



# MINUTES

of the

## ORDINARY MEETING OF COUNCIL

held on

Tuesday, 27 March 2018

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Minutes of the Ordinary Meeting of the Collie Shire Council held in Council Chambers, 87 Throssell Street Collie, on Tuesday, 27 March 2018 commencing at 7.00pm.

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

<b>PRESENT:</b>	Sarah Stanley	Councillor (Presiding Member)
	Ian Miffling 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
	Jay Bundela	Acting Finance Manager
	Belinda Dent	CEO PA

**APOLOGIES:**

**GALLERY:** Breeanna Tirant – Collie Mail (left chambers at 8.32pm)  
Doug and Mary Gilbert (left chambers at 7.52pm)

- 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. PUBLIC QUESTION TIME**

Nil

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

The following questions were taken on notice at the last meeting of Council:

- 1. Why have we used a contractor for deep aeration of the recreation ground when we have our own machine?

We have our own corer that penetrates about 100mm, however due to the nature of the soil profile at the Rec Ground a contract machine is required to reach a deeper depth of 250mm. Deeper depths are required approximately every second year on this surface.

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2. Why are we not purchasing work boots locally?

The majority of work boots are purchased locally, however some larger sizes or specialist boots are not available at local stores.

*A question was taken on notice in regards to the specification of workers boots supplied which warrants the purchase of "specialist boots".*

3. Why are we purchasing tyres from Donnybrook?

The item relates to a specialist repair (vulcanisation) of a tyre to extend the life of a tyre. The Donnybrook supplier was suggested by a local supplier as this service is not available in Collie

4. **DISCLOSURE OF FINANCIAL/IMPARTIALITY 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 Stanley	Item 13.3- Pet Friendly Park	Proximity – House across the road from Park.
David Blurton	Item 20.1 – Light Vehicle Review	Financial – Staff Package
Allison Fergie	Item 20.1 – Light Vehicle Review	Financial – Contract includes light vehicle.
Brett Lowcock	Item 20.1 – Light Vehicle Review	Financial – Included in Package.
Andrew Dover	Item 20.1 – Light Vehicle Review	Financial – Included in Package.
Jay Bundela	Item 20.1 – Light Vehicle Review	Financial – Employment use.

5. **PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**

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

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

Item 20.1 - Light Vehicle Fleet Review

Item 20.2 – Extension of the Kerbside Bin Collection and Maintenance and Provision of Kerbside Bins Contracts

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

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Item 13.2 was brought forward due to Doug and Mary Gilbert attending the meeting.

**13.2 Carport (Caravan Storage)**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	Kelly Beauglehole – 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>	A6
<b>Appendices:</b>	Yes – Appendix 7 - Site Plan
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To seek Council Approval for a Carport (Caravan) that is greater than exceeds the requirements of the Local Planning Policy: Outbuilding Control and the relevant deemed-to-comply provisions of the R-Codes.

**7734**

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

**Moved: Cr Faries**

**Seconded: Cr King**

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

- 1. Grant approval to Industry Maintenance Solutions for the construction of a carport at 19A Bunbury Street, Collie subject to the following conditions:**
  - a). All development shall be in accordance with the approved development plans (attached) which form part of this planning approval.**
  - b). This planning approval will expire if the approved development has not substantially commenced within two (2) years from the date of issue of the approval, or, within any extended period of time for which the Shire of Collie has granted prior written consent.**
  - c). The carport shall not be enclosed except to the extent that it may abut another building on one side only.**

**CARRIED 11/0**

**Background:**

An application has been lodged for Development Approval for the carport as it is not consistent with the deemed-to-comply requirements of the R-Codes or clause 4.4 - Size of Outbuildings in relation to size of the Shire's Local Planning Policy – Outbuilding Control.

**Statutory and Policy Implications:**

Planning and Development (Local Planning Schemes) Regulations 2015  
*Schedule 2 cl. 60 Requirements for Development Approval*

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

- (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;
- (g) any local planning policy for the Scheme area;
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;
- (zb) any other planning consideration the local government considers appropriate.

Local Planning Scheme No. 5

The subject lot is zoned Residential (R-15).

State Planning Policy 3.1 - Residential Design Codes

Design Principles Clause 5.4.3:

*Outbuildings that do not detract from the streetscape or the visual amenity of residents of neighbouring properties.*

Local Planning Policy: Outbuilding Control

The proposal is not consistent with the following clause(s):

Clause 4.4 –which specifies a maximum of 100m<sup>2</sup> for lots greater than 1000m<sup>2</sup>. The proposed structure has a total floor area of 144m<sup>2</sup>; and

Clause 4.5 Maximum wall height of 3.0m. The proposed structure has a 3.6m wall height.

**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.*

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

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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:**

Council regularly considers variations to the R-Codes requirements for outbuildings where the proposal exceeds the objectives of the Local Planning Policy: Outbuilding Control.

**Comment:**

The proposal is on a corner property with 3 street frontages. The structure is located 2 metres from the rear boundary (Crampton Street) and 4.5 metres from the side boundary (Mungalup Road). The affected intersection is a wide-open space with no immediate house frontages facing the property. As an open structure the carport will not have a negative impact on the streetscape.

Access should be from the existing Mungalup Road crossover, as vehicle access on the intersection would be unlikely to be supported if the applied for at a later date.

The height of the carport is to accommodate off-road caravans which require the additional space for the air conditioning units. The caravans are 30ft which equates to 11.6m in length. The carport has an overall dimension of 12m x 12m with a total of 144m<sup>2</sup>.

The lot size is 1160m<sup>2</sup> therefore the carport is approx. 12% of the site.





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**10.3 Receipt of the Minutes of the Economic Development Advisory Committee**

**7738**

**Recommendation/Council Decision:**

**Moved: Cr Faries**

**Seconded: Cr Italiano**

**That Council receives the minutes of the Economic Development Advisory Committee held on 9 March 2018.**

**CARRIED 11/0**

**10.4 Adoption of the Recommendations of the Economic Development Advisory Committee**

**7739**

**Recommendation/Council Decision:**

**Moved: Cr Hanns**

**Seconded: Cr Smith**

**That Council adopts en bloc the recommendations contained within the minutes of the Economic Development Advisory Committee held on 9 March 2018.**

**That Council allocates up to \$10,000 from its Economic Development fund to undertake an audit of Collie Businesses.**

**CARRIED 11/0**

**10.5 Receipt of the Minutes of the Museum Transition Committee**

**7740**

**Recommendation/Council Decision:**

**Moved: Cr Harverson**

**Seconded: Cr Woods**

**That Council receives the minutes of the Museum Transition Committee held on 12 March 2018.**

**CARRIED 11/0**

**10.6 Receipt of the Minutes of the Plant Committee**

**7741**

**Recommendation/Council Decision:**

**Moved: Cr Faries**

**Seconded: Cr Hanns**

**That Council receives the minutes of the Plant Committee held on 13 March 2018.**

**CARRIED 11/0**

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**10.7 Adoption of the Recommendations of the Plant Committee**

**7742**

**Recommendation/Council Decision:**

**Moved: Cr Faries**

**Seconded: Cr Italiano**

**That Council adopts en bloc the recommendations contained within the minutes of the Plant Committee held on 13 March 2018.**

**That Council request staff to:**

**10.7.1 further investigate and get quotes on a basic digital radio system with a stand-alone GPS.**

**10.7.2 seek clarification whether a stand-alone GPS system is eligible for the Smart Cities grant fund.**

**10.7.3 report back to Council the revised costings and grant funding specifics.**

**CARRIED 11/0**

**10.8 Receipt of the Minutes of the Townscape Advisory Committee**

**7743**

**Recommendation/Council Decision:**

**Moved: Cr Scoffern**

**Seconded: Cr Harverson**

**That Council receives the minutes of the Townscape Advisory Committee held on 13 March 2018.**

**CARRIED 11/0**

**10.9 Adoption of the Recommendations of the Townscape Advisory Committee**

**7744**

**Recommendation/Council Decision:**

**Moved: Cr Scoffern**

**Seconded: Cr Faries**

**That Council adopts en bloc the recommendations contained within the minutes of the Townscape Advisory Committee held on 13 March 2018.**

**That:**

**10.9.1 the Townscape Advisory Committee will design a Christmas decoration plan and send with a letter for funding to all major businesses and companies.**

