



Shire of  
**Collie**

# AGENDA

for the

## ORDINARY MEETING OF COUNCIL

to be held on

**Tuesday, 28 January 2020**

**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

A connected community that is as rich  
and diverse as its heritage and landscape.

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, 28 January 2020**

in Council Chambers at 87 Throssell Street, Collie WA,



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Brett Lowcock  
Acting Chief Executive Officer

24 January 2020

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### **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.

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# **MEETING SCHEDULE**

## **January 2020 – February 2019**

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 28 January 2020**

**Ordinary Meeting of Council**

7.00pm in Council Chambers

**Thursday 30 January 2020**

**Bush Fire Advisory Committee Meeting**

7.30pm in Council Chambers



## 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.



## INDEX

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1.	OPENING/ATTENDANCE/APOLOGIES & LEAVE OF ABSENCE .....	1
2.	PUBLIC QUESTION TIME .....	1
3.	RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	1
4.	DISCLOSURE OF FINANCIAL INTEREST .....	1
5.	PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS.....	2
6.	NOTIFICATION OF MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC.....	2
7.	ITEMS BROUGHT FORWARD DUE TO INTEREST BY ATTENDING PERSONS	2
8.	CONFIRMATION OF THE PREVIOUS MEETINGS OF COUNCIL MINUTES .....	2
9.	BUSINESS ARISING FROM THE PREVIOUS MINUTES.....	2
10.	RECEIPT OF MINUTES OF COMMITTEE MEETINGS HELD SINCE THE PREVIOUS MEETING OF COUNCIL.....	2
11.	CEO REPORTS.....	3
12.	CORPORATE SERVICES REPORTS .....	4
12.1	Renewal of Lease to Lions Club of Collie Inc. ....	4
12.2	Accounts Paid – November 2019.....	7
12.3	Financial Report – November 2019.....	9
13.	DEVELOPMENT SERVICES REPORTS .....	11
13.1	Third Party Appeal Rights in Planning.....	11
13.2	63 Rowe Street – Proposed Home Business (TraaVerse Tourism Services and Equipment Hire) .....	13
14.	TECHNICAL SERVICES REPORTS.....	17
14.1	Disposal of Minor Plant Items .....	17
14.2	2019/20 Plant Replacement Program .....	19
15.	MOTIONS FOR WHICH PRIOR NOTICE HAS BEEN GIVEN.....	21
16.	QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN ....	21
17.	URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION .....	21
18.	ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS.....	21
19.	STATUS REPORT ON COUNCIL RESOLUTIONS.....	21
20.	CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC .....	21
21.	CLOSE.....	21



SHIRE OF COLLIE  
**AGENDA - ORDINARY MEETING OF COUNCIL**  
Tuesday, 28 January 2020

---

Agenda for the Ordinary Meeting of the Collie Shire Council to be held in Council Chambers, 87 Throssell Street Collie, on Tuesday, 28 January 2020 commencing at 7:00pm.

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

- 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**

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).

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

Cr Woods – Page 4 – EFT27285 – Golden West Pest & Weed Control – Why was this Pest Control not done by a local business?

Response provided by Scott Geere – Building Manager

A quotation had previously been received by the Shire Maintenance Technician by a local provider on two separate occasions. In the first instance the local provider was not successful on a cost basis, and in the second was non-responsive. The Manager Building Services will ensure local quotations are again sought for the next round of treatment.

Cr Faries – Page 20 – EFT27390 – Geckolighting – Have the replacement of all the lights been carried out at the Margaretta Wilson Centre.

Response provided by Scott Geere – Building Manager

All lights have been replaced – the 6 done this financial year were the last stage of the changeover.

**4. DISCLOSURE OF FINANCIAL 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.

SHIRE OF COLLIE  
**AGENDA - ORDINARY MEETING OF COUNCIL**  
Tuesday, 28 January 2020

---

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.

**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 MEETINGS OF COUNCIL MINUTES**

**Recommendation:**

*That Council confirms the Minutes of the Annual Electors Meeting of Council held on 10 December 2019.*

**Recommendation:**

*That Council confirms the Minutes of the Ordinary Meeting of Council held on 10 December 2019.*

**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**

SHIRE OF COLLIE  
**AGENDA - ORDINARY MEETING OF COUNCIL**  
Tuesday, 28 January 2020

---

11. **CEO REPORTS**  
Nil

SHIRE OF COLLIE  
**AGENDA - ORDINARY MEETING OF COUNCIL**  
Tuesday, 28 January 2020

---

**12. CORPORATE SERVICES REPORTS**

**12.1 Renewal of Lease to Lions Club of Collie 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>	L10077
<b>Appendices:</b>	No
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To seek Council approval for renewal of the lease to the Lions Club of Collie for the lease of the Old Ewington School Site located on a portion of Reserve 10077.

