recommendation is to grant charitable status rating concession to the properties A4295 and A5219 only:

Property Assessment #	2016/17 Rates	2017/18 Rates	
A4295	\$910.00	\$928.00	
A5219	\$910.00	\$928.00	
TOTAL	\$1,820.00	\$1,856.00	\$3,676.00

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If rating exemptions were to apply, these properties would remain liable for ESL and service charges.

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

Letter to Borrello Graham Lawyers/Alliance Housing (WA) informing the organisation of Council decision.

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

Goal 5: *Our Business - Good governance through an effective, efficient and sustainable organisation*

Outcome 5.3: Financial sustainability and accountability

Strategy 5.3.4: Ensure a rating system is in place which is transparent and promotes equity, timeliness, affordability and comparability.

**Relevant Precedent:**

Similar applications for charitable housing have previously been presented to Council, as follows:

At the meeting on 20 January 2015, Council resolved the following:

*6631 – That Council by AN ABSOLUTE MAJORITY;*

- 1. Not approve a refund of rates paid by the Southern Aboriginal Corporation for the 2014/15 financial year; and*
- 2. Not grant a rates concession or charitable rating status to the Southern Aboriginal Corporation for future years for its properties located in Collie.*

Alliance Housing has previously made an application to Council, which was resolved on 8 September 2015 as follows:

*6841 – That Council not grant a rates concession or charitable rating status to Alliance Housing (WA) for the property A5219 being 21A Rogers Avenue, Collie for current or future financial years.*

**Comment:**

Following best practice guidelines from WALGA for Council to determine if charitable status is applicable organisations should clearly demonstrate that the subject land is used exclusively for charitable purposes for each individual property. The evidence supplied should demonstrate that the administration of the lease and the methodology for selection of tenants satisfies the requirements of demonstrating exclusive use for 'charitable purpose'.

Alliance Housing has now provided evidence [refer Appendix 3] and therefore the recommendation is to approve the charitable rating status for the properties leased from the Housing Authority, which have the following terms, permitted uses and permitted tenants:

Property	Term of Lease	Permitted use	Target Group
A4295 Unit 3, 25 Hutton Street, Collie	10 years from 6 November 2013 to 5 November 2023	Disability Housing	People with disabilities referred by the Disability Services Commission



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A5219 21A Rogers Avenue, Collie	10 years from 3 July 2014 to 2 July 2024	Disability Housing	People with disabilities referred by the Disability Services Commission
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Alliance Housing has applied for charitable status for the properties A5833 and A5838 as they “provide housing to tenants who are financially disadvantaged and therefore the use falls within the first charitable purpose head of ‘relief of poverty’.” However, the Statutory Declarations relating to these two properties give the description of the activities the property is used for as “Residential housing for people on low incomes having difficulty accessing private accommodation.” The methodology for selection of tenants is not clear, and no lease was provided for these two properties. Advice received from WALGA is that low cost rental of itself is insufficient evidence for the granting of charitable status.

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Mr Dover left the room 8.03pm and returned at 8.05pm.

**14.2 Collie River Rowing Club Request for Lease**

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Allison Fergie – Director Corporate Services
<b>Accountable Manager:</b>	Allison Fergie – Director Corporate Services
<b>Legislation</b>	WA Local Government Act 1995
<b>File Number:</b>	R34343 P3
<b>Appendices:</b>	Yes – Appendix 4
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To seek Council authorisation to enter into a lease agreement with the Collie River Rowing Club for the lease of the building and fenced area at Minninup Pool.

**7638**

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

**Moved: Cr King**

**Seconded: Cr Smith**

**That Council lease the portion of the Reserve 34343 comprising the building known as the Rowing Club and the fenced area surrounding the building to the Collie River Rowing Club subject to approval of the Minister for Lands, with the following conditions:**

- a) The Collie River Rowing Club to become an incorporated body and provide certificates of currency for building insurance and public liability insurance;**
- b) Lease to be deemed a community built and operated lease with a term of 5 years with a 5 year option;**
- c) Annual lease amount payable be \$1 per annum Inc GST; and**
- d) Other conditions to be in accordance with Council Policy DS1.5.**

**CARRIED 11/0**

**Background:**

The Collie River Rowing Club [CRRC] has historically operated from the building at Minninup Pool known as the Rowing Club. Recently the CRRC has been inactive, but is now reforming with incorporation pending.

The Secretary of the CRRC has written to the Shire requesting that the CRRC be granted a lease over the facility comprising the building and fenced area at Minninup Pool that has been previously been occupied by the club. [See Appendix 4]

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The reserve is vested in the Shire of Collie for the purpose of Parklands and Recreation, with the power to lease for any term not exceeding 21 years, subject to the consent of the Minister for Lands.

**Statutory and Policy Implications:**

WA Local Government Act (1995)

Section 3.58 of the Local Government Act refers to the disposal of property and includes lease arrangements. Under this section, local public notice and a submission period is normally required to be undertaken by Council's when entering lease arrangements, however there is a specific exemption for the requirement to advertise under section 30 of the associated Functions and General Regulations where the intended lease is with certain organisations;

- 30 (2) (b) (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and  
(ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;

**Budget Implications:**

Annual lease fee is proposed to be \$1 per annum.