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**10.9.2 Council notes that Nola Green will write a letter on behalf of Tidy Towns to Coles regarding the clean-up and maintenance of the garden in the parking lot alongside Fusion Smokehouse.**

**CARRIED 11/0**

**10.10 Receipt of the Minutes of the Weeds and Waterways Advisory Committee**

**7745**

**Recommendation/Council Decision:**

**Moved: Cr King**

**Seconded: Cr Woods**

**That Council receives the minutes of the Weeds and Waterways Advisory Committee held on 15 March 2018.**

**CARRIED 11/0**

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

**7746**

**Recommendation/Council Decision:**

**Moved: Cr King**

**Seconded: Cr Harverson**

**That Council adopts en bloc the recommendations contained within the minutes of the Weeds and Waterways Advisory Committee held on 15 March 2018.**

**That Council acknowledges the letter from Ed Riley.**

**CARRIED 11/0**

**10.12 Receipt of the Minutes of the Access and Inclusion Committee**

**7747**

**Recommendation/Council Decision:**

**Moved: Cr Harverson**

**Seconded: Cr Scoffern**

**That Council receives the minutes of the Access and Inclusion Committee held on 15 March 2018.**

**CARRIED 11/0**

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**10.13 Adoption of the Recommendations of the Access and Inclusion Committee**

**7748**

**Recommendation/Council Decision:**

**Moved: Cr Faries**

**Seconded: Cr Harverson**

**That Council adopts en bloc the recommendations contained within the minutes of the Access and Inclusion Committee held on 15 March 2018.**

**That Council:**

**10.13.1 Authorise the House Panel to investigate and deliver a function to acknowledge the sporting achievements of Paralympian Shaun Pianta.**

**10.13.2 Consider including Disability Awareness Training in the 2018/19 budget at a total cost of \$950.**

**10.13.3 Authorise staff to investigate the provision of handrails in the male and female changerooms at the Collie Swimming Pool.**

**10.13.4 Authorise staff to investigate costs into a barrier or fencing part of the railway reserve behind the Margaretta Wilson Centre.**

**CARRIED 11/0**

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**11. CEO REPORTS**

**11.1 Black Diamond Risk Assessment**

<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>	
<b>Appendices:</b>	Yes – Appendix 1
<b>Voting Requirement</b>	Absolute Majority

**Report Purpose:** To present a proposal from Local Government Insurance Services (LGIS) to undertake a risk assessment for Black Diamond.

Officer's Recommendation:

That Council

1. by ABSOLUTE MAJORITY accept the proposal from Local Government Insurance Services for \$7,440 ex GST for the liability risk assessment – Black Diamond Lake as attached at Appendix 1;
2. by ABSOLUTE MAJORITY allocate \$2,060 towards establishing a CCTV system at the front counter of the Council's administration centre;
3. the liability risk assessment and CCTV system be funded from Council's contributions dividend credit held with LGIS

Council decided to alter the officer's recommendation to include other areas for assessment.

**7749**

**Council Decision:**

**Moved: Cr Faries**

**Seconded: Cr Italiano**

**That Council;**

1. by ABSOLUTE MAJORITY accept the proposal from Local Government Insurance Services for \$7,440 ex GST plus incidental expenses for the liability risk assessment – Black Diamond Lake as attached at Appendix 1. The assessment to be without prejudice basis i.e. that Council does not accept responsibility for the site.
2. by ABSOLUTE MAJORITY allocate approximately \$5,000 towards establishing a CCTV system at the front counter of the Council's Administration Centre and also the Collie Visitor Centre.

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- 3. the liability risk assessment and CCTV system be funded from Council's contributions dividend credit held with LGIS.**
- 4. Council to do a risk assessment on the Visitor Centre and utilise Council's Regional Risk Co-ordinator.**

**CARRIED 9/2**

**Background:**

Council will be familiar with the issues relating to the Black Diamond mine void around illegal camping and fires, water quality and sanitation, littering, illegal access, land tenure and other risks associated with a disused mine void. Of further concern is that no management authority or body is assigned the responsibility for the site and this has resulted in Council staff responding to complaints in the interests of public health.

The Black Diamond mine void recently underwent partial remedial works funded through the Department of Mines abandoned mine scheme with the works comprising battering of the cliffs on the southern side of the lake to improve safety. Whilst this has eliminated a significant risk at the site, many issues remain unresolved.

To exacerbate the situation, Black Diamond has had a surge in popularity in recent times due to social media and this has resulted in a significant increase in visitor numbers on long weekends and holiday periods.

Council held a workshop on 8 February 2018 to discuss matters associated with Black Diamond including what it would like to see as a long-term vision for the site. This resulted in consensus that the site should be ultimately used as a day use area with toilet facilities with some low-level camping developed to the western side of the lake.

Council were also interested in understanding its legal obligations in particular the risks associated with the site from a shire perspective. Staff have requested a proposal from the Councils Insurer and risk advisor Local Government Insurance Services (LGIS) and this is attached at Appendix 1.

**Statutory and Policy Implications:**

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
  - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
  - (b) is authorised in advance by resolution\*; or
  - (c) is authorised in advance by the mayor or president in an emergency.

*\* Absolute majority required.*

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**Budget Implications:**

The proposal from LGIS totals \$7,440 ex GST.

There is no budget allocation specifically for this in Councils 2017/18 Annual Budget, however the Shire of Collie currently has \$6,410.41 (ex GST) available within its funding pool along with \$14,665.50 contributions dividend, all of which may be utilised for the payment of these services.

These funds can be used to offset future premium costs or can be used to remedy identified risks.

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

N/A

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

2.3 A growing tourism industry 2.3.1 Support the provision of appropriate visitor servicing facilities including the Collie Visitor Centre

2.3.2 Support local and regional tourism destination management and marketing initiatives that provide local tourism growth; including:

- ☐ Collie Caravan Park
- ☐ supporting development of Lake Kepwari and Collie Motorplex
- ☐ support development of camping facility managed by the Department of Parks and Wildlife (DPAW)

**Relevant Precedents:**

N/A

**Comment:**

The objective of the report is to fully inform the Council of its legal position, advise on risks at the site and provide direction on risk treatment options. This information can then be considered for future decisions relating to Black Diamond lake.

Black Diamond already attracts a significant number of tourists to Collie and with improvements could become a potential iconic tourism drawcard for the region.

Staff would also like Council to consider utilising \$2,060 of contribution dividends held towards improved security at the administration counter by establishing a CCTV system.

LGIS have undertaken a risk assessment of security and staff safety of the front Counter after several instances of threatening behaviour towards staff. The recommendation was that CCTV system would minimise this behaviour and provide evidence to police should an incident occur.

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**12. CORPORATE SERVICES REPORTS**

**12.1 Lease for Our Community Garden Inc.**

<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>	L4909
<b>Appendices:</b>	Yes – Appendix 2
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To seek Council authorisation to enter into a lease agreement with Our Community Garden Inc for the lease of Reserve 4909, Bunbury Street, Collie

**7750**

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

**Moved: Cr Scoffern**

**Seconded: Cr King**

**That Council approve the lease of Reserve 4909 to Our Community Garden Inc, subject to the approval of the Minister for Lands, with the following conditions:**

- 1) lease to be deemed a community built and operated lease with a term of 10 years with a 10 year option;**
- 2) Annual lease amount payable be \$1 per annum inc GST; and**
- 3) Other conditions to be in accordance with Council policy DS1.5.**

**CARRIED 11/0**

**Background:**

The Reserve 4909 has previously been leased to Our Community Garden Inc, with the lease expiring on 31 December 2017. The Club has requested that the lease be renewed and also that consideration be given to a longer lease on the site – Appendix 2.

The community garden on R4909 is situated between Bunbury and Crampton streets, and Atkinson St and Prinsep Street South.

The reserve R4909 with area of 1.0927 Ha is vested in the Shire of Collie for the purpose of Recreation/Children's Playground, with the power to lease for any term not exceeding 21 years, subject to the consent of the Minister for Lands.



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**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:

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

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Issue	Community built and operated – Responsible party
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.

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

Goal 1: Our Community A vibrant, supportive and safe community.