*Officer's Recommendation:*

*That Council*

1. *lease the property on Reserve 10077 (old Ewington School Site) to the Lions Club of Collie Inc. with the following conditions:*
  - a. *lease to be deemed a Long-Term lease with a term of 5 years with a 5 year option;*
  - b. *Annual lease amount payable be \$1 per annum incl GST; and*
  - c. *Other conditions to be in accordance with Council policy DS1.3.*
2. *Refer an amount of \$5,500 for the external painting of the building to the 2020/21 budget considerations.*

**Background:**

Reserve 10077 is vested in the Council for the purposes of hall site, recreation and pre-school centre and allows for leasing for any term not exceeding 21 years, subject to the consent of the Minister for Lands.

The old school building on the site originally belonged to the Department of Education and is now the responsibility of the Shire. The Lions Club of Collie has occupied the building for many years and leased the building and grounds for the last five years following the decision of Council at its meeting held 10 February 2015:

*6650 - That Council lease the property on Reserve 10077 (old Ewington School Site) to the Lions Club of Collie Inc. with the following conditions:*

- A) *lease to be deemed a Long-Term lease with a term of 5 years with a 5 year option;*
- B) *Annual lease amount payable be \$1 per annum incl GST;*
- C) *Other conditions to be in accordance with Council policy DS 1.5*

**Statutory and Policy Implications:**

WA Local Government Act (1995)

SHIRE OF COLLIE  
**AGENDA - ORDINARY MEETING OF COUNCIL**  
 Tuesday, 28 January 2020

---

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.

The Shire pays the building insurance (\$589 in 2109/20), is responsible for major maintenance on the building, and other costs given below as per Council Policy DS1.3.

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.
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.

SHIRE OF COLLIE  
**AGENDA - ORDINARY MEETING OF COUNCIL**  
Tuesday, 28 January 2020

---

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

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

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

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

**Relevant Precedents:**

Council regularly renews lease agreements to community groups with the use of a lease template which was developed for use by the Council.

**Comment:**

The Lions Club of Collie has indicated to staff that they wish to renew the lease.

The external painting of the building would be considered major maintenance in this instance and therefore the responsibility of Council as it is an ageing wooden construction, and as such the painting is important for the preservation of the building and not simply an aesthetic requirement.

SHIRE OF COLLIE  
**AGENDA - ORDINARY MEETING OF COUNCIL**  
 Tuesday, 28 January 2020

---

**12.2 Accounts Paid – November 2019**

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Hasreen Mandry – 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 1
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To present the accounts paid during the month of November 2019.

**Officer's Recommendation:**

*That Council accepts the Accounts as presented in Appendix 1 being vouchers 41682-41700 totalling \$5,887.05 and direct payments totalling \$658,803.39 authorised and paid in November 2019.*

**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	2019/20		
	Cheques	Electronic Transfer	Total Payment
<b>July</b>	\$458.65	\$832,384.94	<b>\$832,843.59</b>
<b>August</b>	\$1,629.84	\$1,189,189.01	<b>\$1,190,818.85</b>
<b>September</b>	\$1,863.90	\$985,349.82	<b>\$987,213.72</b>
<b>October</b>	\$10,619.81	\$1,175,526.79	<b>\$1,186,146.60</b>
<b>November</b>	\$5,887.05	\$658,803.39	<b>\$664,690.44</b>
<b>December</b>			
<b>January</b>			
<b>February</b>			
<b>March</b>			
<b>April</b>			

SHIRE OF COLLIE  
**AGENDA - ORDINARY MEETING OF COUNCIL**  
Tuesday, 28 January 2020

---

<b>May</b>			
<b>June</b>			

**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 1.



SHIRE OF COLLIE  
**AGENDA - ORDINARY MEETING OF COUNCIL**  
Tuesday, 28 January 2020

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**12.3 Financial Report – November 2019**

<b>Reporting Department:</b>	Corporate Services
<b>Reporting Officer:</b>	Hasreen Mandry – 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 2
<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 November 2019.