Council's Development Services Policy 1.5 outlines the responsibilities of the parties to the lease as follows:

<b>Issue</b>	<b>Community built and operated – Responsible party</b>
Building insurance	Lessee
Vandalism damage to building (assuming no negligence on lessees part)	Building insurance excess Lessee
Contents insurance	Lessee
Public liability insurance of \$10m	Lessee
Compliance with <i>Health (Public Building) Regulations 1992</i>	Lessee
Upgrades required by legislative changes	Lessee
Building additions and alterations	Lessee must obtain Shire approval and comply with Building Code of Australia.
Major maintenance	Lessee
Minor maintenance and cleaning	Lessee
Security system and response	Lessee
Payment of utility charges (power, water etc)	Lessee

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Issue	Community built and operated – Responsible party
Payment of Emergency Services Levy	Shire
Painting upgrade (internal and external)	By Lessee every 5 years to satisfaction of Shire
Asbestos removal (if required)	Lessee
Sub letting	With Shire approval

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

Correspondence to proponent

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

*GOAL 1 Our Community – A vibrant, supportive and safe community.*

Outcome 1.2: Participation in sport, recreation and leisure opportunities.

Strategy 1.2.2: Provide support to local sport and recreation clubs and groups to increase participation.

**Relevant Precedents:**

Recent lease agreements have been renewed in-house with the use of a lease template which was developed for use by the Council. This has minimised the cost involved for the lessee, in particular community based organisations.

**Comment:**

The Collie River Rowing Club has a long history at the site and a steering committee has been formed to take the necessary steps for the club to become incorporated and obtain the required public liability insurance prior to the lease agreement being finalised. The letter requesting the lease also states that the Committee has made contact with RowingWA, who have offered full membership status of the State Rowing Association.

Additionally, the steering committee has stated that they are willing to combine with other suitable community based groups in the future in the use of the facility. Under Council's Policy DS1.5 sub-letting is permitted with Shire approval, so there is the opportunity for this to occur.

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**14.3 Local Law Adoption – Shire of Collie Standing Orders 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 regarding the Council's proposed *Shire of Collie Standing Orders Local Law 2017* and for Council to formally adopt the new local law.

**7639**

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

**Moved: Cr King**

**Seconded: Cr Italiano**

**That Council adopts the Shire of Collie Standing Orders Local Law 2017 as presented in Appendix 5 with the amendment that the word 'ordinary' be removed from Clauses 13.4(1) and 13.4(2).**

**CARRIED 11/0**

**Background:**

The Council resolved at its meeting on 22 August 2017 the following in relation to the above Local Law.

*7537 - Officer's Recommendation/Council Decision:*

*Moved: Cr Yates*

*Seconded: Cr Miffling*

*That Council by ABSOLUTE MAJORITY:*

*1. Advertises its intention to make a new local law to be known as the Shire of Collie Standing Orders Local Law 2017 as per Appendix 6 and forwards a copy of the proposed Shire of Collie Standing Orders Local Law 2017 to the Department of Local Government; Heritage; Culture and the Arts for the Minister's consideration;*

*2. Notes the purpose of the proposed Shire of Collie Standing Orders Local Law 2017 is to provide rules and guidelines which apply to the conduct of meetings of the Council and its committees and to meetings of electors; and*

*3. Notes the effect of the proposed Shire of Collie Standing Orders Local Law 2017 is that these Standing Orders will result in –*

- better decision making by the Council and its committees;*
- the orderly conduct of meetings dealing with Council business;*
- better understanding of the process of conducting meetings; and*
- the more efficient and effective use of time at meetings.*

**CARRIED 8/0**

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

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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.

Two submissions have been received, one from the Department of Local Government and one from Mr Ed Riley, and these comments can be found 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 —*
  - (a) *stating the title of the local law;*

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- (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.]*

**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 Community Plan/Corporate Business 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:**

Most recently, at its meeting held 20 June 2017 Council resolved:

*7466 – That Council by ABSOLUTE MAJORITY adopts the Shire of Collie Bush Fire Brigades Local Law 2017 as presented in Appendix 6.*

**Comment:**

Comment received prior to the submission period and the submissions received from the Department of Local Government and Communities and Mr Ed Riley [Appendix 6]

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suggested a number of changes and edits. In addition, there is one comment from staff. These changes are presented in the table below, with the corresponding staff comment next to each issue raised.

Comment from Department of Local Government and Communities	Response
<p><b>Terminology</b></p> <p>a) It is suggested that the local law refer to itself as “this local law” rather than “these standing orders”, to maintain consistency with the terminology of the <i>Local Government Act 1995</i>. This suggestion only applies to the gazettal version of the local law. The Shire can retain “these standing orders” in administrative versions of the local law, such as those kept on the website or hard copies provided to councillors.</p> <p>b) This local law refers to “the Shire” and “the Local Government” interchangeably. The Delegated Legislation Committee has previously voiced concerns at the use of the word “City”, “Town” or “Shire” in local laws as a replacement for the term “local government”. The Committee’s current position is that “local government” is the correct terminology to be used in local laws since this is consistent with the term used in the Local Government Act 1995. It is suggested that all instances of “Shire” is replaced with “local government”.</p>	<p>“these standing orders” replaced with “this local law” and there to be only one version of the local law.</p> <p>“the Shire” replaced with “local government”.</p>
<p><b>Page numbers</b></p> <p>It is suggested the page numbers be removed from the contents page and in the footer. These numbers may no longer be accurate when the local law is published in the <i>Government Gazette</i>.</p> <p>In the event that the Shire chooses to maintain a public version of the local law in hard copy or electronic format, the Shire can choose to retain the contents page with page numbers.</p>	<p>Page numbers removed for publication in the Government Gazette.</p>
<p><b>Clause 7.8 – Use of the term “decorum”</b></p> <p>It is suggested that the term “decorum” be deleted from clause 7.8(2)(a)(ii). This term is vague and can be subject to a variety of interpretations. The Shire should consider whether clause 7.8(2)(a)(i) already provides enough coverage to deal with this matter.</p>	<p>“decorum” deleted from clause.</p>
<p><b>Clause 7.15 – Use of phrase “objectionable”.</b></p> <p>Clause 7.15(3) states that a person must not use objectionable expressions. The term “objectionable” is vague and may be subject to interpretation. It may also hinder council debate, since a member may find an expression objectionable even if it happens to be true and relevant to council proceedings.</p> <p>Clause 7.16(1)(b) refers to “offensive or insulting” expressions. For consistency, the Shire may wish to change clause 7.15(3) so “objectionable” is replaced with “insulting”.</p>	<p>“objectionable” replaced with “insulting” in clause 7.15(3).</p>
<p><b>Clause 8.5 – Ruling by the Presiding Member</b></p> <p>It is suggested that clause 8.5(2)(a) be deleted. The Delegated Legislation Committee has recently raised issues with clauses stating that a ruling may not be subject to “debate or comment”.</p>	<p>Clause 8.5(2)(a) deleted.</p>