1.2 Participation in sport, recreation and leisure opportunities.

**Relevant Precedents:**

Council has previously approved leases for a longer term than 5 years with a 5 year option. Most recently a lease was approved for the Collie Harness Racing Club Inc for 10 years with a 10 year option at the meeting of Council held 7 March 2017:

*7352 - That Council lease the portion of the Reserve 15195E (Collie Lot 2044) as shown hachured on the diagram at Appendix 8 to the Collie Harness Racing Club Inc, subject to the approval of the Minister for Lands, with the following conditions:*

- 1. lease to be deemed a community built and operated lease with a term of 10 years with a 10 year option;*
- 2. Annual lease amount payable be \$1 per annum inc GST;*
- 3. Other conditions to be in accordance with Council policy DS1.5.*

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**Comment:**

The community garden has operated successfully from the site for a period of five years with no issues reported. During that time, the Our Community Garden group has invested in significant infrastructure and improvements to the site and has now requested that for the members' peace of mind, a lease for a longer term be approved so that the garden will remain available to the Collie community for a very long time.

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**12.2 Lease for Cardiff Progress Association Inc.**

<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>	R14759
<b>Appendices:</b>	Yes – Appendix 3
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To seek Council authorisation to enter into a lease agreement with Cardiff Progress Association Inc for the lease of the Cardiff Hall on Reserve 14579, Shannon Street, Cardiff.

**7751**

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

**Moved: Cr King**

**Seconded: Cr Scoffern**

**That Council lease the Cardiff Hall and located on Reserve 14579, Shannon Street, Cardiff to the Cardiff Progress Association Inc, subject to the approval of the Minister for Lands, with the following conditions:**

- 1) lease to be deemed a long term lease with a term of 5 years with a 5 year option;**
- 2) Annual lease amount payable be \$1 per annum inc GST; and**
- 3) Other conditions to be in accordance with Council policy DS1.5.**

**CARRIED 11/0**

**Background:**

The Cardiff Hall is located on Reserve 14579 [Lots 355 and 356 Shannon Street, Cardiff] and vested in the Shire as 'Hallsite' with power to lease. The Hall has been used for many years for a variety of social activities, but to date there has been no lease with any organisation in place.

Following discussions with staff, the Cardiff Progress Association Inc has now written to the Shire requesting a long term lease of the Hall [Appendix 3].

**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

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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:

Issue	Long Term Lease Responsible Party
Building insurance	Shire
Vandalism damage to building (assuming no negligence on lessee's part)	Building insurance excess shared equally between Lessee and Shire (\$500 each as at November 2010).
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	Shire
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)	Shire
Sub letting	Not permitted
Use by others	Casual hire with Shire approval

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

Correspondence to proponent.

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

Goal 1: Our Community A vibrant, supportive and safe community.

1.2 Participation in sport, recreation and leisure opportunities.

**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 Cardiff Progress Association is already using the hall for events and assuming responsibility for minor maintenance. Rather than submitting event applications on each occasion that an event is held, the Association has agreed to enter a lease arrangement with the Shire.

The establishment of a formal lease agreement with the Association with the requirement for appropriate public liability insurances will mitigate any risk to the Shire arising from the use of the building.

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Mr & Mrs Gilbert left the Chambers at 7.52pm.

**12.3 Accounts Paid – February 2018**

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Jay Bundela – Acting 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 4
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To present the accounts paid during the month of February 2018.

**7752**

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

**Moved: Cr Faries**

**Seconded: Cr Harverson**

**That Council accepts the Accounts as presented in Appendix 4 being vouchers 41308-41327 and 3174-3174 totalling \$78,346.56 and direct payments totalling \$1,173,446.22 authorised and paid in February 2018.**

**CARRIED 11/0**

**Questions taken on Notice:**

- 1. Monitoring of the Rivers Edge along Wagyl Bidi bike trail by Aboriginal Elders how is this assessed? Staff to provide further advice.**
- 2. How has an overpayment to Sizzles Deli occurred?**

**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.

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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	84,801.36	1,134,844.61	1,219,645.97
December	66,662.14	1,070,824.21	1,137,486.35
January	49,832.24	2,025,700.07	2,075,532.31
February	78,346.56	1,173,446.22	1,251,792.78
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 4.



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**12.4 Financial Report – February 2018**

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Jay Bundela – Acting 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 5
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

This report provides a summary of the Financial Position for the Shire of Collie for the month ending February 2018.

**7753**

**Officers Recommendation/Council Decision:**

**Moved: Cr Faries**

**Seconded: Cr Woods**

**That Council accept the Financial Report for February 2018 as presented in Appendix 5.**

**CARRIED 11/0**

**Background:**

In accordance with Council policy and the provisions of the Local Government Act 1995, the Financial Report for the end of the period is presented to Council for information. Refer to Appendix 2.

**Statutory and Policy Implications:**

WA Local Government Act 1995  
Financial Management Regulations 1996

**Budget Implications:**

Nil

**Communications Requirements: (Policy No. CS1.7)**

Nil

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

Nil

**Relevant Precedents:**

N/A

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**Comment:**

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

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

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

**Operating Revenue by Program**

1. **Law, Order and Public Safety is \$103,273 over budget due to grants received for Bushfire Mitigation – Office of Emergency Management (\$18,471) and Radios High Band – Smart Cities and Suburban Grant (\$94,470).**
2. Health is \$23,571 over budget due to Reimbursement of Wages relating to Community Housing Officer. This is offset by an equivalent amount of income. Council anticipated that the administration of this position would be handed back to the state early in the financial year.
3. Other Property and Services is \$18,598 under budget due to Profit on Asset Sale - PWO pending Sale of Elouera Road property for which tender documents are being prepared.

**Operating Expenditure by Program**

4. General Purpose funding is over budget \$18,447 due to Rates Legal and is offset by recoveries Income.
5. Health is over budget \$15,762 due to Community Housing Officer (refer Note 1.)
6. Welfare is \$14,049 under budget mainly due to Senior Citizen Lunch (\$2,745) and Depreciation- Margaretta Wilson Centre (\$11,597) being under budget and is due to revaluation done in Jun 2017.
7. Transport is under budget \$447,853 mainly due to Depreciation on Infrastructure Assets (\$483,287).
8. Economic Services is under budget \$80,506 due to Economic Development funding yet to be spent.
9. Other Property and Services is under budget by \$162,329 due to Asset management expenditures (\$30,000), Recovery of Vehicle License fee (\$20,749), and allocation of overheads.

**Operating Revenue by Nature and Type**

10. Grants and Subsidies are under budget by \$720,816 due to FAG grant for 2017-18 received in 2016-17. Council was prepaid ¼ of its annual allocation for 17/18 in 16/17. This will be adjusted in Budget Review for 2017-18. Further Road related grants are still not received, and claim has been submitted.
11. Contributions and reimbursements are \$88,457 over budget mainly due to worker's compensation Reimbursement received \$65,042.

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**Operating Expenditure by Nature and Type**

12. **Utilities** is under budget by \$41,193 due mainly to pool utilities under budget by \$33,283.88.
13. **Depreciation** is under budget by \$392,731 due mainly to Depreciation of Infrastructure Assets being under budget as per note in Transport above.
14. Profit on disposal of Assets is under budget by \$60,000 due to pending sale of Elouera road property for which the contractual documents are being prepared.

**Non-Operating Expenditure**

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

Project	Original Budget	YTD Actual	Comment
MSW Upgrade Project	2,863,082	2,402,880	The civil works for the track extension have been completed with the exception of the eastern tie-in (new track to old track) which is scheduled to be completed next month. The facility has been inspected by both Confederation Of Australian Motor Sport and MA on the 20th January. Some minor improvements have been identified which are being assessed by the project engineer and Motoring South West
Mornington Road	60,000	51,229	Complete
Mungilup Road	180,000	55,930	Works Complete – Pending Final Invoices
Wellington Dam Road	420,000	106,862	Works underway Jan – Mar 2018
Prinsep/Forrest	50,000	49,289	Complete
<b>Total - Regional Road Group works</b>	<b>710,000</b>	<b>263,310</b>	
Johnston Road (Local district Road)	75,000	59,246	Complete
Cable Street (Access Road)	8,500	26,112	Complete
ROWE ST (SLK 0 - SLK 0.5)	0	4,346	Complete
Traffic Calming Devices (Prinsep & Steere)	0	12,155	Complete
Siding road	180,000	152,421	Complete
<b>Total - Roads to Recovery works</b>	<b>263,500</b>	<b>254,280</b>	
<b>Footpath Program (Total)</b>	<b>259,800</b>	<b>290,056</b>	90% Complete
Cemetery Roads	20,000	0	April 2018
Dump point	15,000	0	March 2018
Drainage Improvements	50,000	31,840	Ongoing

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Eastern Entry Statement	92,899	0	Feb - March 2018
Gravel Re-sheeting	100,000	26,588	May- June 2018
Road Improvements	268,000	0	Ongoing
<b>Total - Special Projects</b>	<b>545,899</b>	<b>58,428</b>	

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**12.5 Mid-Year Budget Review 2017/18**

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Jay Bundela – A/ Finance Manager
<b>Accountable Manager:</b>	Allison Fergie – Director Corporate Services
<b>Legislation</b>	WA Local Government Act (1995)
<b>File Number:</b>	
<b>Appendices:</b>	Yes – Appendix 6
<b>Voting Requirement</b>	Absolute Majority

**Report Purpose:**

To review the 2017/18 Adopted Budget.