**Officers Recommendation:**

*That Council accept the Financial Report for November 2019 as presented in Appendix 2.*

**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

SHIRE OF COLLIE  
**AGENDA - ORDINARY MEETING OF COUNCIL**  
Tuesday, 28 January 2020

---

**Comment:**

The report provided to Council as Appendix 2 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 Income by Program**

1. **Recreation and Culture is over budget by \$16,819 mainly due to the swimming pool revenue being over budget by \$11,368 and Council received \$2,500 grant for the library which was unbudgeted (Get Online Week Event & Children's Week).**

**Operating Expenditure by Program**

2. **Other Property and Services are \$99,822 this is mainly due to the labour overheads and plant direct cost allocation which is currently being reviewed.**

**Operating Income by Nature and Type**

3. Operating grants and subsidies are under budget by \$492,665 mainly due to the timing of as the quarterly payment for the Financial Assistance grants.
4. Contribution and reimbursements are \$105,546 over budget due to the heritage upgrade scheme revenue from the verandah improvement of 115 Throssell Street has been received (which was unbudgeted for), workers compensation reimbursement received earlier than expected and the June 2019 Community Emergency Services Contribution from DFES.

**Operating Expenditure by Nature and Type**

5. Materials and contracts are under budget mainly due to the weed management account (\$16,665), payment pending for the local government elections (\$38,500), organics contracts (\$23,629), library management system (\$6,455), economic development (\$12,440), asset management software (\$14,868), roadworks materials (\$20,334) and verge maintenance (\$8,351) being under budget.
6. Utility charges is \$69,128 under budget due to timing of the payments.
7. **Other expenditure is \$8,854 under budget as elected members training budget is yet to be expended.**

**Non-Operating Revenue and Expenditure Nature and Type**

8. **Non-operating grants and subsidies are \$87,923 over budget mainly due to the Roads to Recovery Grant was received earlier than expected (\$190,157), this is reduced by the delay in payment for the Main Roads Direct grant of \$115,094.**

SHIRE OF COLLIE  
**AGENDA - ORDINARY MEETING OF COUNCIL**  
Tuesday, 28 January 2020

---

**13. DEVELOPMENT SERVICES REPORTS**

**13.1 Third Party Appeal Rights in Planning**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	Robert Quinn – Shire Planner
<b>Accountable Manager:</b>	Andrew Dover – Director Development Services
<b>Legislation</b>	Planning and Development Act 2005 Planning and Development (Development Assessment Panels) Regulations 2011
<b>File Number:</b>	
<b>Appendices:</b>	Yes – Appendix 3 & 4
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To seek Council support for a WALGA motion that third parties in addition to Local Governments are able to make an appeal of decisions made by the Western Australian Planning Commission and the State Administrative Tribunal, in addition to Development Assessment Panels.

**Officer's Recommendation:**

*That Council advise WALGA that it, supports the following motion moved at the August 2019 WALGA Annual General Meeting:*

*1. That there be an amendment to the Third Party Appeals Process Preferred Model, being that third parties in addition to Local Governments are able to make an appeal.*

*2. That there be an amendment to the Third Party Appeals Process Preferred Model, being that closely associated third parties in addition to Local Governments are able to appeal decisions made by the Western Australian Planning Commission and the State Administrative Tribunal, in addition to Development Assessment Panels.*

**Background:**

A request was received from WALGA that prior to WALGA's State Council considering this AGM motion at its meeting in March 2020, could you please indicate if your Council supports or does not support this motion to amend the Preferred Model. The Preferred Model is contained in Appendix 3 Council comment is required by 30 January 2020.

The original May 2019 WALGA agenda item which resulted in this request is contained within Appendix 4.

**Statutory and Policy Implications:**

N/A

SHIRE OF COLLIE  
**AGENDA - ORDINARY MEETING OF COUNCIL**  
Tuesday, 28 January 2020

---

**Budget Implications:**

There are no budget implications for this report.

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

N/A

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

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:**

Unknown

**Comment:**

It is the officer's opinion that Council should support this WALGA motion. There are no envisaged negative outcomes from this motion. Third party appeal rights exist in other states of Australia. Further to this, third party appeal rights allow for a rigorous decision making processing which allows the reasons and merit for a decision to be challenged. Third party appeal rights would also introduce the principles of Natural Justice into these decisions.

It should be noted that although an appeal right exists there is no compulsion on any party to exercise this right unless they choose.

SHIRE OF COLLIE  
**AGENDA - ORDINARY MEETING OF COUNCIL**  
Tuesday, 28 January 2020

---

**13.2 63 Rowe Street – Proposed Home Business (TraaVerse Tourism Services and Equipment Hire)**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	Robert Quinn – Shire Planner
<b>Accountable Manager:</b>	Andrew Dover – Director Development Services
<b>Legislation</b>	Planning and Development Act 2005
<b>File Number:</b>	A3109
<b>Appendices:</b>	Yes - Appendix 5
<b>Voting Requirement</b>	Simple Majority

**Report Purpose:**

To seek Council approval for a Home Business (Tourism Services) at 63 Rowe Street Collie.