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<p>This phrase contradicts paragraph (b) which states that members can move a motion dissenting from the ruling. This would, by necessity, involve some form of comment or debate.</p>	
<p><b>Clause 19.1 – Penalty for breach</b></p> <p>It is suggested that the penalty for breach of the local law is reduced to \$1000 with a daily penalty of \$100 for continuing offences.</p> <p>Offences under standing orders are relatively minor when compared to local laws that involve matters of public safety or local government property. The Delegated Legislation Committee has previously requested undertakings when local governments try to impose the maximum penalty permitted under the <i>Local Government Act 1995</i>.</p> <p>In addition, it is suggested that the clause be redrafted to include the words “where the offence is of a continuing nature”. As the clause is currently written, it could be interpreted to mean that the daily penalty of \$500 would occur on the first day, along with the \$5,000 penalty. This would mean that the total penalty is \$5,500 on the first day, which is inconsistent with the <i>Local Government Act 1995</i> that imposes a maximum penalty of \$5,000.</p> <p>An example has been provided below for the Shire’s consideration:</p> <p style="text-align: center;"><b>19.1 Penalty for breach</b></p> <p style="text-align: center;">A person who commits an offence under this local law is liable to a penalty of \$1000 and where the offence is of a continuing nature, to a daily penalty of \$100 in respect of each day or part of day during which the offence has continued.</p>	<p>Changes made to draft local law as suggested.</p>
<p><b>Incorrect referencing</b></p> <p>The Shire should ensure that all references and cross references are accurate, particularly if any changes are made as a result of the Department’s comments.</p> <p>Currently, several clauses make incorrect references in the local law, for example:</p> <ul style="list-style-type: none"> <li>• Clause 8.9 does not exist [referenced in clause 5.2(5)].</li> <li>• Clause 8.15 does not exist [referenced in clause 7.16(1)(a)].</li> <li>• Clause 11.10 does not exist [referenced in clause 16.2(2)].</li> <li>• Clause 10.11 does not exist [referenced in clause 16.3].</li> </ul>	<p>Changes made to draft local law as suggested.</p>
<p><b>Formatting and spacing</b></p> <p>The Shire should review the formatting and spacing in the local law. For example, subclauses, paragraphs and subparagraphs should be indented as follows:</p> <p><b>1.3 Application</b></p> <p style="padding-left: 20px;">(1) The provisions of this local law –</p> <p style="padding-left: 40px;">(a) subject to paragraphs (b), (c), (d) and (e);</p> <p style="padding-left: 40px;">(i) apply and have force and effect throughout the whole of the district...</p>	<p>Changes made to draft local law as suggested.</p>
<p><b>Minor Edits</b></p> <p>A number of minor edits were also suggested – refer Appendix 6.</p>	<p>Changes made to draft local law as suggested.</p>
<p><b>Comment from Mr Ed Riley:</b></p> <ol style="list-style-type: none"> <li>1. Standing order do not cover, revoke or changing decision (this is covered by regulation 10 of regulation). Standing order should cover.</li> </ol>	<p>Where a matter is covered by the LG Act and Regulations, it is not required to be repeated in a local law.</p>

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2. Is an agenda item presented for discussion at Council and committee meeting a substantive motion? Should it be treated as such?	No change required.
3. Keeping of minutes and the minute takers responsibility. I recommend the following wording be included in standing order 2017. There is an onus placed on the minute taker to reflect the intent of discussion. The obligation for the minutes to be accurate and impartial.	The keeping of minutes and procedure for Members dissatisfied with the accuracy of the minutes is already covered in Part 13 – Minutes of Meetings.
<b>Staff Comment</b> If only members present at a meeting may move or second the confirmation of the minutes of that meeting, then it may not be possible to confirm minutes on the first occasion a committee meets following the establishment of that committee after local government elections. Suggest that Clause 13.4(5) be amended to 'Only members present at the meeting of Council or committee may move or second the confirmation of the minutes of that meeting except on the first occasion a committee meets after establishment of the committee following local government elections. At that first occasion any member present may move or second the confirmation of the previous minutes.'	Changes made to draft local law as suggested.

Where indicated in the Response column, the local law now presented at Appendix 5 incorporates the recommended changes.

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**14.4 Pet Friendly Park Grant**

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Allison Fergie – Director Corporate Services
<b>Accountable Manager:</b>	Allison Fergie – Director Corporate Services
<b>Legislation</b>	WA Local Government Act 1995
<b>File Number:</b>	GAS/005
<b>Appendices:</b>	Yes – Appendix 7
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To seek Council authorisation to allocate matching funding to the Pet Friendly Park Grant received to develop a dog agility area in Timber park.

**7640**

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

**Moved: Cr Woods**

**Seconded: Cr Scoffern**

**That Council allocate \$3,000 from the 2017/18 Public Parks – Passive budget for material costs to match the Pet Friendly Park Grant received and the cost of installation also be met from this account.**

**CARRIED 11/0**

**Background:**

The Keep Australia Pet Friendly campaign and Dr Chris Brown have established a grant program that seeks to partner with local government to invest in pet friendly infrastructure and policies.