**7754**

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

**Moved: Cr Faries**

**Seconded: Cr Harverson**

**That Council by ABSOLUTE MAJORITY adopts the changes to the 2017/18 Annual Budget as identified in Appendix 6 of this Agenda.**

**CARRIED 11/0**

**Background:**

A thorough review of the Council's financial performance against budget has been undertaken by the Executive Management team. From this review, several items of expenditure and income have been recommended as budget reallocations. These are summarised in Appendix 6.

The purpose of this process is twofold. Firstly, it provides the Council with the opportunity to address any budget items which are or will be significantly over or under budget and secondly it allows the Council the opportunity to re-allocate its resources and consider undertaking additional projects during the current financial year, if sufficient funding is available.

**Statutory and Policy Implications:**

Section 33A of the WA Local Government (Financial Management) Regulations 1996 reads as follows:

**33A. Review of budget**

- (1) *Between 1 January and 31 March in each year a local government is to carry out a review of its annual budget for that year.*
- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) *A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

*\*Absolute majority required.*

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<p>(4) <i>Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.</i></p> <p>[Regulation 33A inserted in Gazette 31 Mar 2005 p. 1048-9.]</p>
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**Budget Implications:**

The financial impacts of the review are nil, i.e. all changes are balanced out.

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

Nil

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

KEY OBJECTIVE 5.0

Our Business

Good governance and an effective, efficient and sustainable organisation.

Outcome 5.3:

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

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

**Relevant Precedents:**

The 2016/17 Budget Review was adopted by the Council on 28<sup>th</sup> March 2017.

**Comment:**

The notes below correspond to the notes in the note column in the appendix. A revised Operating Statement and Rate Setting Statement have been produced based on the recommended budget alterations below.

**2017/18 Budget Review Notes**

***Operating Expenditure***

1. Pool Salaries are overbudget \$30,000 due to the unexpected sick leave by the swimming Pool Manager. This is proposed to be funded from Council's leave reserve.
2. Rubbish Site Main Collie material component is expected to be overbudget by \$100,000 due to the hiring of contracting machine while repair works are undertaken to Council's traxcavator machine. It is suggested that this is funded from Council's Waste reserve.
3. Kidsport Grant Expenditure is overbudget \$18,396 as the methodology for administering the Kidsport program has changed. All unexpended funding has been returned, Kidsport payments are made by the Shire and then DSR is invoiced for payments made.
4. Parts and External Works is expected to be overbudget \$75,000 which reflects Traxavator repair cost previously approved by Plant committee and Council. As per Council resolution #7646 additional funding of \$75,000 is to be transferred from the Waste Reserve account to carry out repair work.

***Capital Expenditure***

5. Throssell Street Truck Bay toilet block expenditure of \$150,000 were not initially budgeted and were approved via Council resolution #7496. The

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funding will be \$75,000 from the Building Better Regions fund and loan funds of \$75,000.

6. Roads to recovery expenditure original budget of \$263,500 is required to be increased by \$56,843 which includes additional expenditure of Mungalup Road Traffic Calming job (\$20,364) and Bridge works (\$36,479). This is partially offset by additional funds of \$30,772 which are required to be claimed prior to the end of the financial year. Council has received additional grant funds in previous years relating to bridge repairs which it must spend prior to 30<sup>th</sup> June 2018.
7. Road works – Council has received a contribution from S32 towards replacing Armco barrier supports along Gastaldo road (\$50,000) which was not budgeted for. The work has been complete.

***Increase/Decrease Revenue/Expenditure That Net Out***

8. Purchase of replacement portable traffic signals revenue and expenditures (\$22,100). Council received an insurance claim of \$17,182 for its previous machine and it is recommended that the difference (\$4,918) be sourced from the plant reserve towards new signals.
9. LGIS Disbursement expenditures and revenue (\$21,076). As advised, Council has a dividend relating to its insurance premium scheme which it can spend or receive a refund.
10. Caravan Park toilet refurbishment revenue and expenditures (\$32,000). Council motion #7709. This will be funded from caravan park improvements account as well as loan funds of \$12,000. (loan to be combined with loan for truck bay toilets)
11. The state has cancelled swimming Pool Capital Grant scheme. The revenue and expenditure of \$11,000 shown relates to Changing Places income and expenditure for changing place facility.
12. Legal Fees revenue and expenditure (\$32,943). This relates to debt collection of rates and is fully recoverable.
13. Community House Wages revenue and expenditure (\$24,000) will be Offset as per payment from Department of Communities. Staff anticipated that the Community House Officer arrangement would be resolved by now.

***Revenue***

14. Main Roads Direct Grant original budget \$109,812. The State Government has reduced the 2107/18 budgeted grant by \$46,121. The revised grant is now \$63,691.
15. Roads to recovery grant, \$30,772 represents additional funds required to be claimed in 17/18.
16. Kidsport Grant Revenue was budgeted as \$30K actual received was \$20K This grant is now changed and will be paid based as reimbursement basis.
17. Workers Compensation Reimbursements are now overbudget due to unanticipated claims.
18. Building Permit Fees are expected to be \$10,000 greater than budget by the end of the financial year.
19. Planning Fees revenue will be greater than anticipated by \$25,000 due to planning application of Solar plant.
20. Council received a licensing refund of \$20,749 due to a reversal of decision to revoke the concession on stamp duty on vehicles.

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***Unbudgeted Grants/Expenditures***

21. Strategic Community Plan and Corporate Business review was not originally budgeted in Annual Budget 2017/18. This expense was charged to the 17/18 year rather than 16/17 year as anticipated.
22. Incredible Years Grant \$15,788. Grant application successful for delivery of Incredible Years Parenting Program support.
23. Youth Development Scholarship \$5,000. Grant application successful for staff member.
24. Bushfire Mitigation Grant \$18,471. Grant received not budgeted initially.
25. Collie River Water Stop Design Grant \$40,000. This represents an election promise to redesign the Venn St water stop.
26. Coalfields Highway Tree Entry Statement (revenue and expenditures) - \$27,500. This is another election promise which was not included in the 17/18 budget.
27. Minninup Pool Grant (Revenue) \$200,000. Council has been advised through the South West Development Commission that an allocation of \$500,000 has been made towards the planning of camping facilities at Minninup Pool, with \$200,000 being provided initially in 17/18.
28. Motoring SW Grant (revenue and expenditures) - \$314,000 has been committed through the Department of Regional Development as an additional grant towards safety improvements at the Collie Motorplex.
29. River Grant (revenue and expenditures) - \$125,000. This is an election commitment in relation to the replacement of the Venn Street boards. A further \$125,000 will be received in 18/19.
30. Local Drug Actions Team (LDAT) Grant ADF (revenue and expenditures) – a grant of \$10,000 has been received to progress actions relating to the impacts of drug in the community.
31. Light Vehicle Review expenditure \$9,720 was not originally budgeted in Annual Budget 2017/18
32. River rehabilitation – \$30,000. A commitment has been made by S32 of \$90,000 over three years regarding funding towards rehabilitation of the Collie river with \$30,000 being received in 17/18.

Above adjustments are required to ensure that the Council remains in a financially sound position with a balanced budget.



