



AGENDA

for the

ORDINARY MEETING OF COUNCIL

to be held on

Tuesday, 31 July 2018

**PLEASE READ THE FOLLOWING DISCLAIMER BEFORE
PROCEEDING**

Members of the public are cautioned against taking any action on Council decisions, on items on this evening's Agenda in which they may have an interest, until such time as they have been advised in writing by Council staff.

Council's Vision

Collie – a connected, committed and creative community.

Values

The core values at the heart of the Council's commitment to the community are:

- Acting with integrity, transparency and accountability
 - Leading the delivery of the community's vision
- Enabling community-led endeavours to make the Shire of Collie a better place
 - Respectful progress

NOTICE OF MEETING

Please be advised that meeting of the

Ordinary Meeting of Council

commencing at **7:00pm**

will be held on

Tuesday, 31 July 2018

in Council Chambers at 87 Throssell Street, Collie WA,



David Blurton
Chief Executive Officer

27 July 2018

DISCLAIMER

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

Please note this agenda contains recommendations, which have not yet been adopted by Council.

MEETING SCHEDULE

July 2018 – August 2018

Councillors are reminded of the following meetings. Please note that other meetings may be planned that are not shown here. Councillors are advised to contact the Committee's Presiding Member/Chairperson if in doubt.

Tuesday 31 July 2018	Ordinary Meeting of Council 7.00pm in Council Chambers
Friday 10 August 2018	Economic Development Advisory Committee 4.30pm in Elected Members Room
Tuesday 28 August 2018	Townscape Advisory Committee 9.00am in Library Undercroft Room
Thursday 30 August 2018	Weeds & Waterways Advisory Committee 9:00am in Council Chambers
Thursday 30 August 2018	Access and Inclusion Committee 12.15pm in Council Chambers

SHIRE OF COLLIE
DISCLOSURE OF FINANCIAL INTEREST AND INTERESTS AFFECTING IMPARTIALITY

To: Chief Executive Officer

As required by section 5.65(1)(a) or 5.70 of the Local Government Act 1995 and Council's Code of Conduct, I hereby declare my interest in the following matter/s included on the Agenda paper for the Council meeting to be held on _____ (Date)

Item No.	Subject	Details of Interest	Type of Interest Impartial/Financial	*Extent of Interest (see below)

* Extent of Interest only has to be declared if the Councillor also requests to remain present at a meeting, preside, or participate in discussions of the decision making process (see item 6 below). Employees must disclose extent of interest if the Council requires them to.

Name (Please Print)
Signature
Date

NB

1. This notice must be given to the Chief Executive Officer prior to the meeting or at the meeting immediately before the matter in which you have declared an interest is discussed, Section 5.65(1) (a) & (b).
2. It remains Councillors'/Employees' responsibility to make further declarations to the Council if a matter arises during the course of a meeting and no previous declarations have been made.
3. It is a Councillor's/Employee's responsibility to ensure the interest is brought to the attention of the Council when the Agenda item arises and to ensure that it is recorded in the minutes.
4. It remains the Councillor's responsibility to ensure that he/she does not vote on a matter in which a declaration has been made. The responsibility also includes the recording of particulars in the minutes to ensure they are correct when such minutes are confirmed.
5. It is recommended that when previewing Agenda, Councillors mark Agendas with items on which an interest is to be declared and complete the declaration form at the same time.
6. Councillors may be allowed to remain at meetings at which they have declared an interest and may also be allowed to preside (if applicable) and participate in discussions and the decision making process upon the declared matter subject to strict compliance with the enabling provisions of the Act and appropriately recorded resolutions of the Council. Where Councillors request consideration of such Council approval the affected Councillor must vacate the Council Chambers in the first instance whilst the Council discusses and decides upon the Councillor's application.

Remember: The responsibility to declare an interest rests with individual Councillors/Employees. If in any doubt seek legal opinion or, to be absolutely sure, make a declaration.

Office Use Only:	Date/Initials
1. Particulars of declaration given to meeting	_____
2. Particulars recorded in the minutes	_____
3. Signed by Chief Executive Officer	_____

Local Government Act 1995 - SECT 5.23

Meetings generally open to the public

- 5.23. (1) Subject to subsection (2), the following are to be open to members of the public
- (a) all Council meetings; and
 - (b) all meetings of any committee to which a local government power or duty has been delegated.
- (2) If a meeting is being held by a Council or by a committee referred to in subsection (1) (b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following --
- (a) a matter affecting an employee or employees;
 - (b) the personal affairs of any person;
 - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
 - (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
 - (e) a matter that if disclosed, would reveal --
 - (i) a trade secret;
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government;
 - (f) a matter that if disclosed, could be reasonably expected to --
 - (i) impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
 - (ii) endanger the security of the local government's property; or
 - (iii) prejudice the maintenance or enforcement of a lawful measure for protecting public safety;
 - (g) information which is the subject of a direction given under section 23 (1a) of the Parliamentary Commissioner Act 1971; and
 - (h) such other matters as may be prescribed.
- (3) A decision to close a meeting or part of a meeting and the reason for the decision are to be recorded in the minutes of the meeting.

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SHIRE OF COLLIE
AGENDA - ORDINARY MEETING OF COUNCIL
Tuesday, 31 July 2018

Agenda for the Ordinary Meeting of the Collie Shire Council to be held in Council Chambers, 87 Throssell Street Collie, on Tuesday, 31 July 2018 commencing at 7:00pm.