One grant of \$3,000 was available for each of the states in Australia, and the submission from the Shire of Collie was selected as the winner for Western Australia. The grant submission was to develop a pet friendly park in Timber Park - identified in consultation with the Shire of Collie Rangers. The park is currently under-utilised, with very little activity occurring. The park is attractive with grassed areas, shade and water available, and a picnic setting.

Timber Park would be ideally placed to be developed as a dog-friendly park through the provision of dog agility equipment. It is not adjacent to any residential properties being bounded by the Collie River to the north, a quiet road to the south and river walks to the east and west which are also dog exercise areas [see map at Appendix 7].

The Terms and Conditions of the grant program require evidence of a carried motion of Council allocating a minimum of \$3,000 to match the grant funding, following which the funds will be issued.

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**Statutory and Policy Implications:**

Nil

**Budget Implications:**

The 2017/18 budget contains an allocation of \$108,150 for Public Parks – Passive comprising Employment Costs, Labour Overheads, Materials, Plant Direct Costs and Utilities.

The recommendation is for \$3,000 in Materials be allocated to the purchase of agility equipment obstacles to match the grant funding received, and the cost of installation also be allocated from this account.

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

Advice of Council decision to FPL Advisory; community consultation and promotion of project.

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

*GOAL 1 Our Community – A vibrant, supportive and safe community.*

Outcome 1.2: Participation in sport, recreation and leisure opportunities.

Strategy 1.2.2: Provide support to local sport and recreation clubs and groups to increase participation.

**Relevant Precedents:**

Nil

**Comment:**

While the Shire of Collie has a number of identified on and off leash exercise areas for dogs, there is no equipment beyond drinking stations and litter control materials at any of the other spaces identified as dog exercise areas. These areas are predominantly walk paths along the river and through adjacent natural bushland.

While there are some park areas allocated to on and off leash exercise for dogs, there is no focal point where people can interact or exercise and train their pets in a social setting.

In developing the submission, consideration was given to the benefits of providing such a purpose-built facility.

Benefits for the pets:

- The park would offer a safe and controlled environment for dogs to play, socialise, interact and exercise with other dogs and their owners.
- Dog parks can help avoid potential conflict between dogs through facilitating dog socialisation which leads to dogs being more confident and less anxious. This helps reduce the incidence of defensive behaviours as dogs are more relaxed when out in public.

Benefits for pet owners and the community:

- Dog parks offer spaces which facilitate social connectivity, community interaction, down social barriers and stereotypes, improving community health and wellbeing
- Dog parks create better relationships between council, dog owners and residents;
- Dog parks encourage responsible dog ownership and promote acceptable behaviour in dogs;

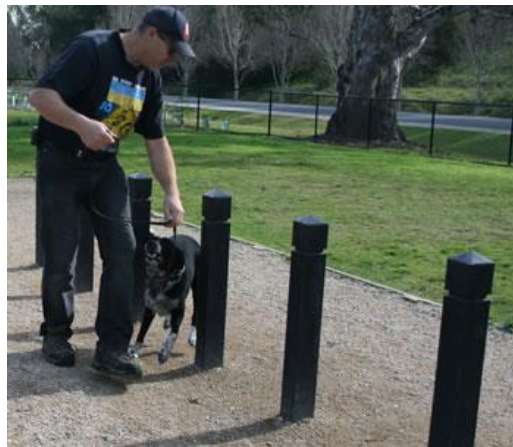
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- Dog parks can assist in keeping dogs out of sensitive environments through providing a space for dogs to run freely;
- Dog parks provide a community hub and focal point for community education and training programs; and
- Dog parks contribute to promoting active living and encouraging physical activity. Research indicates that dog owners are 68% more likely to achieve the recommended level of physical activity per week than non-dog owners.

The grant funding together with the Shire of Collie contribution would be used for the installation of six to eight obstacles of specialised dog agility equipment appropriate for public, local park areas. The equipment that has been identified as meeting requirements is the recycled plastic range sourced from PAWS4PLAY. The equipment allows for on and off leash use, is designed specifically for the purpose, and will allow for dog owners to educate and exercise their pets in an enjoyable and socially interactive way.

The equipment has been designed with assistance from specialists in animal behaviour research, management and education. Most of the pieces of equipment are suitable for dog off-leash areas but can be used while dogs remain leashed – see images below.



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**14.5 Collie Mineworkers Memorial Swimming Pool Kiosk**

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Allison Fergie - Director Corporate Services
<b>Accountable Manager:</b>	Allison Fergie - Director Corporate Services
<b>Legislation</b>	WA Local Government Act 1995
<b>File Number:</b>	RCS/002
<b>Appendices:</b>	No
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

For Council to consider the operation of the Collie Mineworkers Memorial Swimming Pool kiosk.

**7641**

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

**Moved: Cr King**

**Seconded: Cr Italiano**

**That Council authorise the Pool Manager to continue to operate the kiosk at the Collie Mineworkers Memorial Swimming Pool with the following conditions:**

- **Term to be for 3 years;**
- **\$100 per month to be paid for utilities; and**
- **To liaise with the Environmental Health Officer regarding the supply of any foods that are not pre-packaged.**

**CARRIED 8/3**

**Background:**

The Collie Mineworkers Memorial Swimming Pool has been extensively re-furbished, and the new entrance building provides space for basic kiosk services for patrons of the Pool.

Since re-location to the new entrance building, the kiosk has provided for the sale of drinks, lollies, limited snack products and ice-creams. These services have historically been provided by the manager of the pool with assistance from family members.

At its meeting held 22 August 2017 Council resolved:

*7535 - That Council invite Expressions of Interest for the operation of the kiosk at the Collie Mineworkers Memorial Swimming Pool for a term of 1 year with a 1 year option.*

Expressions of interest were invited through public notice in the Collie Mail on 31 August 2017 and 7 September 2017, and on the Shire's website. At the closing date for submissions there had been no responses received. However, the Pool Manager has indicated he is willing to continue with the current arrangement which provides a basic kiosk.