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**13. DEVELOPMENT SERVICES REPORTS**

**13.1 Trading Permit for 12 months – Collie Ridge Motel Food Van**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	Kelly Beauglehole – Shire Planner
<b>Accountable Manager:</b>	Andrew Dover – Director Development Services
<b>Legislation</b>	WA Local Government Act 1995
<b>File Number:</b>	PHL/011
<b>Appendices:</b>	No
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To seek Council approval for a renewal of Trader's Permit under the Activities in Thoroughfares and Public Places and Trading Local Law 2012 for a 12 month period.

**7755**

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

**Moved: Cr Scoffern**

**Seconded: Cr Smith**

**That Council, pursuant to the provisions of the Local Government Act 1995, hereby resolves to:**

- 1. Grant a Trader's Permit to Collie Ridge Motel for the 'Rolling Ridge' to operate a roaming mobile food van for a period of 12 months subject to the following conditions:**
  - (a) Place to which permit applies:**  
Worsley Mine Site
  - (b) Description of stand, structure or vehicle to be used by the licensee:**  
'Rolling Ridge' Van - registration no. 1GDL-989
  - (c) Particulars of goods, wares, merchandise or services available:**  
Industrial Catering Service
  - (d) Permitted days and hours when stall may be operated:**  
Daily: 05:30am – 11:59pm
  - (e) This permit is valid for a period of 12 months from the date of issue.**
  - (f) The licensee shall maintain a public liability insurance of not less than \$20 million at all times.**
  - (g) The licensee is to abide by the conditions set under Part 6 Trading in Thoroughfares and Public Places Division 1 - Stallholders and Traders**
  - (h) Trading is not permitted within 400 metres of an established premise selling similar goods.**
  - (i) The Permit Holder must comply with the Shire of Collie Parking and Parking Facilities Local Law 2012 and with all relevant laws regarding stopping and parking of vehicle with regards to road traffic and pedestrian safety.**
  - (j) This permit shall be available for inspection from the food business at all times during operation.**

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**(k) This permit is only valid for the location specified on the permit, unless otherwise agreed to in writing by the Shire.**

**CARRIED 11/0**

**Background:**

The 'Rolling Ridge' mobile vendor has applied for a renewal of their permit for a further twelve (12) months commencing from the date of approval. 'Rolling Ridge' is a registered Food Business with the Shire of Collie under the Collie Ridge Motel and is seeking permission to trade in public places within the Shire of Collie. They are currently operating at the same frequency under a 12 month permit expiring 22 March 2018.

**Statutory and Policy Implications:**

Local Government Act 1995

Under Section 5.42 of the Act Council has delegated to the CEO the power to determine Trader's Permits under Part 6 of the *Activities in Thoroughfares and Public Places and Trading Local Law 2012* for a period of 3 months or less and only if in the opinion of the CEO the permit will not adversely affect nearby landowners or shire operations.

Activities in Thoroughfares and Public Places and Trading Local Law 2012

*Part 6 – Trading in Thoroughfares and Public Places*

Trading includes -

- (b) displaying of good in any public place for the purpose of –
  - (i) Offering them for sale or hire;
  - (ii) Inviting offers for their sale or hire;
  - (iii) Soliciting orders for them; or
  - (iv) Carrying out any other transaction in relation to them

**Budget Implications:**

A Trader's Permit will attract an application fee of \$462 from the Permit Holder. This comprises of a \$24 application fee and \$438 for a 12 month period of trading.

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

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

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

Goal 3: Our Built Environment

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

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

Outcome 5.1: Good Governance and Leadership

*Action 5.1.5.5 Ensure formal land use agreements are in place for all third parties who operate from Council reserves in accordance with Council Policy.*

**Relevant Precedents:**

Council annually approve food businesses such as 'Lenard's Bunbury' and 'Joey Soft serve' to operate food vans within the Shire.

**Comment:**

This mobile food service provides a catering option for the Worsley South 32 site, where there is no fixed retail premises in the townsite. A mobile food premises is required to comply with the Competition Principles Agreement (WA) and the Shire of Collie Activities in Thoroughfares and Public Places and Trading Local Law 2012.

Should the Food Van participate in further activities for catering or as part of a public event, approval is required as part of that individual event.

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Cr Stanley left the room at 8.07pm having declared a proximity interest in Item 13.3.

Cr Miffing as Deputy Shire President assumed the chair at this point of the meeting.

**13.3 Pet Friendly Park Location**

<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>	WA Local Government Act 1995
<b>File Number:</b>	GAS/005
<b>Appendices:</b>	Yes – Appendix 8
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To inform Council of the change of location of the dog agility area from the western end to the eastern end of Timber Park.

**7756**

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

**Moved: Cr King**

**Seconded: Cr Smith**

**That Council note the change of location of the dog agility area from the western end to the eastern end of Timber Park.**

**CARRIED 10/0**

**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 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. Council at the Ordinary Council Meeting of 14 November 2017 resolved:

*7640 - 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.*

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

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water available, and a picnic setting. Timber Park is ideally placed to be developed as a dog-friendly park through the provision of dog agility equipment.

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:

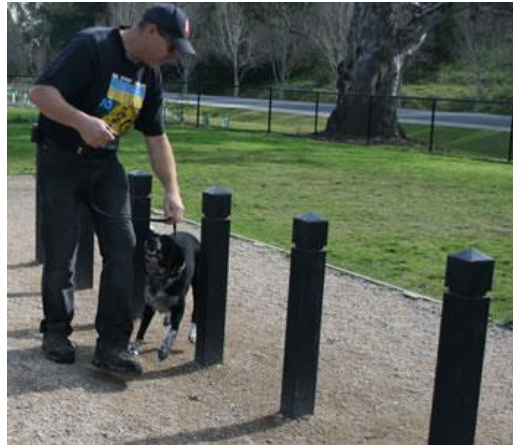
- Dog parks offer spaces which facilitate social connectivity, community interaction, down social barriers and stereotypes, improving community health and wellbeing
- Dog parks create better relationships between council, dog owners and residents;
- Dog parks encourage responsible dog ownership and promote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

Nil

**Budget Implications:**

Nil

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

Consultation has been carried out by Ranger Services including writing to owners and occupiers of nearby houses, two public forums on site and an online survey. No written submissions were received. The online survey results are attached at Appendix 8. This consultation relates mainly to the preferred equipment to be provided but also provided opportunity for other comment. Comments were supportive of the amended location and also requested a fence around the dog agility area. However this is not in the budget at this stage.

**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.

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**Relevant Precedents:**

Nil

**Comment:**

The originally proposed location was to the east of Timber Park. This was considered because it was away from housing and is within the Shire's Dog Exercise Areas. However, following further consideration this location has a number of trees which drop branches and may damage the equipment. No objections to locating this facility to the western end of Timber Park where received during the consultation. As the owners and occupiers of the nearby houses were consulted directly, locating the facility away from these houses is no longer a consideration. As such, the preferred location is to the eastern end of Timber Park as show on the below map.



Cr Stanley returned to Chambers at 8.14pm.

Cr Stanley as Shire President resumed the Chair at 8.14pm.



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**13.4 Undertaking to Amend the Parking and Parking Facilities Local Law 2012**

<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>	WA Local Government Act 1995
<b>File Number:</b>	LAW/001
<b>Appendices:</b>	Yes – Appendix 9 and 10
<b>Voting Requirement</b>	Absolute Majority

**Report Purpose:**

To present a request from the Joint Standing Committee on Delegated Legislation that the Shire of Collie undertake to make amendments, as outlined in the body of this report, to the *Shire of Collie Parking and Parking Facilities Local Law 2012*.

**7757**

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

**Moved: Cr Harverson**

**Seconded: Cr Italiano**

**That Council:**

- 1. Undertake to amend the Shire of Collie Parking and Parking Facilities Local Law 2012 as requested by the Joint Standing Committee on Delegated Legislation as outlined in the body of this report,**
- 2. In the meantime, not enforce the Local Law in a manner contrary to the undertakings given, and**
- 3. Where the local law is made available to the public, whether in hard copy or electronic form, it be accompanied by a copy of these undertakings.**

**CARRIED 11/0**

**Background:**

The Council resolved at its meeting on 18 April 2017 the following in relation to the above Local Law.