1. OPENING/ATTENDANCE/APOLOGIES & LEAVE OF ABSENCE

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

Cr Stanley has been granted Leave of Absence from this Ordinary Meeting of Council.

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

A 15 minute public question time is made available to allow members of the public the opportunity of questioning Council on matters concerning them.

Council Consideration towards the Public:

When public questions necessitate resolutions of Council, the matter is to be dealt with immediately to allow the public to observe the determination of the matter (obviates need for the public to wait an indeterminate period of time).

Question on notice:

I am asking if Council can reconsider the request from the Access and Inclusion Committee for \$950 for training, which I understand was not included in the budget.

As a former Councillor, I am fully aware of the call on Councillors to produce a responsible budget which limits rate increases, however, this amount is very small in the overall call on Council finance. In past years, Councillors have looked to see where a small adjustment can be made in another area to accommodate just such a small amount.

Since the last training day, which included Councillors, staff and AIC members, there has been a significant change in those sitting around the Council table.

New Councillors may not be aware of the ways in which good planning can make a huge difference in the lives of people with impaired mobility or sight - and that when access is improved for those with disabilities or limitations, it actually improves things for everyone, including older people and young parents with prams and strollers.

Good planning also saves money in the long term, as the need to revisit developments and rectify lumps and bumps is reduced.

The last training day was an eye opener for those participating, and I am sure another would equip Councillors and staff to make informed decisions about access.

Please, have another look at this item, and see if it can be included by reducing some other area by this small amount.

Thanking you in advance for your consideration.

Nola Green.

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3. RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

The following Items were taken on Notice from the Special Meeting of Council held on 17 July 2018:

- More information was requested regarding the increasing need for alarm monitoring and new alarm systems in some Council buildings.

Staff Comment – the copper phone network will be deactivated once the NBN is fully rolled out. This network is currently used by most of the alarm systems installed in Council buildings to send a message to the alarm monitoring company when an alarm has been activated.

Some alarm systems require updates to be compatible with the NBN and as an alternative to the copper network, data sim cards are required to be used to transmit a message to the alarm monitoring company, which represents an additional cost to Council.

4. DISCLOSURE OF FINANCIAL/IMPARTIALTY INTEREST

Councillors in attendance at meetings must disclose to the meeting any Agenda items upon which they have a Financial Interest. Section 5.65 of the Local Government Act 1995 requires Councillors to: a) give written notification of a financial Interest before the meeting; or b) at the meeting immediately before the particular matter is discussed (notification can be given verbally).

A Disclosure of Financial Interest Form is attached to this Agenda (immediately behind the Index) and can be used by Councillors for disclosure purposes - simply tear out and hand to the Chief Executive Officer. Additional forms will always be available at Council/Committee meetings.

Should Councillors be unsure on Disclosure of Financial Interest matters, further clarification can be obtained by reading Sections 5.53 to 5.59 inclusive of the Act.

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

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

- Sue Clements and Andrew Robinson from Community Home Care to present to Council regarding the services that are available in Collie.

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

Councillors may disclose at this point any matters which they wish to have discussed 'behind closed doors' ie the meeting is closed to members of the public. Section 5.23 of the Local Government Act 1995 applies and the meeting may only go behind closed doors for matters expressly prescribed in the Act - see section of the Act appended immediately after the Disclosure of Financial Interest form.

Any decision (of the meeting) to close the meeting or part of the meeting and the reasons for the decision are to be recorded in the Minutes of the meeting.

7. ITEMS BROUGHT FORWARD DUE TO INTEREST BY ATTENDING PERSONS

8. CONFIRMATION OF THE PREVIOUS MINUTES OF COUNCIL

Recommendation:

That Council confirms the Minutes of the Ordinary Meeting of Council held on 10 July 2018.

Recommendation:

That Council confirms the Minutes of the Special Meeting of Council held on 17 July 2018.

9. BUSINESS ARISING FROM THE PREVIOUS MINUTES

Only items that have been deferred from a previous Ordinary Council Meeting for either further consideration by Councillors or for additional background information may be dealt with under this item. Details of Business Arising items will always be listed on the Agenda.

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

10.1 Receipt of the Minutes of the Policy Review Committee

Recommendation:

That Council receives the minutes of the Policy Review Committee held on 5 July 2018.

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10.2 Adoption of the Recommendations of the Policy Review Committee

Recommendation:

That Council adopts en bloc the recommendations contained within the minutes of the Policy Review Committee held on 5 July 2018.

10.2.1 That Council, pursuant to the provisions of the Planning and Development Act 2005, hereby resolve to:

1. Grant approval to advertise the following reviewed Planning Policies in accordance with clause 5 (1) of the Planning and Development (Local Planning Schemes) Regulations 2015 for a period of 21 days; and subject to no objections being received during the advertising process, resolve to adopt the Policy without modification;

LPP 2.1 Outbuilding Control; as amended in the meeting;

LPP 2.7 Assessment of Cultural Heritage; as presented;

LPP 2.8 Development Assessment Process for Heritage Places; as presented;

LPP 3.1 Ancillary Dwellings as presented.