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**Statutory and Policy Implications:**

Nil

**Budget Implications:**

The Pool Manager pays \$100 per month to the Shire towards the cost of electricity.

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

Advise Pool Manager of Council decision.

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

*GOAL 1: OUR COMMUNITY – A vibrant, supportive and safe community*

Outcome 1.2: Participation in sport, recreation and leisure opportunities.

Strategy 1.2.1: Provide and promote sport, recreation and leisure facilities and programs.

**Relevant Precedents:**

Nil

**Comment:**

It is considered by staff to be desirable to provide pool patrons with light refreshments while they are attending the pool and, in the absence of any alternative expression of interest, the recommendation is to continue the current arrangement which has worked successfully for many years.

The benefit to the Shire is that the Pool Manager who currently operates the kiosk is present for many additional hours during busy periods at the Pool, thereby providing back up to the duty Pool Manager if required.

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**14.6 Renewal of Lease of Replica Railway Station Building**

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Allison Fergie – Director Corporate Services
<b>Accountable Manager:</b>	Allison Fergie – Director Corporate Services
<b>Legislation</b>	WA Local Government Act 1995
<b>File Number:</b>	L47295
<b>Appendices:</b>	No
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To seek Council authorisation to enter into a lease agreement with the Collie Railway Station Group Inc to renew the lease of the Replica Railway Station building.

**7642**

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

**Moved: Cr Harverson**

**Seconded: Cr Miffling**

**That Council lease the portion of the Reserve 47295 comprising the building known as the Replica Railway Station Building and the fenced area north of the building to the Collie Railway Station Group Inc, subject to approval of the Minister for Lands, with the following conditions:**

- e) The Collie Railway Station Group Inc to provide certificates of currency for voluntary workers insurance, building insurance and public liability insurance;**
- f) Lease to be deemed a community built and operated lease with a term of 5 years with a 5 year option;**
- g) Annual lease amount payable be \$1 per annum Inc GST; and**
- h) Other conditions to be in accordance with Council Policy DS1.5.**

**CARRIED 11/0**

**Background:**

The reserve is vested in the Shire of Collie for the purpose of Municipal, Tourist and Community Purposes, with the power to lease for any term not exceeding 21 years, subject to the consent of the Minister for Lands.

**Statutory and Policy Implications:**

WA Local Government Act (1995)

Section 3.58 of the Local Government Act refers to the disposal of property and includes lease arrangements. Under this section, local public notice and a submission period is normally required to be undertaken by Council's when entering lease arrangements, however there is a specific exemption for the requirement to advertise under section 30 of the associated Functions and General Regulations where the intended lease is with certain organisations;



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- 30 (2) (b) (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and  
(ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;

**Budget Implications:**

Annual lease fee is proposed to be \$1 per annum.

Council's Development Services Policy 1.5 outlines the responsibilities of the parties to the lease as follows:

Issue	Community built and operated – Responsible party
Building insurance	Lessee
Vandalism damage to building (assuming no negligence on lessees part)	Building insurance excess Lessee
Contents insurance	Lessee
Public liability insurance of \$10m	Lessee
Compliance with <i>Health (Public Building) Regulations 1992</i>	Lessee
Upgrades required by legislative changes	Lessee
Building additions and alterations	Lessee must obtain Shire approval and comply with Building Code of Australia.
Major maintenance	Lessee
Minor maintenance and cleaning	Lessee
Security system and response	Lessee
Payment of utility charges (power, water etc)	Lessee
Payment of Emergency Services Levy	Shire
Painting upgrade (internal and external)	By Lessee every 5 years to satisfaction of Shire
Asbestos removal (if required)	Lessee
Sub letting	With Shire approval

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

Correspondence to proponent

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

*Goal 4: Our Built Environment*

Infrastructure, amenities and development that supports the needs and aspirations of the community

4.1 Appropriate land use, development and heritage conservation

4.1.4 Support and promote the conservation and maintenance of heritage buildings, sites and places of interest

**Relevant Precedents:**

Recent lease agreements have been renewed in-house with the use of a lease template which was developed for use by the Council. This has minimised the cost involved for the lessee, in particular community based organisations.

**Comment:**

The Collie Railway Station Group Inc has successfully operated the Replica Railway Station building in Throssell Street for many years, and it is anticipated that the renewal of the lease will facilitate the preservation of Collie's railway heritage and the continued delivery of a tourist attraction for visitors to Collie.

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**14.7 Accounts Paid – October 2017**

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Khushwant Kumar – Finance Manager
<b>Accountable Manager:</b>	Allison Fergie – Director of Corporate Services
<b>Legislation:</b>	Local Government Act 1995 & Financial Management Regulations 1996
<b>File Number:</b>	FIN/024
<b>Appendices:</b>	Yes – Appendix 8
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

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

**7643**

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

**Moved: Cr Faries**

**Seconded: Cr Hanns**

**That Council accepts the Accounts as presented in Appendix 8 being vouchers 41229-41245 and 3143-3165 totalling \$37,654.94 and direct payments totalling \$700,083.37 authorised and paid in October 2017.**

**CARRIED 11/0**

**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	37,654.94	700,083.37	737,738.31
November			
December			
January			
February			

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Month	Cheques 2017/18	EFT 2017/18	Total Payment 2017/18
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 8.

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**15. DEVELOPMENT SERVICES REPORTS**

Cr Smith and Mrs Fergie declared a Financial interest in Item 15.1 and left the room at 8.24pm and returned at 8.36pm.