*7401 - That Council:*

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



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Prior to adoption, comment was received from the Department of Local Government and Communities and no changes were proposed. On 01 August 2017 Council resolved:

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

A copy of the current *Shire of Collie Parking and Parking Facilities Local Law 2012* and *Shire of Collie Parking and Parking Facilities Amendment Local Law 2017* are provided at Appendix 9 and 10 for reference.

**Statutory and Policy Implications:**

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

**Budget Implications:**

Advertising required to amend the Shire of Collie Parking and Parking Facilities Local Law 2012.

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

Statutory advertising as required for amendment of a local law.

**Strategic Community Plan Implications:**

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

*Outcome 5.1: Good governance and leadership*

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

**Relevant Precedents:**

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

*7398 - That Council:*

- 1. Undertake to amend the Shire of Collie Bush Fire Brigades Local Law 2017 as requested by the Joint Standing Committee on Delegated Legislation as outlined in the body of this report,*
- 2. In the meantime, not enforce the Local Law in a manner contrary to the undertakings given, and*
- 3. Where the local law is made available to the public, whether in hard copy or electronic form, it be accompanied by a copy of these undertakings.*

**Comment:**

The Joint Standing Committee on Delegated Legislation (the Committee) has now requested that Council provide a letter signed by the Shire President undertaking to make the following amendments to the *Shire of Collie Parking and Parking Facilities Local Law 2012*:

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The Committee stated that rather than being an issue with the *Parking and Parking Facilities Amendment Local Law 2017*, the drafting errors were with the original *Parking and Parking Facilities Local Law 2012* which rendered the penalties both in the original and amendment no longer enforceable.

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

1. Within six months after the date of the letter providing the undertakings, the Council will:
  - a. Delete sub-clause 8.1(3) of the *Shire of Collie Parking and Parking Facilities Local Law 2012*
  - b. Insert a new sub-clause in clause 8.1 to state 'Any person who commits an offence under this local law shall be liable, upon conviction, to a penalty not exceeding \$5,000, and if the offence is of a continuing nature, to an additional penalty not exceeding \$500 for each day or part of a day during which the offence has continued.'
  - c. Replace references in clause 61.5(2) to the Local Government (Parking for Disabled Persons) Regulations 1988 with the Local Government (Parking for People with Disabilities) Regulations 2014, and references throughout the local law to 'ACROD sticker' with 'disability parking permit'.
  - d. Make all necessary consequential amendments.
2. In the meantime, the Local Law will not be enforced in a manner contrary to the undertakings given.
3. Where the local law is made available to the public, whether in hard copy or electronic form, it be accompanied by a copy of these undertakings.

The impact of this is that penalties for unauthorised parking can no longer be enforced under the local laws and that any unpaid fines are invalid. However, there are no unpaid parking fines outstanding. Parking in a disabled parking bay is unaffected as this is covered by the Local Government (Parking for People with Disabilities) Regulations 2014 rather than the local laws.

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**13.5 Shire of Collie Parking and Parking Facilities Amendment Local Law 2018**

<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>	WA Local Government Act 1995, Bush Fires Act 1954
<b>File Number:</b>	LAW/001
<b>Appendices:</b>	Yes – Appendix 11
<b>Voting Requirement</b>	Absolute Majority

**Report Purpose:**

For Council to consider the proposed *Shire of Collie Parking and Parking Facilities Amendment Local Law 2018* in accordance with the undertakings required by the Joint Standing Committee on Delegated Legislation.

**7758**

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

**Moved: Cr Italiano**

**Seconded: Cr Harverson**

**That Council by ABSOLUTE MAJORITY:**

- 1. Advertises its intention to make a new local law to be known as the Shire of Collie Parking and Parking Facilities Amendment Local Law 2018 as presented at Appendix 11 and forwards a copy of the proposed local law to the Department of Local Government and the Department of Emergency Services for the Ministers' consideration;**
- 2. Notes the purpose of the proposed Shire of Collie Parking and Parking Facilities Amendment Local Law 2018 is to provide for the orderly management of the Shire's designated public parking areas; and**
- 3. Notes the effect of the proposed Shire of Collie Parking and Parking Facilities Amendment Local Law 2018 is that adequate measures are in place to control parking and stopping areas generally within the Shire of Collie.**

**CARRIED 11/0**

**Background:**

The Shire received notification on 13 March 2018 from the Joint Standing Committee on Delegated Legislation (the Committee) that penalties in the *Shire of Collie Parking and Parking Facilities Local Law 2012* are no longer enforceable as there is no maximum penalty included in this local law. This local law was adopted by Council, gazetted and approved by the Committee in 2012. This omission was not detected during that process.

On 01 August 2017 Council resolved:

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

When the Shire of Collie Parking and Parking Facilities Amendment Local Law 2017 was brought through this process with the Committee examined if the Amendment Local Law was 'within power'. This meant re-examining the original local law from 2012 and it was discovered that the maximum penalty was omitted. The original local law must now be amended to enable this local law to be enforced.

**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.*

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

Local and State wide advertising required to amend the local law.

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

Statutory advertising as required for amendment of a local law.

**Strategic Community Plan Implications:**

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

*Outcome 5.1: Good governance and leadership*

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

**Relevant Precedents:**

Council has previously amended a local law. Most recently, at its meeting held 13 February 2018 Council resolved:

**7607 - That Council by ABSOLUTE MAJORITY:**

1. *Advertises its intention to make a new local law to be known as the Shire of Collie Bush Fire Brigades Amendment Local Law 2018 as presented at Appendix 2 and forwards a copy of the proposed local law to the Department of Local Government and the Department of Emergency Services for the Ministers' consideration;*
2. *Notes the purpose of the proposed Shire of Collie Bush Fire Brigades Amendment Local Law 2018 is to make provisions about the organisation, establishment, maintenance and equipment of bush fire brigades; and*
3. *Notes the effect of the proposed Shire of Collie Bush Fire Brigades Amendment Local Law 2018 is that Bush Fire Brigades will be organised and managed to comply with the provisions of this local law.*

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**Comment:**

A separate item to Council requesting an undertaking to amend the Shire of Collie Parking and Parking Facilities Local Law 2012 as requested by the Committee is included in this agenda. This commences that process by advertising the intention to amend the 2018 amendment local law.

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**14. TECHNICAL SERVICES REPORTS**

**14.1 2018/19 DRAFT Infrastructure Program**

<b>Reporting Department:</b>	Technical Services Department
<b>Reporting Officer:</b>	Brett Lowcock - Director Technical Services
<b>Accountable Manager:</b>	David Blurton – Chief Executive Officer
<b>Legislation</b>	Local Government Act 1995
<b>File Number:</b>	RDS/001
<b>Appendices:</b>	No
<b>Voting Requirement:</b>	Simple Majority

**Report Purpose:**

To provide Council with a proposed Infrastructure Program for consideration, once established this will form the Infrastructure Program for the 2018/19 Draft Budget.

**7759**

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

**Moved: Cr King**

**Seconded: Cr Smith**

**That Council incorporates the following Road and Pathway Construction projects into the draft 2018/19 budget.**

- 1. Regional Road Group - Two Thirds State Govt, One third Council**

Patstone Rd – SW/ Seal SLK 3.98 to 5.58	\$320,000
Wellington Dam Rd- SW/Seal SLK 6.85 to 10.77	\$480,000
- 2. Local Roads and Bridges**

Medic St/ Steere St intersection reconstruct/ reseal SLK 0.59 to 0.64	\$40,000
Booth St Cul de sac to Krakouer St seal gravel road SLK 0.09 to 0.26	\$80,000
Victor Rd Drainage and fire access SLK 1.81 to 1.91	\$40,000
Coombe St/ Paull St intersection AC intersection SLK 1.43 to 1.46	\$30,000
- 3. Other works - 100% Council**

Cemetery Roads	\$20,000
Drainage improvements and repairs	\$50,000
Gravel Rd – Re-sheeting	\$100,000
Road shoulders	\$50,000
- 4. Pathway program - 100% Council**

Mary St (Wylam to Prinsep)	\$15,000
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<b>5. <u>WA Bike Network Pathway Program - 50% Council-50% State Govt</u></b>	
<b>River Walk (Sth) Skate Park to Venn St</b>	<b>\$250,000</b>
<b>TOTAL</b>	<b>\$1,475,000</b>
	<b>CARRIED 11/0</b>

**Background:**

The proposed 2018/19 Infrastructure Program has been prepared by staff using an Integrated Planning approach. In accordance with our Asset Management Plan, an emphasis has been placed on preservation and improvement works rather than expansion works. Priority has also been placed on road and pathway projects that have been approved for funding by Regional Road Group, and the Community Requests.