2. Grant approval to advertise the proposed Draft Local Planning Policy 4.3 Holiday Homes, in accordance with clause 4.1(a) of the Planning and Development (Local Planning Scheme) Regulations 2015 for a period of 21 days; and subject to no objections being received during the advertising process, resolve to adopt the Policy without modification.

3. Identify a review date for the above policies as August 2021.

4. Following a final resolution of Council, publish a Notice of the adopted Local Planning Policies in the Collie Mail, to establish the date that the policies take effect.

10.3 Receipt of the Minutes of the Economic Development Advisory Committee

Recommendation:

That Council receives the minutes of the Economic Development Advisory Committee held on 13 July 2018.

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

Recommendation:

That Council receives the minutes of the Weeds and Waterways Advisory Committee held on 19 July 2018.

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

Recommendation:

That Council adopts en block the recommendations contained within the minutes of the Weeds and Waterways Advisory Committee held on 19 July 2018.

10.5.1 That Council have staff investigate and report back at the next meeting the process involved in becoming involved with the Leschenault Bio Security Group.

Staff Comment: As the Director Development Services on leave and not returning until after the next meeting, preparing a report to the next meeting of the committee may not be achievable.

10.6 Receipt of the Minutes of the Access and Inclusion Committee

Recommendation:

That Council receives the minutes of the Access and Inclusion Committee held on 19 July 2018.

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11. CEO REPORTS

13.1 Delegations 2018/19

Reporting Department:	Chief Executive Office
Reporting Officer:	David Blurton
Accountable Manager:	N/A
Legislation	Local Government Act 1995
File Number:	Gov/043
Appendices:	Yes - Appendix 1
Voting Requirement	Absolute Majority

Report Purpose:

Delegate certain functions to the Shire President, Chief Executive Officer, Chief Bushfire Control Officer and other staff.

Officer's Recommendation

That Council:

A) In accordance with S5.42 of the Local Government Act 1995 (Absolute Majority) delegates authority to the Chief Executive Officer for the following matters;

- 1.1 *Duties & Compensation*
- 1.2 *Notices Requiring Certain things to be done to land*
- 1.3 *Additional Powers Relating to Notices*
- 1.4 *Things local governments can do on land that is not local government property*
- 1.5 *Power of Entry on to Land*
- 1.6 *Removal and Impounding of any goods*
- 1.7 *Temporary Closure of thoroughfares*
- 1.8 *Level and alignment of thoroughfares*
- 1.9 *Control of certain unvested facilities*
- 1.10 *Tenders*
- 1.11 *Disposal of Property*
- 1.12 *Management of Investments*
- 1.13 *Investment of surplus funds*
- 1.14 *Non Payment of Rates*
- 1.15 *Rate Record Objections*
- 1.16 *Enforcement and Legal Proceedings*
- 1.17 *Activities on thoroughfares & trading in thoroughfares & public places*
- 1.18 *Grant Concession or write off debt*

That Council in accordance with the Bushfire Act delegate authority to the Chief Executive Officer for the following matter

- 1.19 *Bushfire Act Offences*

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That Council in accordance with the Building Act 2011 delegate authority to the Chief Executive Officer for the following matter

1.20 *Issuing of Building Orders and Recovery of Expenses*

That Council in accordance with the Planning & Development Act 1995 and Shire of Collie Local Planning Scheme No 5 delegate authority to the Chief Executive Officer for the following matters;

1.21 *Town Planning Functions (subdivision and development)*

1.22 *Town Planning Functions (taking action, legal proceedings and actions)*

That Council delegates authority to the Chief Executive Officer and the Environmental Health Officer pursuant to the Health Act 1911 for the following matters;

1.23 *Serve notices / orders and take requisite action*

That Council delegates authority to the Chief Executive Officer with regards to the administrative requirements regulated by the Food Act 2008

1.24 *Appointment of Authorised Officers*

1.25 *Issuing certificates, notices and infringements*

That Council in accordance with the Caravan and Camping Grounds Act 1995 delegate authority to the Chief Executive Officer for the following matters

1.26 *Appointment of Authorised Officers*

1.27 *Serving notices/orders*

That Council in accordance with the Dog Act 1976 delegate authority to the Chief Executive Officer for the following matter

1.28 *Appointment of Authorised Officers*

That Council in accordance with the Bushfire Act (S.17) delegate authority jointly to the Shire President and Chief Bushfire Control Officer the following matter;

1.29 *Variation to Prohibited and restricted burning times*

That Council in accordance with the Building Act 2011 delegate authority to the Building Surveyor for the following matters;

1.30 *Building Permits – issuing*

B) Receive the delegations report for 17/18 noting the instances where delegated authority has been used by staff as per attached Appendix 1.

C) That the CEO be authorised to provide one free tip pass per annum to Not for Profit organisations upon request.

Background:

The following background is provided as sourced from Department of Local Government Operational Guideline #17 – Delegations, for the information of Council.

The Macquarie Dictionary Second Edition (1991), The Macquarie Library Pty Ltd, Macquarie University, New South Wales (Australia), p.469, defines “delegate” as follows;

- To send or appoint (a person) as deputy or representative

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- To commit (powers, duties etc) to another as agent or deputy; and
- To commit powers or duties to others.

The operational guidelines go on to cite a number of other sources for definition of a delegation and summarise that to delegate is to appoint another person to exercise a power or discharge a duty, going on to say that a delegation does not strip the person making the delegation of the right to exercise the delegated power or discharge the delegated duty.