**Officer's Recommendation:**

*That Council pursuant to the provisions of the Planning and Development Act 2005, hereby resolves to grant Development Approval to D & S Fraser for a Home Business (Tourism Services) at 63 Rowe Street Collie subject to the following conditions:*

1. At all times, the development the subject of this planning approval must comply with the definition of 'Home Business', incidental to the main dwelling, as contained in Schedule 1 of the Shire's Local Planning Scheme.
2. All development shall be in accordance with the approved development plans (attached) which form part of this planning approval.
3. This approval is valid for a period of 1 (one) year from the date of issue and is subject to annual renewal due on 31st January every year thereafter. The approval is liable to cancellation without compensation at any time for infringement of any breach of any conditions under which it is issued.
4. The business shall not cause injury to or adversely affect the amenity of the neighbourhood.
5. Hours of operation shall be limited to:  
Monday - Friday: 8.00am – 7:00pm  
Saturday: 8:00am – 7:00pm  
Sunday/ Public Holiday: 9:00am – 7:00pm
6. All works required to satisfy a condition of this approval are required to be installed/ constructed and maintained in accordance with the approved plans and conditions of approval for the life of the development.
7. The use/development is not to interfere with the amenity of the locality or cause nuisance by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, water products or grit, oil or otherwise.

SHIRE OF COLLIE  
**AGENDA - ORDINARY MEETING OF COUNCIL**  
Tuesday, 28 January 2020

---

8. The business shall not occupy an area greater than 50 square metres.
9. The business shall not involve retail sale, display or hire of goods of any nature.
10. The business shall not display a sign exceeding 0.2 square metres. The advertisement/ sign is of a type that is incorporated as part of a building wall, fence or entry statement and not illuminated.
11. In relation to vehicles and parking, the business shall not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, shall not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and shall not include provision for the fueling, repair or maintenance of motor vehicles.
12. The Shire of Collie advises that failure to comply with all conditions of the planning approval at any time may result in the withdrawal of the home occupation approval.

**Background:**

An application for a Home Business (Tourism Services and Equipment Hire) was received on the 17 December 2019 at 63 Rowe Street Collie.



63 Rowe Street is zoned Rural Residential R3 and covers an area of 4,563 square meters. The subject site is located in a sparsely built area and has its own driveway which will provide access to the proposed “Home Business”.

SHIRE OF COLLIE  
**AGENDA - ORDINARY MEETING OF COUNCIL**  
Tuesday, 28 January 2020

---

**Statutory and Policy Implications:**

A "Home Business" is an "A" use in the Rural Residential RR3 zone under the Shire of Collie Local Planning Scheme No. 5 (the LPS). This proposal is consistent with the LPP 4.1 Home Based Businesses Policy. The Development Application has been processed in accordance with policy and the LPS provisions.

The proposed Home Business does not comply with the requirements of a Home Business as outlined in the LPS as there is proposed equipment hire.

The definition Home Business in the LPS contains the clause:

*"d) The business shall not involve retail sale, display or hire of goods of any nature."*

Based on the above LPS clause, Council has no discretion to approve a Home Business that hires equipment.

There are two options to deal with this non-compliance:

1. Refuse complete application;
2. Approve the application in accordance with definition of a "Home Business" which precludes hiring of goods.

It is recommended to approve the application subject to the definition of a Home Business. By approving this application as a Home Business, the proponent can carry on a portion of their business from home. The proponent can carry out office work from their premises and store equipment under the proposed approval.

The proponent currently has a three month "Activities in Thoroughfares and Public Places and Trading Local Law 2012 Stallholders Permit" for the "Hire of kayak & stand up paddle boards" at Black Diamond Lake and Minnipup Pool.

Council has no option to approve a "Home Business" which intends to hire out equipment when the LPS prohibits a "Home Business" from hiring equipment.

**Budget Implications:**

There are no budget implications for this report.

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

This proposal was advertised in the Collie Mail in accordance with the requirements of the Shire of Collie Local Planning Scheme No. 5. Advertising closed on the 10 January 2020 and no submissions were received regarding the proposal.

The owners submitted a letter with 7 neighbours signing that they supported the operation of TraaVerse as proposed. See Appendix 5

The proponents have been advised of the LPS provisions which prohibit the hiring of goods.