**15.1 Adoption of Local Heritage List**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	Katya Tripp – Strategic Planner
<b>Accountable Manager:</b>	Andrew Dover – Director Development Services
<b>Legislation</b>	Planning and Development Act 2005 WA Local Government Act 1995
<b>File Number:</b>	LUP/003
<b>Appendices:</b>	Yes – Appendix 9 Draft Heritage List, Appendix 10 Table of Submissions & Appendix 11 Original Submissions.
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

For Council to adopt the Local Heritage List to protect heritage places of importance within the Shire.

**7644**

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

**Moved: Cr Italiano**

**Seconded: Cr Faries**

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

- **Adopt the reviewed Shire of Collie Local Heritage List in accordance with clause 8 (1) of the deemed provisions of the Scheme;**
- **Notify the Heritage Council of WA and each land owner and occupier in accordance with clause 8 (4) of the deemed provisions of the Scheme; and**
- **Make the Heritage List available for public inspection and publish it on the Shire of Collie's website in accordance with clause 8 (2) of the deemed provisions of the Scheme.**

**CARRIED 10/0**

**Background:**

A Heritage List is to be established and maintained to identify those places within the Scheme Area which are of cultural heritage significance and worthy of conservation under the provisions of the Local Planning Scheme.

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At the first of August 2017 Ordinary Council Meeting Council resolved:

*7516 - That Council, pursuant to the provisions of Planning and Development Act 2005, hereby resolves to:*

- 1. Establish a Heritage List under clause 8 (1) of the deemed provisions of the Scheme identifying places within the Scheme area that are of cultural heritage significance and worthy of built heritage conservation;*
- 2. Advertise the Draft Shire of Collie Heritage List in accordance with clause 8 (3) for a period of 21 days;*
- 3. Consider submissions received during consultation, adopt the Heritage List and make it available to the public in accordance with clause 8 (2); and*
- 4. Notify the Heritage Council of Western Australia and each land owner and occupier of the places entered on the list.*

The above actions have been completed.

**Statutory and Policy Implications:**

*Planning and Development (Local Planning Schemes) Regulations 2015*

*Schedule 2 Deemed Provisions*

*Part 3 – Heritage Protection*

*Part 7 – Requirements for Development Approval*

*Part 8 – Applications for Development Approval*

*Part 9 – Procedures for dealing with applications for Development Approval*

*Local Planning Policy 2.7: Assessment Of Cultural Heritage Significance*

- 3.1 To facilitate the conservation of places of heritage value within the Shire of Collie.*
- 3.2 To provide clear procedural guidelines for heritage assessments conducted within the Shire of Collie.*
- 3.3 To ensure as far as possible that development occurs with due regard to heritage values.*
- 3.4 To provide certainty to landowners and the community regarding the procedures involved in heritage identification and protection in the Shire of Collie.*

*Local Planning Policy 2.8: Development Assessment Process for Heritage Places*

Once included on the Local Heritage List this policy will apply. Under this policy:

- 5.1 Development of places included on the Heritage List will require an application for planning approval.*
- 5.2 All applications will be forwarded to the Regional Heritage Advisor for assessment.*
- 5.3 Development Services may require the submission of an independent heritage assessment (Heritage Impact Statement).*

*State Planning Policy 3.1: Residential Design Codes*

*2.2 Single House Approval*

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**Budget Implications:**

A development approval will be required to carry out any works on, or use, land that is included on the Local Heritage List. The application for development will be forwarded to a Heritage Advisor for assessment. There will be a financial cost associated with this assessment. Currently the Shire has a budget of \$2,200 to enable us to meet this cost. It is anticipated that this budget allocation is sufficient to meet these costs.

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

The Draft Local Heritage List was advertised in accordance with clause 8 (3) of the *Deemed Provisions of the Scheme*, for a period of 21 days.

The following methods of public consultation were implemented:

- A letter to land owners of all affected properties to invite comments and to offer the opportunity to meet with Shire Staff to discuss the listing.
- Public advertisement in the Collie Mail on 28 September 2017.
- Public advertisement listed on the Shire's website.
- Printed advertisement on the Shire's Notice Board at the Shire Office.

A total of 3 written responses (original submissions Appendix 13) were received during the public advertising period plus some verbal conversations.

The advertising of the draft Survey satisfies the following objectives of the Corporate Business Plan:

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 4: Our Built Environment

*Outcome 4.1 Appropriate Land Use, Development and Heritage Conservation;*

*Strategy 4.1.1: Support and promote the conservation and maintenance of heritage buildings, sites and places of interest.*

**Relevant Precedents:**

Nil

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**Comment:**

The Heritage List has been established in accordance with LPP 2.7 using the following table and assigned level of significance established in the Local Heritage Survey:

Table 1: Levels of Cultural Heritage Significance and Management.

LEVEL OF SIGNIFICANCE	DESCRIPTION	DESIRED OUTCOME
Exceptional Significance	Essential to the heritage of the locality. Rare or outstanding example.	The place should be retained and conserved. Any alterations or extensions should reinforce the significance of the place, and be in accordance with a Conservation Plan (if one exists for the place).
Considerable Significance	Very important to the heritage of the locality. High degree of integrity/authenticity.	Conservation of the place is highly desirable. Any alterations or extensions should reinforce the significance of the place.
Some/moderate significance	Contributes to the heritage of the locality. Has some altered or modified elements, not necessarily detracting from the overall significance of the item.	Conservation of the place is desirable. Any alterations or extensions should reinforce the significance of the place, and original fabric should be retained wherever feasible.
Little significance	Does not fulfill the criteria for entry in the local Heritage List.	Photographically record prior to major development or demolition. Recognise and interpret the site if possible.

Properties with a rating of Exceptional, Considerable or Some/ Moderate Significance are included in the Heritage List.