**Statutory and Policy Implications:**

Nil

**Budget Implications:**

Council's proposed 2018/19 Infrastructure Program is funded from various sources and includes Council's Financial Assistance Grants, Regional Road Group funds, Roads to Recovery funds plus its own Municipal Funds. The table below compares the net cost of road works programs to the Council over the last few years.

	<b>2014/15 Budget</b>	<b>2015/16 Budget</b>	<b>2016/17 Budget</b>	<b>2017/18 Budget</b>	<b>2018/19 Budget</b>
<b>Construction Expenditure</b>	<b>\$3,032,300</b>	<b>\$1,816,601</b>	<b>\$2,273,600</b>	<b>\$1,952,594</b>	<b>\$1,475,000</b>
<b>Construction Revenue</b>	<b>\$2,612,476</b>	<b>\$1,545,574</b>	<b>\$1,986,993</b>	<b>\$1,758,166</b>	<b>\$1,224,503</b>
<b>Net Cost to Council (Rates Funded)</b>	<b>\$419,824</b>	<b>\$271,027</b>	<b>\$286,607</b>	<b>\$194,428</b>	<b>\$250,497</b>
<b>Material Subsidy</b>	<b>\$571,768</b>	<b>\$555,647</b>	<b>\$578,673</b>	<b>\$486,565</b>	<b>\$464,003</b>

The material subsidy represents the difference between the total material cost (ie external payments) and the total revenue available, excluding rates. A negative number highlights the amount that Council needs to contribute to materials, whilst a positive number highlights the surplus amount that revenue is above the cost of materials.

A comparison of the expenditure of Infrastructure Works Program 2018/19 and Depreciation Expenditure required as per Shire of Collie Asset Management Plan to maintain the Infrastructure Assets in a state that they serve their purpose for Remaining Useful Life is shown below:



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Asset	Depreciation Exp	Expenditure 18/19	
		Improvement/Maintenance	Expansion
Footpath	\$94,614		\$265,000
Road and Bridges	\$1,625,684	\$1,160,000	
Drainage	\$102,708	\$50,000	
<b>TOTAL</b>	<b>\$1,823,006</b>	<b>\$1,210,000</b>	<b>\$265,000</b>

Whilst expenditure on the proposed 18/19 Infrastructure program is less than the depreciation expenditure by around \$350,000, this figure is expected to balance in future years once the revised Roads to Recovery Federal program is announced.

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

Nil

**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 2018/19 proposed Infrastructure Program has been prepared by staff in accordance with the Council's Asset Management Plans and Long Term Financial Plan. Any further community requests will be presented for the consideration of Council on Draft Budget night.

**Inspection of planned works**

As per previous years, Councillors are welcome to attend a site visit with Director of Technical Services to inspect any or all the proposed projects. A date and time will be scheduled once a list of interested attendees has been prepared. If Councillors could please register their interest with Asset Management Officer Christine Szostak by Tuesday 7<sup>th</sup> May 2018, that would be appreciated.

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**14.2 Replacement of Radio system with stand-alone GPS capability**

<b>Reporting Department:</b>	Development Services/Technical Services
<b>Reporting Officer:</b>	Andrew Dover - Director Development Services Brett Lowcock – Director Technical Services
<b>Accountable Manager:</b>	David Blurton – Chief Executive Officer
<b>Legislation:</b>	Local Government Act 1995 – Section 3.57 Local Government Function (Function & General) Regulations 1996
<b>File Number:</b>	
<b>Appendices:</b>	No
<b>Voting Requirement</b>	Absolute Majority

**Report Purpose:**

For Council to consider replacement of the current analogue radio system with a digital system plus the addition of stand-alone GPS tracking system.

**7760**

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

**Moved: Cr Faries**

**Seconded: Cr Scoffern**

**That Council by ABSOLUTE MAJORITY;**

- 1. Reject all tenders for Tender 01/2018 - The Supply, Installation and Training of a High Band Digital Radio System.**
- 2. Accept the quote from WA Communications in the amount of \$83,382.70 for the supply and installation of a digital radio system to replace the current analog system.**
- 3. Accept the quote from NavTrack in the amount of \$36,355.00 for the supply and installation of a GPS tracking system to 26 plant items and 17 light vehicles.**
- 4. Total purchase of \$119,737.70 to be funded 50% from Plant Reserves in 2017/18 and 50% from Smart Cities Grant (\$59,868.85 each).**
- 5. Allocate \$12,900 in the 2018/19 budget for the running costs of the GPS tracking system based on \$25/month per vehicle.**

**CARRIED 11/0**

**Background:**

The Shire of Collie currently runs a Mid-Band radio network (66-88 MHz) across all shire vehicles and buildings. This system has been phased out by all radio manufacturers except for one model from Tait Communications due to the enhanced capabilities of the High-Band systems and the lack of demand from customers.

Therefore, for the moment the Shire can purchase replacement radios that are compatible with our system. However, given the move by the other manufacturers to

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stop making these mid-band radios then we may see Tait go the same way and hence force an upgrade down the track. The Shire of Collie have been successful in a grant application via the Federal Government's Smart Cities program to fund 50% of the upfront cost of a replacing the radio system with digital network and adding GPS capability to our fleet of vehicles.

In addition, the Shire's existing system is not compatible with the radios carried in the Shire's Bushfire Appliances as well as those from the Departments of Fire and Emergency Services and Biodiversity, Conservation and Attractions. As a consequence, Council made the following resolution at the meeting dated 12 December 2017:

**Motion # 7674**

**That Council:**

- 1. Tender for a high-band radio system which is compatible with the Departments of Fire and Emergency Services and Parks and Wildlife systems;**
- 2. Allocate \$30,000 contributing funding from the Plant Reserve; and**
- 3. Allocate \$30,000 in the budget for the next 3 financial years for the purchase and maintenance of the radio system.**
- 4. Accept the federal grant funding.**

Council considered submissions for Tender 01/2018 - The Supply, Installation and Training of a High Band Digital Radio System at its March 6th Meeting and resolved to refer the item to the Plant Committee for further investigation.

**Motion # 7733**

**That Council refer high band radio system tenders to the Plant Committee for consideration.**

The item was further considered by the Plant Committee on 13th March 2018 and it was recommended that Council

1. further investigate and get quotes on a basic digital radio system with a stand-alone GPS system
2. seek clarification whether a stand-alone GPS system is eligible for the Smart Cities grant fund
3. report back to Council the revised costings and grant fund specifics.

**Statutory and Policy Implications:**

The Shire is obliged to manage traffic on all Shire roads, including emergencies.

Council is obliged to call tenders in accordance with the requirements of the Tender Regulations of the Local Government Act 1995 and Local Government (Function & General) Regulations 1996, and Shire of Collie Policy CS2.7 - Tenders, Quotations & Price Preference, where the value of the tender is expected to exceed \$150,000 and \$100,000 respectively unless the WALGA preferred option is selected.

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This tender was advertised on 11 January 2018 in the Collie Mail, Western Australian, the Shire website as well as an industry website. The advertisement is attached at Appendix 5. The advertising period closed at 2:00pm 1<sup>st</sup> February 2018.

Council is unable to enter into a Contract if there is a major variation after the tenders have closed in accordance with **Error! Use the Home tab to apply Name Of Act/Reg to the text that you want to appear here.** , Clauses 18-19.

“19. Tenderers to be notified of outcome.

The CEO is to give each tenderer notice in writing containing particulars of the successful tender or advising that no tender was accepted.

20. Variation of requirements before entry into contract

(1) If, after it has invited tenders for the supply of goods or services and chosen a successful tenderer but before it has entered into a contract for the supply of the goods or services required, the local government wishes to make a minor variation in the goods or services required, it may, without again inviting tenders, enter into a contract with the chosen tenderer for the supply of the varied requirement subject to such variations in the tender as may be agreed with the tenderer.”

**Budget Implications:**

This project was not included in the 2017/18 Budget, hence the requirement for a decision by absolute majority. The upfront cost of \$119,737.70 to be funded 50% from Plant Reserves in 2017/18 and 50% from Smart Cities Grant (\$59,868.85 each).