Delegations are most commonly used in organisations where;

- A particular person has authority to exercise a discretion to enforce a right or discharge a duty on behalf of the organisation;
- That person or officer has either;
 - A multitude of authorities to exercise discretion to enforce rights or discharge powers; or
 - Many circumstances in which they have authority to exercise a discretion to enforce rights or discharge duties;
- The business of the organisation could not be efficiently carried on if that person were to personally exercise their discretion to enforce all the right or discharge all of the duties; and
- Through practical administration, that person needs to appoint other persons to exercise their discretion to exercise powers or discharge duties on behalf of the organisation

Whilst there is a requirement for local government delegations to be authorised by statute, there is no limitation (unless otherwise specifically stated by statute) on appointing a person to act on behalf of the local government or the CEO, provided that appointment does not include the power of delegation.

Sections 5.43 of the Local Government Act 1995 provides limitations on what powers and duties a local government can delegate to its CEO, stating that;

A local government cannot delegate to a CEO any of the following powers or duties;

- a. Any power or duty that requires a decision of an absolute majority or 75% majority of the local government;*
- b. Accepting a tender which exceeds an amount determined by the local government of the purposes of this paragraph;*
- c. Appointing an auditor;*
- d. Acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purposes of this paragraph;*
- e. Any of the local governments powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;*
- f. Borrowing money on behalf of the local government;*
- g. Hearing or determining an objection of any kind referred in section 9.5;*
- h. Any power or duty that requires the approval of the Minister or Governor; or*
- i. Such other powers or duties as may be prescribed.*

Section 5.43 (i) of the Act provides for regulations to prescribe further powers or duties which cannot be delegated to the CEO. The following regulations prescribe powers and duties which cannot be delegated to the CEO;

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- a. *Regulation 18G of the Local Government (Administration) Regulations 1996 prohibits the delegation to a CEO the powers and duties under*
 - a. *Sections 7.12A(2), 7.12 (3)(a) and 7.12A(4) of the Local Government Act 1995 (relating to meetings with auditors); and*
 - b. *Regulations 18C and 18D (relating to the selection and appointment of CEOs and reviews of their performance)*

- b. *Regulation 6 of the Local Government (Financial Management) Regulations 1996 prohibits the delegation of the duty to conduct an internal audit to an employee (including the CEO) who has been delegated the duty of maintaining the local government's day to day accounts or financial management operations.*

The Act further allows the CEO to make delegations to other employees. A decision to delegate a power or duty should be made by local governments only after thorough consideration of whether the delegation will facilitate the effective operation of the local government. This will therefore depend on the particular circumstances of each local government.

A local government council is unable to deal with all of the numerous issues and duties concerning its local government. As far as is possible and reasonable, councils should be predominantly concerned with dealings with higher level policy matters for their local governments. Duties and powers which are operational by nature, but exercise discretion should be delegated to the CEO.

Powers and duties can be delegated to CEOs with comprehensive conditions attached. The conditions limit the exercise of powers or discharge of duties to circumstances prescribed by the council. For example, a permit application which does not satisfy the conditions attached to a delegation must be referred to the council for determination.

Section 5.46 of the Act, states that delegations are to be reviewed by the delegator (in this case Council) at least once every financial year.

Statutory and Policy Implications:

Local Government Act 1995 (S5.16(1), 5.18, 5.42(1), 5.43, 5.44 (1))

Local Government (Miscellaneous Provisions) Act 1960; Strata Titles Act 1995 (S2 & 23)

Bushfires Act (S17 & S48)

Planning and Development Act 2005 (Item 11.3.1 & 11.3.2)

Shire of Collie Local Planning Scheme #5

Budget Implications:

Nil

Communications Requirements: (Policy No. CS 1.7)

Nil

Strategic Plan Implications:

Outcome 5.1 - Good governance and leadership

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

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Relevant Precedents:

The recommended delegations reflect those which have been endorsed by Council for the past 2-3 years, with the exception point C) of the recommendation.

Comment:

A complete copy of the proposed delegations is attached at Appendix 1.

Each time a delegation is used the relevant officer is required to record the use of the delegation in an appropriate register. This information is included in Appendix 1 for the 17/18 Financial year for Councillors information.

The CEO would also like some direction from Council regarding the issuing of tip passes to not for profit groups (NFP) including clubs. At present, if NFP's do not pay rates then they typically do not receive a tip pass, however the CEO usually provides a pass to NFP's upon request. There is no delegation to currently cover this and so a new delegation is sought.

It is considered that these delegations will contribute to the effective operation of the Shire of Collie during the 18/19 financial year.

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12. CORPORATE SERVICES REPORTS

12.1 Accounts Paid – May 2018

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

Report Purpose:

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

Officer's Recommendation:

That Council accepts the Accounts as presented in Appendix 2 being vouchers 41372-41392 totalling \$44,575.64 and direct payments totalling \$523,246.64 authorised and paid in May 2018.