The heritage value of a place is assessed according to criteria relating to aesthetic, historic, research, and social values. A place is considered to have cultural heritage significance to the Shire of Collie if it meets one or more of these criteria. The level of significance of a place is determined according to criteria relating to rarity, representativeness, condition, integrity and authenticity.

The Shire has a statutory obligation to prepare a Heritage List under the Scheme. The List may be reviewed at any time, and the Shire retains the ability to modify or remove any listings, if the property is no longer worthy of conservation. The Heritage List will be reviewed in conjunction with the review of the Local Heritage Survey on an annual basis (as required).

During the public consultation it was realised that 1 Ireland Street, Collie should not have been included on the Draft Local Heritage List and will be removed in accordance with the wishes of the owner.



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It was also realised Place 136: Muja Open Cut Mine (Hebe Deep Cut) is governed by a State Agreement and will be required to be rehabilitated post mining. It should therefore not be included on the Heritage List and will be removed. It will however remain on the Heritage Survey.

Paula Thornton made a submission regarding 110 Shannon Street Collie Cardiff stating that she did not want her house included on the Local Heritage List but did not provide a reason why. This place is considered to have some level of significance for its aesthetic contribution to the Cardiff streetscape. This is considered appropriate and conservation of this place is desirable.

Esyltt Graham made a submission regarding 51-55 Throssell Street raising her concerns about the impact that heritage listing has on the future leasing opportunities of the building, in particular internal changes such as portioning and false ceilings. The listing does not mean that these internal changes could not occur only that they would need to be done in a way that enabled protection of the existing fabric. The listing is considered appropriate.

A meeting was held with Colm Harkin from Premier Coal as they have monitoring equipment on the site of the Buckingham Mill as well as owning the land where the Buckingham Family Residence stands and part of the Hebe Deep Cut (Muja pit). Mr Harkin was advised that if they wanted to undertake works or development at these sites they should contact the Shire first to discuss.

A discussion was had with Brant Edwards from Griffin Coal regarding the Bucyrus Erie Dragline Excavator (Place No. 140) at the Griffin Coal Mine. Mr Edward notes that this structure is located in a future coal mining area and therefore will need to be moved at some point in the future. The area is covered by a State Mining Agreement and listing the excavator on the local heritage list will not prevent mining.

A submission was made by the Buckingham Heritage Group Inc. regarding the information contained in Place No. 111 Buckingham Hall. The Group have suggested some changes and/or additions to the information for this place, in particular more details on the Buckingham School. This information is noted and can be included in the review of the survey. It does not impact on the place being included on the list.

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**15.3 Proposed Street Renaming – Montgomery St (Nth of Coalfields Hwy), 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>	N/A
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

For Council to consider renaming the section of Montgomery Street, Allanson to the north of Coalfields Highway.

**7645**

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

**Moved: Cr Italiano**

**Seconded: Cr King**

**That Council note the response from the Geographic Names Committee and resolve not to rename the portion of Montgomery Street, between Coalfields Highway and Cameron Street, Allanson at this time.**

**CARRIED 11/0**

**Background:**

The Shire of Collie has received a request from Landgate expressing their concern regarding Montgomery Street, Allanson. The concern arises from the fact that Montgomery Street is split by the Coalfields Highway 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 this portion of this street to 'Cameron Street'.

Following this request Council resolved at the Council Meeting of 03 October 2017 to:

***Resolution 7584***

***That Council request the Geographic Names Committee to rename the portion of Montgomery Street between Coalfields Highway and Cameron Street to Montgomery St North.***

Council considered that it is more appropriate to retain this section of road as Montgomery St with the addition of "north" as this naming convention is in line with other streets in the Shire, e.g. Steere Street north and south.

Landgate have advised that Montgomery Street North does not comply with the *Policies and Standards for Geographical Naming in WA, 2015* as *'the use of directionals is viewed as an unnecessary duplication of a road name and will still*

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*cause confusion. Whilst we understand that historically your Shire has directional road names, the policy on the use of directionals for road names changed some years ago. Landgate supports the original proposal put forward to Council on 3rd October 2017 to extend the road name Cameron Street and rename this portion of the discontinuous road to Cameron Street. Consequently Landgate have refused the name 'Montgomery Street North'.*

**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 in the alternative recommendation complies with these guidelines.

**Budget Implications:**

Nil

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

There are two properties impacted by this proposal. The Shire has written to both landowners involved and has received an email in response from one landowner. This email objects a name change as the landowner is anxious about changing street address and the hassle involved with informing utilities. However, the street numbering is anticipated to change which will change this street address in any case.

**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:**

As the Geographic Names Committee have refused to rename this street 'Montgomery Street North' and Council at the Meeting of 03 October 2017 was not in favour of 'Cameron Street', it is considered that a third name will create confusion particularly as there are only two houses facing onto this section of road. Therefore it is recommended that this street is not renamed.

Alternatively, renaming this section of road to 'Cameron Street' will assist first responders and other visitors to locate this street as Montgomery Street is split by Coalfields Highway. Extending the existing street of Cameron Street around the corner to include an additional two properties will also allow greater visibility to Cameron Street from the Coalfields Highway.