The ongoing cost of the GPS tracking system is \$12,900 per annum based on \$25/month per vehicle.

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

Requirements specified under the act and regulations for successful and unsuccessful tenderers.

**Strategic Plan Implications:**

Strategy 1.5.2: Support emergency and fire management planning, preparedness, response and recovery arrangements.

**Relevant Precedents:**

Nil

**Comment:**

The Plant committee did not support the award of Tender 01/2018 - The Supply, Installation and Training at its meeting on the 13<sup>th</sup> March 2018. Therefore, Council may choose to reject all Tenders in accordance with the Local Government (Functions and General) Regulations 1996 Part 4 Clauses 18-20.

Shire Staff have received written confirmation from the Smart Cities and Suburbs (SCS) Program Manager that grant funding is available for the Digital Radio network plus a stand-alone GPS system given that the proposal is still “consistent with the

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original scope and intended outcomes of the approved project". The Program Manager has also extended the deadline for the Final Report and Financial Statement to 19 June 2018.

Five (5) quotes for a basic Digital Mobile Radio (DMR) network were sought from those companies based on a revised schedule as outlined below.

Description	Quantity
Vehicle Radio (replace existing in plant and light vehicles)	36
Radio Base Station (Admin building x 2) (Depot x 4) (Landfill site x 1)	7
Portable (used for staff working alone, outside of vehicles and also traffic management during emergencies)	5
Mobile suitcase radio (capable of being moved from vehicle to vehicle e.g. loader etc in an emergency)	1
Transmitter and Antenna	1

Quotes were received up until 2pm Wednesday 21<sup>st</sup> March 2017, and the following prices were received from the five (5) companies.

Company	Price (ex GST)
<b>WA Communications</b>	<b>\$83,382.70</b>
CSE Crosscom	\$88,680.87
Earth 2 Ocean	\$92,881.50
Future Systems	\$98,491.51
Telstra	\$106,417.05

Staff believe that the offer by WA Communications represents the best value for money, meets the basic needs of a Digital Mobile Radio (DMR) network, provides integration with the WAERN network and provides better coverage than the existing ageing system.

In addition, Staff have sought quotes from eight (8) companies for the supply and installation of a stand-alone GPS system including an emergency/duress button to 26 items of plant plus 17 light vehicles.

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<b>Company</b>	<b>System</b>	<b>Upfront Cost (ex GST)</b>	<b>Ongoing Cost (ex GST)</b>
Web track	Webtrack	\$20,554	\$12,900 (\$25ea/mth)
Future Systems	Fleet Minder	\$20,743	\$10,320 (20ea/mth)
Earth 2 Ocean	Fleet Logic	\$26,488	\$11,352 (\$22ea/mth)
CSE Crosscom	Turbotrack	\$26,738	\$10,320 (\$20ea/mth)
CSE Crosscom	Pin Point	\$29,716	\$15,480 (\$30ea/mth)
EJAN	Pin Point	\$29,424	\$15,480 (\$30ea/mth)
<b>Navtrack</b>	<b>Teletrac Navman</b>	<b>\$36,335</b>	<b>\$12,900</b> <b>(\$25ea/mth)</b>
WA Communications	Fleet complete	\$39,001	\$13,700 (\$26.55ea/mth)
Telstra	Pin Point	\$42,593	\$15,480 (\$30ea/mth)

All of the GPS systems appear very similar in functionality. However, the software system used by Navtrack also integrates a maintenance management system for light and heavy plant that will increase operational effectiveness of the Shire's workshop with real-time data on its fleet network, plus help Council meet its 'Chain of Responsibility' (CoR) responsibilities required under WA Legislation Road Traffic (Administration) Act 2008 and the Road Traffic (Vehicles) Act 2012.

Based on an assessment of the stand-alone GPS proposals, the preferred system is the Navtrack system for the amount of \$36,335 (ex GST) upfront plus \$12,900 ongoing.

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

Nil

**16. QUESTIONS FROM MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

**17. URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER AND COUNCILLORS**

Nil

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

Cr Stanley

- 8 March – Collie Futures group meeting and received a presentation from a business that is looking at moving an existing soft drink business to Collie and expanding it.
- 15 March – Bunbury Wellington Economic Alliance new CEO starts work in April. The need for the combined Bunbury Geopraphe Growth Plan and the Bunbury Wellington Economic Alliance organisations to support the economic development throughout the region has been stressed.
- 16 March – met with Forrest Personnel on opportunities for businesses to employ people with disability through incentives.
- 19 March – met with Professor Fiona Haslam McKenzie, the University of Western Australia's co-director of the Centre for Regional Development on the possibility of postgraduate student work looking at various aspects of economic development in Collie.
- 22 March – attended the Bunbury Geopraphe Tourism Advisory Working Group meeting. New branding generally well received with the target audience. Now working on rolling out other initiatives as well as looking at models to ensure the ongoing sustainability of collaborative tourism marketing for the region.
- 22 March – Operation Next Gen business planning workshop was very well attended, with about 20 people from the business community participating.
- 23 March – Work is progressing on the Collie Hub – a collaborative effort between the Collie Chamber of Commerce, Collie River Valley Marketing and the Collie Visitor Centre in combining resources in a shared online platform.
- 23 March – Attended the Western Australian Heritage Awards. The Shire of Collie was a finalist in its category, along with the City of Bunbury and the City of Busselton. The Shire was ultimately awarded a Commendation for its ongoing work in preserving heritage.

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- The Industry Road Safety Alliance South West is aiming for Zero Road Trauma This Easter, with a campaign running throughout the South West.

Mr Blurton

- 13 March – attended the youth jobs path forum hosted by Hon Rick Wilson at the Margaretta Wilson Centre.
- 14 March – attended sundowner held by Lotterywest at the Bunbury Surf Life Saving club.
- 19 March – met with CEO of Alliance Housing with Allison Fergie - Director of Corporate Services.
- 19 March – met with Professor Fiona Haslam McKenzie from UWA with Sarah Stanley - Shire President.
- 22 & 23 March – attended Service Delivery review workshops presented in Council Chambers.

**19. STATUS REPORT ON COUNCIL RESOLUTIONS**

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

- 'Closed Since Last Meeting' at Appendix 12
- 'All Open' at Appendix 13

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

Breeanna Tirant left the Council Chambers at 8.32pm.

**7761**

<b>Moved: Cr Hanns</b>	<b>Seconded: Cr Harverson</b>
<b>That Council moves In Committee.</b>	
<b>CARRIED 11/0</b>	

Item 20.2 to be considered first whilst In Committee.

**20.2 Extension of the Kerbside Bin Collection and Maintenance and Provision of Kerbside Bin Contracts**

**7762**

<b>Officers Recommendation/Council Decision:</b>	
<b>Moved: Cr King</b>	<b>Seconded: Cr Faries</b>
<b>That Council authorise the CEO to effect the Extended Period option in the Provision of Kerbside Collection and the Bin Supply and Maintenance contracts with Cleanaway Pty Ltd for a fixed five-year period commencing 1 July 2018.</b>	
<b>CARRIED 11/0</b>	



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Mr. Dover, Mr. Lowcock, Mr. Bundela, Mrs Fergie and Ms Dent left Chambers at 8.34pm.

**20.1 Light Vehicle Review**

**7763**

**Council Decision:**

**Moved: Cr Italiano**

**Seconded: Cr King**

**That Council, through its Policy Review Committee, develop a policy that includes a list of cars appropriate for each staff position which come with the provisions of a Council funded motor vehicle and that vehicle changes take effect whenever there is a change in staff or contracts for these positions are renegotiated.**

**CARRIED 11/0**

Mr Dover, Mr Lowcock, Mr Bundela, Mrs Fergie and Ms Dent returned to Chambers at 9.21pm.

**7764**

**Moved: Cr Faries**

**Seconded: Cr Harverson**

**That Council moves out of Committee.**

**CARRIED 11/0**

**21. CLOSE**

The Shire President thanked Council and Staff for their attendance. The Presiding Member declared the meeting closed 9.29pm.

I certify that these Minutes were confirmed at the Ordinary Meeting of Council held on Tuesday, 17 April 2018.

.....  
Presiding Member

.....  
Date