Background:

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

Month	Cheques 2017/18	EFT 2017/18	Total Payment 2017/18
July	17,289.27	620,653.33	637,942.60
August	59,402.25	1,027,901.20	1,087,303.45
September	44,734.76	2,567,115.35	2,611,850.11
October	37,654.94	700,083.37	737,738.31
November	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	70,382.98	786,089.08	856,472.06

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Month	Cheques 2017/18	EFT 2017/18	Total Payment 2017/18
April	111,294.15	510,341.79	621,635.94
May	44,575.64	523,246.64	567,822.28
June			

Statutory and Policy Implications:

WA Local Government Act 1995

Financial Management Regulations 1996

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

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

Budget Implications:

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

Communications Requirements: (Policy No. CS1.7)

Nil

Strategic Community Plan/Corporate Business Plan Implications:

Nil

Relevant Precedents:

Comment:

For a detailed listing of payments see Appendix 2.

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12.2 Financial Report – May 2018

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

Report Purpose:

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

Officers Recommendation:

That Council accept the Financial Report for May 2018 as presented in Appendix 3.

Background:

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

Statutory and Policy Implications:

WA Local Government Act 1995
Financial Management Regulations 1996

Budget Implications:

Nil

Communications Requirements: (Policy No. CS1.7)

Nil

Strategic Community Plan/Corporate Business Plan Implications:

Nil

Relevant Precedents:

N/A

Comment:

The report provided to Council as Appendix x 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.

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

Operating Revenue by Program

1. Governance is \$39,775 under budget due to insurance reimbursements, paid parental leave and staff salary sacrifice accounts being under budget. Do note that these accounts have matching expenditure accounts which are also under budget.
2. Law, Order and Public Safety is \$79,329 over budget mainly due to Radios High Band – Smart Cities and Suburban Grant received during the year.
3. Health is \$37,734 over budget due to wages reimbursement from the trust account for the previous Community House Officer. Council anticipated to hand back the administration of the Community House early in the financial year.
4. **Recreation and Culture is over budget by \$87,280 as we received the indoor swimming pool feasibility grant which was not budgeted (\$150,000) and the town site mountain bike grant received is still outstanding (\$66,225).**
5. Transport is \$592,368 under budget as the Council are yet to receive the balance of the Motoring South West grants.
6. Other Property and Services is \$107,610 under budget as the sale of the Elouera Road property was anticipated to take place during 17/18.

Operating Expenditure by Program

7. Health is over budget \$32,106 mostly due to the unbudgeted wages expense for the Community House Officer (refer Note 3).
8. Welfare is \$22,436 under budget due to Senior Citizen Lunch (\$2,745) and the depreciation for the Margareta Wilson Centre (\$15,806) being under budget. The depreciation is noticeably lower because of revaluation done in June 2017.
9. Transport is under budget \$719,630 mostly due to depreciation for infrastructure assets (\$656,348) is under budget while roadworks (\$94,306) and street trees/verge maintenance is a combined (\$40,044) over budget.
10. **Economic Services is under budget \$128,434 due to the Economic Development funding yet to be spent, sand pit expenses is under budget by \$30,881 while the visitor centre expenditure is over budget by \$17,106 which includes expenditure for an insurance claim relating to water damage to part of the floor.**
11. Other Property and Services is under budget by \$175,830 due to private works cost (\$12,719), asset management expenditures (\$41,250) and allocation of overheads.

Operating Expenditure by Nature and Type

12. Materials & Contracts are \$395,687 under budget mainly due to the economic development funding yet to be spent (\$112,500), entry statement strategy (\$19,547), information technology (\$33,380), other community amenities (\$13,120), BREC and Youth Care contribution (\$11,956), Community development grant (\$15,141), depot rehabilitation plan (\$13,694) and Asset management software (\$17,715)
13. Depreciation is under budget by \$524,938 due mainly to the depreciation of Council's infrastructure assets as a result of the asset revaluation done in June 2017.

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Non-Operating Expenditure

14. Capital expenditure is currently under budget as 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	2,530,037	Civil works for the track extension have been completed. Grant funding is currently being acquitted. The remaining items preventing the opening of the track extension are the responsibility of Motoring SW and the Shire of Collie is supporting the group during this process.
Mornington Road	60,000	53,029	Complete
Mungalup Road	180,000	55,931	Works Complete – Pending Final Invoices
Wellington Dam Road	420,000	437,660	Works Complete – Pending Final Invoices
Prinsep/Forrest	50,000	4,943	Complete
Total - Regional Road Group works	710,000	551,563	
Johnston Road (Local district Road)	75,000	59,246	Complete
Cable Street (Access Road)	8,500	25,762	Complete
ROWE ST (SLK 0 - SLK 0.5)	0	4,346	Complete
Traffic Calming Devices (Mungalup Road)	0	12,155	Complete
Siding road	180,000	152,507	Complete
Total - Roads to Recovery works	263,500	254,016	
Footpath Program (Total)	259,800	311,953	95% Complete
Cemetery Roads	20,000	9,019	May 2018
Dump point	15,000	20,521	Works Complete – Pending Final Invoices
Drainage Improvements	50,000	33,717	April – June 2018
Eastern Entry Statement	92,899	29,840	Works underway
Gravel Re-sheeting	100,000	26,588	May- June 2018
Road Improvements	268,000	0	Ongoing
Total - Special Projects	545,899	119,686	

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12.3 Adoption of Waste Collection Fees for 2018/19

Reporting Department:	Corporate Services
Reporting Officer:	Hasreen Mandry – Finance Manager
Accountable Manager:	Allison Fergie – Director Corporate Services
Legislation:	Local Government Act 1995 & Health Act 1911
File Number:	WAT/003
Appendices:	No
Voting Requirement	Absolute Majority

Report Purpose:

To adopt waste charges for the 2018/19 financial year.