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*Section of road proposed to be renamed.*

*Alternative Recommendation:*

*That Council request the Geographic Names Committee to rename the current portion of Montgomery Street, between Coalfields Highway and Cameron Street to 'Cameron Street', Allanson.*

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**16. TECHNICAL SERVICES REPORTS**

**16.2 Funding allocation to carry out repairs to Traxcavator**

<b>Reporting Department:</b>	Technical Services
<b>Reporting Officer:</b>	Brett Lowcock – Director Technical Services
<b>Legislation</b>	Local Government Act 1995
<b>File Number:</b>	Budget 2016/17
<b>Appendices:</b>	No
<b>Voting Requirement</b>	Absolute Majority

**Report Purpose:**

Seek approval from Council to allocate an amount of up to \$75,000 from the Waste Reserve account to carry out repairs and refurbishment of the Council owned tracked loader. (Traxcavator)

**7646**

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

**Moved: Cr Faries**

**Seconded: Cr Piavanini**

**That Council:**

- 1. By ABSOLUTE MAJORITY Allocate an amount of up to \$75,000 from the Waste Reserve account to carry out repairs and refurbish the Council owned Traxcavator**
- 2. Authorise the Plant Committee to undertake a workshop with Staff to assess three (3) written quotes to carry out the repairs to the Traxcavator.**

**CARRIED 11/0**

**Background:**

At Council's meeting on 3 October 2017 motion 7585 was passed by Council;

***7585 - Council Decision:***

***That Council:***

- Receive the Waste Management Review (4 July 2017) of Council's Gibbs Rd Waste Management Facility.***
- Implement the following recommendations***
- Continue the landfill operations at the Gibbs Road Waste Management Facility with improved operations and recycling activities set out in the Waste Management Review (4 July 2017).***

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- *Seek expressions of interest regarding developing and operating a reuse shop.*
- *Seek up to three (3) quotes to repair/refurbish Councils' tracked loader (CO17046) and report back to the Plant Committee for consideration.*
- *Dispose of Councils Tana rubbish compactor using a WALGA registered online auction service based on a reserve price set by the Council.*

Staff have been seeking quotes to repair the tracked loader and the machine is currently undergoing detailed assessment.

**Statutory and Policy Implications:**

Three (3) written quotes will be sought in accordance with the Purchasing Policy

**Budget Implications:**

As per Council's Annual report as at 30<sup>th</sup> June 2017, Council has an amount of \$478,550 secured in its Waste Reserve. Staff are suggesting that Council allocate an amount of \$75,000 to repair and refurbish the Traxcavator.

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

Nil

**Strategic Community Plan Implications:**

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

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:**

The Waste Management Review (4 July 2017) indicates that the Collie Landfill facility has a minimum of 45 to 50 years life remaining based on the airspace available and the current rate of landfill volume/tonnes per year. The report also identifies that a tracked loader (CAT 953/963 or similar) is the optimal machine required for leveling and compacting the waste material.

Council owns a tracked loader (Traxcavator Caterpillar 953C) purchased new in 2005 with around 6,700 machine hours registered. This machine has been parked up in need of major repairs for over 12 months. The decision to carry out the repairs had been postponed until the review of the Collie Landfill facility is now completed. Staff recommend that Council now allocate funds from the Waste Reserve to carry out repairs to the Traxcavator and for the Plant Committee assess quotes before proceeding with the repairs.



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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**

Nil

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

Nil

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

Cr Stanley

The Shire of Collie has had considerable media coverage, including ABC National news and GWN7, in the wake of local government elections. The Shire of Collie is at the forefront of a wave of increased gender diversity across local governments in Western Australia with a majority of female elected members and a female Shire President.

This coverage helps our efforts in repositioning Collie as a progressive community and a highly desirable place to live, visit and invest.

There has also been media interest in the Shire's position on bushfire mitigation.

- 26 October – Attended the Collie Chamber of Commerce - Business After Hours
- 28 October – Attended the Collie Races
- 1 November – Attended the Operation Next Gen stakeholder presentations.
- 3 November – Welcomed the Westbound Wanders a group of car enthusiasts raising funds for the Royal Flying Doctor Service on their way from South Australia to the Collie Motorplex.
- 4 November – Attended the Collie Community Garden open day.
- 6 November – Attended the State Government breakfast.
- 8 November – Met with Federal Member Rick Wilson and visited the Collie Motorplex.
- 10 November – Attended the Planning Institute of Australia awards where the Shire of Collie was a recipient of the 'From Plan to Place' award.
- 13 November – Met with South32 representatives and consultants regarding a push to understand the Shire of Collie's economic development priorities to inform its land management and investment strategies.

Cr King

- 11 November – Remembrance Day

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Cr Italiano

- Amaroo Primary School student numbers are down 13% which will have an impact overall on our community.

Cr Scoffern

- Allanson Primary School is in a similar position to Amaroo Primary School that student numbers are down.
- 6 November - Attended training in Busselton.

Mr David Blurton

- 25 October - Attended ValleyView AGM
- 25 October - Attended a meeting along with Mr Klem, a meeting with Hon Minister Mick Murray regarding the Motorplex project
- 8 November - Along with Shire President and Deputy Shire President met with Rick Wilson MP which included a tour of the Collie Motorplex
- 9 November - Attended the Bunbury Wellington Economic Alliance AGM and dinner at Lighthouse Inn Bunbury
- 10 November - Along with Shire President and Deputy Shire President, Mr Klem and Mr Dover attended the Planning Institute Awards presentation at Crown Casino. Council won an award for "from plan to place".
- 14 November - Attended the SW Regional Waste meeting at the City of Bunbury.

Cr Stanley presented to Council the Planning Institute of Australia Award for the Supertowns project "Plan to Place" which Collie is the winner for 2017.

**21. COUNCILLOR DOCUMENTS OF INTEREST**

- Building Approvals for October 2017 (Attached)
- Building Statistics 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



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**23. STATUS REPORT ON COUNCIL RESOLUTIONS**

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

- 'Closed Since Last Meeting' at Appendix 13
- 'All Open' at Appendix 14

A question was taken on Notice:

Closed Motion No. 7538 – Workshop Development (Stage 1 Lean To, Stage 2 Workshop and Office) – How long did it take to process this application?

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

Nil

**25. CLOSE**

The Shire President thanked Council and Staff for their attendance.

The Presiding Member declared the meeting closed 8.52pm.

I certify that these Minutes were confirmed at the Ordinary Meeting of Council held on Tuesday, 22 August 2017.

.....  
Presiding Member

.....  
Date