Officer's Recommendation

That Council by ABSOLUTE MAJORITY adopt the following waste charges for 2018/19

- *3 Bin Collection service \$312*
- *3 Bin Collection-Pensioner \$282*
- *Rural Waste Levy at \$136*

Background:

Rubbish Charges are levied in accordance with the Health Act 1911 & Local Government Act 1995 with the aim of covering the running costs Council incurs in relation to the provision of waste management services.

The current charges which have been levied in 2017/18 are \$305 for 3 bin collection service, \$275 for 3 bin collection service for pensioners and \$133 for rural waste levy.

Statutory and Policy Implications:

Local Government Act 1995 & Health Act 1911

Budget Implications:

The following table represents a summary of the expenses and revenue in relation to waste management operations including kerbside collection services which the Council has factored into the 2018/19 budget.

Total Revenue	\$ 1,402,201
Total Expenditure	\$ 1,378,394

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Surplus (Reserve Transfer – for future rehabilitation)	\$23,807
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Communications Requirements: (Policy No. CS 1.7)

Press release will be completed after adoption on 31 July 2018.

Strategic Plan Implications:

Goal 2 OUR NATURAL ENVIRONMENT – A protected and sustainable natural environment

Outcome 2.3: Effective waste diversion and recovery

- Strategy 2.3.1 Provide waste collection, recycling and disposal services.
- Strategy 2.3.2 Promote recycling, reuse and minimisation of waste in the community.
- Strategy 2.3.3 Support development of appropriate regional waste management strategies.

Comment:

The recommendation as presented will result in an increase of 2% or \$7.00 per annum for the 3-bin service which equates to the increase in contractor costs for the 18/19 year.

Council has traditionally granted a concession to eligible pensioners for kerbside recycling costs since the introduction of the kerbside recycling service in 2008. With the introduction of the third bin (organics collection), the Council resolved to levy a single collection charge for all three bins rather than a separate charge for each bin.

It is suggested that a \$30 concession for eligible pensioners continue in 18/19. This currently applies to 1,008 properties, representing a value of \$30,240 in 2018/19.

The Council's waste collection services were tendered as a group with other Councils in the Bunbury Wellington region. This contract has approximately one more year to run and the Council will need to consider its position soon.

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12.4 2018/19 Annual Budget Adoption

Reporting Department:	Corporate Services
Reporting Officer:	Hasreen Mandry – Finance Manager
Accountable Manager:	Allison Fergie – Director Corporate Services
Legislation:	Local Government Act 1995
File Number:	FIN/005
Appendices:	Yes – Annual Budget 2018/19 (Separate document) & Appendix 4
Voting Requirement	Absolute Majority

Report Purpose:

To adopt the 2018/19 Annual Budget document.

Officers Recommendation #1:

That Council resolves by ABSOLUTE MAJORITY:

- 1. To Adopt 0.5237 cents in the dollar to be applied to all properties attributed to unimproved values for the 2018/19 financial year,*
- 2. To Adopt 8.4096 cents in the dollar to be applied to all properties attributed to gross rental values for the 2018/19 financial year,*
- 3. To Adopt \$777 minimum rate for properties having unimproved values applied for the 2018/19 financial year,*
- 4. To Adopt \$951 minimum rate for developed land having general gross rental values applied for the 2018/19 financial year,*
- 5. To Adopt \$777 minimum rate for vacant land having gross rental values applied for the 2018/19 financial year,*
- 6. To adopt an annual telecommunication allowance of \$600 in the 2018/19 financial year to be paid to each Councillor;*
- 7. To adopt a material variance of 10% in excess of \$10,000 from budget for reporting on the Monthly Statement of Financial Activity for the 2018/19 financial year.*

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Officers Recommendation #2

That Council apply rating concessions for the following organisations for 2018/19:

Assessment	Organisation	Concession	Value
A3977	RSL Collie	100%	\$1,137
A3990	County Women's Association	100%	\$951
A4337 & A5321	Riverview Residences (Steere Street & Pendelton Street)	100%	\$37,870
A4779	North Collie Hall Management Group	100%	\$951
A150	Collie Pioneer Day Lodge	100%	\$951
A5043	Collie Italian Club	100%	\$8,262
A995	Energy West Hall	100%	\$2,011
A4813	Red Cross Shop	100%	\$1,530

Officers Recommendation #3

That Council raise new loans for the 2018/19 financial year to fund the following projects;

1. Irrigation audit and bore development strategy \$10,000;
2. Stabilising and repairing Roche Park walls \$65,000;
3. Open Space Strategy \$20,000;
4. Transfer Station weighbridge modification \$35,000.

Background:

The budget adoption process has included a series of workshops designed to give Councillors the opportunity to peruse the document in a draft format. The draft budget meeting was held on 17th July 2018 which enabled Councillors to provide direction as to the contents of the final budget.

A copy of the budget document has been provided with this Agenda as a separate document.

The following organisations have been granted charitable rating status under the Local Government Act or through the State Administrative Tribunal;

Assessment	Organisation	Concession	Value
A987	Ngalang Boodja Aboriginal Corporation	100%	\$2,580
A4295, A5219, A5833 & A5838	Alliance Housing	100%	\$4,482

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Statutory and Policy Implications:

Section 6.2 (1) of the Western Australian Local Government Act (1995) states that by no later than 31 August each year, each Local Government is to prepare and adopt (by absolute majority), in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.

As part of the budget adoption process, section 6.2 (4) (b) requires detailed information relating to the rates and service charges which will apply to land within the district.

Budget Implications:

The Council's 2018/19 Annual Budget totals almost \$17 million in expenditure which is to be funded from a variety of sources including operating and non-operating revenue, rates and other sources including the Council's own reserves and carried forward funds.

Detailed analysis of the budget was presented to the previous meeting of full Council on 17th July 2018.

Strategic Community Plan/Corporate Business Plan Implications:

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

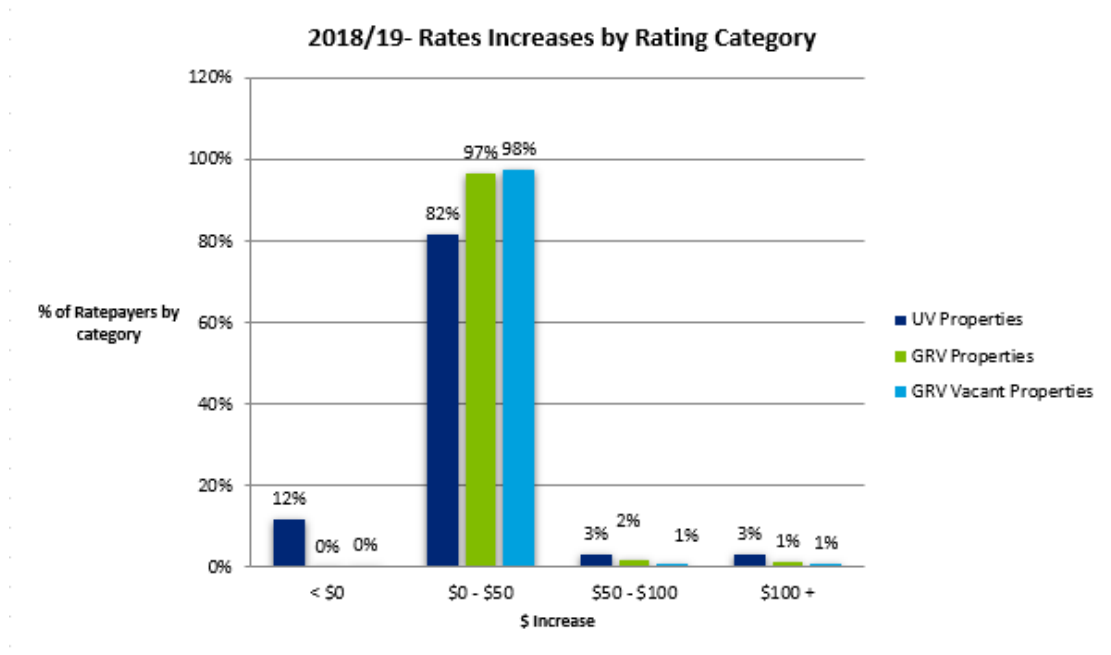
Outcome 5.3: Financial Sustainability and Accountability

- Strategy 5.3.4: Ensure a rating system is in place which is transparent and promotes equity, timeliness, affordability and comparability.
- Strategy 5.3.5: Provide corporate financial services that support the Shire's operations and meet planning, reporting and accountability requirements.

Comment:

The 2018/19 Annual Budget shows a 2.482% increase in rate revenue which is the figure endorsed at the Council's draft budget meeting on 17th July 2018. After extensive modelling, staff conclude that the rates model as recommended in this report is the most equitable that is possible. The following graph shows the percentage increase in dollars of each rating category. The model as presented has the majority of ratepayers receiving increases not greater than \$50, GRV Developed 97%, GRV Vacant 98% and UV Properties 82%.

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The 2018/19 rate increase of 2.482% is in line with the Corporate Business Plan to keep rate increases within 2% of inflation. The increase is also below the south west average.

Revaluation of Gross Rental Value (GRV) properties occurred in June 2016, taking effect from the 2016/17 financial year. Generally, these valuations will remain current until the next GRV valuation from 2019/20 with some minor changes.

Those properties rated based on Unimproved Valuation (UV) are re-valued annually by the Valuer General. The current year's revaluation resulted in an average decrease of 0.196% compared to a decrease of 1.25% in 2017/18.

The 2018/19 fees and charges were adopted by Council on 8th May 2018.

Staff contacted the organisations to ascertain if a concession is still warranted, however most organisations have not responded at time of writing.

13. **DEVELOPMENT SERVICES REPORTS**
Nil

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14. TECHNICAL SERVICES REPORTS

14.1 Policy Development for the Banning of Single Use Plastics

Reporting Department:	Technical Services
Reporting Officer:	Christine Szostak – Technical Services Officer
Accountable Manager:	Brett Lowcock – Director Technical Services
Legislation	N/A
File Number:	
Appendices:	No
Voting Requirement	Simple Majority

Report Purpose:

For Council to consider the development of a policy for the reduction of single use plastics within Council Buildings and at Council held and sponsored events.

Officer's Recommendation:

That Council

- 1. Request Shire staff to develop a policy regarding the implementation of Council's commitment to reduce the use of single use plastics in Shire buildings and at Shire run or supported/sponsored events, and report to the Policy Review Committee.*
- 2. Authorise Shire Staff to continue working with WALGA and the Waste Education Officers from Bunbury-Harvey Regional Council to develop a policy consistent with the five (5) member Councils included in the group and to continue to offer further education within our community.*

Background:

At the meeting of Council held 3 October 2017 Council considered the issue of single use plastics as part of its waste reduction strategy and resolved:

7583 - That Council:

- 1. Support the reduction of single use plastic bags within the community; and***
- 2. Conduct a Community Awareness Campaign with the 'BYO Bag' logo and educate the community regarding the issues caused by the use of single use plastic bags.***

At its meeting held 19 June 2018 Council again considered the issue following a notice of motion which provided the background given below:

The Shire of Collie already has a great waste management system with the 3 bin service which is a great success. As mentioned on the Shire of Collie website,

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"waste services are designed to reduce the amount of waste sent to landfill. This will help improve environmental and public health outcomes both now and into the future". The Shire can lead by example to our community by banning all single use plastics at any event organised or sponsored by the Shire. The Shire website also has information on how to Reduce, Reuse, Recycle which provides tips on how to reduce waste as seen below:

"Everyone can make a big difference in diverting waste from landfill. Reduce the amount of waste generated by your household with the following tips:

REDUCE

- **Avoid buying products with excess packaging**
- **Only buy what you really need**
- **Buy good quality, longer lasting products**
- **Repair things instead of throwing them away**

Our State government has introduced the ban on single use plastic bags from 1st July 2018. Woolworths announced this month they will stop selling plastic straws by the end of 2018 and both Woolworths and Coles have pledged to reduce plastic wrapping on their fresh food range. Our Shire can lead the way and set an example that we are committed to reducing the impact of plastics on our environment within our community and beyond.

Our town hosts numerous events every year and all of these events produces masses of waste from single use plastics. This can be averted if the Shire of Collie introduces the ban on single use plastics.

Council then resolved:

7846 - That the Shire of Collie recognise the environmental impact that single use plastics have on our environment and commits to reduce the amount of single use plastics within our Shire.

7487 - The Shire of Collie to investigate banning the use of single use plastics at events organised or sponsored by the Shire of Collie including Shire meetings and the office of the Shire Council and report back to Council. This ban is to include but not be limited to plastic cups/plates, bottled water, straws, plastic bags etc.

In January 2018 China announced it would no longer import certain waste products. It has restricted imports of Australian plastic, textiles and mixed paper because of its high contamination rates. Measures that reduce the plastic waste that would be directed to land fill will have environmental and economic benefits for the Shire.

Shire staff members attended the Reducing Plastic Seminar ran by WALGA in July 2018 and received valuable information and recommendations for the development of such a policy.

Statutory and Policy Implications:

Nil

Budget Implications:

Policy development will not impact the budget but will need to be considered at adopted.

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Communications Requirements:

Community consultation required, in particular with groups who deliver events sponsored by the Shire.

Strategic Community/Corporate Business Plan Implications:

Goal 3 Our Natural Environment: A protected, sustainable natural environment that supports the needs and aspirations of the community

Outcome 3.3 Effective waste diversion and recovery

Strategy 3.3.2 Promote recycling, reuse and minimisation of waste in the community

Strategy 3.3.3 Support development of appropriate regional waste management strategies

Relevant Precedents:

At its meeting held 3 October 2017 Council resolved:

7583 - That Council:

- 1. Support the reduction of single use plastic bags within the community; and**
- 2. Conduct a Community Awareness Campaign with the 'BYO Bag' logo and educate the community regarding the issues caused by the use of single use plastic bags.**

Comment:

It is anticipated that staff would develop the policy in consultation with stakeholders, and have identified the following areas to address initially:

- Event packages to incorporate relevant information and provision of an online recycling toolkit for events;
- Internal and event waste audits to be conducted to provide information about the type of waste being generated;
- The use of RedCycle in instances where single use plastic is the only alternative; and
- Shire staff to educate within the workplace and community on how to make better choices when purchasing products for events and calling for stall holders at events, such as information relating to plastic free catering products.

A recent waste audit at the shire administration building highlighted the small amount of single use plastics being discarded within the building, this shows staff are already aware of and moving towards alternatives. For example: keep cups, bringing your own drink bottle, recyclable or re-useable food packaging.

The Shire of Collie has already introduced the three-bin waste system and continues to lead the way in positive changes for the community as well as the items going to landfill. The development of a policy to reduce single use plastics is an extension of these measures.

The benefits of working with WALGA and the Waste Education Officers from Bunbury-Harvey Regional Council will be that officers will have access to resources and information, while those delivering events or activities across Shire boundaries will have some consistency in policy requirements.

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15. **MOTIONS FOR WHICH PRIOR NOTICE HAS BEEN GIVEN**
Elected Members have the ability to submit notices of motion between meetings and up to a time prescribed in standing orders before a meeting.
16. **QUESTIONS FROM MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN**
Members have the ability to submit notices of questions between meetings and up to a time prescribed in standing orders before a meeting.
17. **URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER AND COUNCILLORS**
18. **ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS**
19. **STATUS REPORT ON COUNCIL RESOLUTIONS**
Summary reports on the status of Council's resolutions are;
 - 'Closed Since Last Meeting' at Appendix 5
 - 'All Open' at Appendix 6
20. **CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC**
21. **CLOSE**