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

SHIRE OF COLLIE  
**AGENDA - ORDINARY MEETING OF COUNCIL**  
Tuesday, 28 January 2020

---

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;

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:**

There are approximately 10 Home Business/Home Occupations operating within the Shire.

**Comment:**

The LPS defines a "Home Business" as:

a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which:

- a) *Does not employ more than two people not members of the occupier's household;*
- b) *Will not cause injury or adversely affect the amenity of the neighbourhood;*
- c) *Does not occupy an area greater than 50m<sup>2</sup>;*
- d) **Does not involve the retail sale, display or hire of goods of any nature;**
- e) *In relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight: and;*
- f) *Does not involve the use of an essential service of greater capacity than normally required in the zone.*

As the services proposed by the owners include kayak hire, stand-up paddleboard hire and soft car rack hire, the application at present does not meet the requirements of a Home Business and therefore the application as received by the Shire cannot be approved. Shire officers recommend to Council that the application be approved subject to the requirements of the LPS which will prohibit the hiring of goods. Goods may be stored at this location and delivered upon request (either online or phone) to a specified location. The restriction on hire of goods only prohibits customers from attending the premises either to collect the goods for hire or to arrange for the goods to be delivered.



SHIRE OF COLLIE  
**AGENDA - ORDINARY MEETING OF COUNCIL**  
Tuesday, 28 January 2020

---

**14. TECHNICAL SERVICES REPORTS**

**14.1 Disposal of Minor Plant Items**

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

**Report Purpose:**

Seek approval from Council to dispose of several items of minor plant.

**Officer's Recommendation:**

*That Council:*

*Dispose of the following items of minor plant items via an on-line public auction without a reserve price:-*

- Minor plant trailer*
- 1 set of ramps*
- Truck mounted Fassi Hiab*
- Grader blade attachment for Skidsteer loader*
- Stump grinder attachment for Skidsteer loader*
- Sweeper attachment for Skidsteer loader*
- Unused Ram*

**Background:**

Nil

**Statutory and Policy Implications:**

WA Local Government Act 1995 Sections 3.57 (Tenders for providing goods and services) & 3.58 (Disposing of Property)

**Budget Implications:**

The disposal of the listed items are not included in the 2019/2020 budget and the revenue should be returned to the Plant Reserve budget.

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

Nil

**Strategic Community Plan Implications:**

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

SHIRE OF COLLIE  
**AGENDA - ORDINARY MEETING OF COUNCIL**  
Tuesday, 28 January 2020

---

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:**

Council has disposed of items of plant in recent years using a variety of methods including trade-in, public auction and/or public tender. The most cost-effective method and best chance of a good return on this occasion is to use an on-line public auction.

**Comment:**

Several items of minor plant have been identified for disposal based on a lack of utilisation over the past 5 years. Most of these items have been purchased a long time ago and have either been replaced in function by other items of plant or are no longer required in current operations. All the items recommended for disposal have some residual value, and by selling them Council can return the funds to the Plant Reserve to help fund the replacement of heavily utilised plant items.

SHIRE OF COLLIE  
**AGENDA - ORDINARY MEETING OF COUNCIL**  
Tuesday, 28 January 2020

---

**14.2 2019/20 Plant Replacement Program**

<b>Reporting Department:</b>	Technical Services
<b>Reporting Officer:</b>	Brett Lowcock – Director Technical Services
<b>Accountable Manager:</b>	Brett Lowcock – Director Technical Services
<b>Legislation</b>	WA Local Government Act 1995
<b>File Number:</b>	Budget 2019/20
<b>Appendices:</b>	No
<b>Voting Requirement</b>	Absolute Majority

**Report Purpose:**

Recommendation of the proposed 2019/20 Plant purchase/replacement program.

**Officer's Recommendation:**

*That Council allocate \$107,000 (ex GST) from Plant Reserve account towards the following purchases;*

*1 Purchase of a new skid steer loader including 4-in-1 bucket to the value of \$80,000 (ex GST) for the works crew. The new machine is to be compatible with the rake bucket, auger, profiler and fork attachments currently owned by Council. Disposal of the current Bobcat skid steer loader is to be either via public auction or trade-in, whichever is best value to Council.*

*2 Purchase of a new commercial grade ride on mower with catcher to the value to \$27,000 (ex GST) suitable for mowing Central Park.*

**Background:**

During the annual budget process, the 10-year plant replacement program is reviewed by staff and presented to Council for adoption. This ensures that the fleet is managed efficiently and is updated to meet Councils current and future plant requirements.

**Statutory and Policy Implications:**

WA Local Government Act 1995 Sections 3.57 (Tenders for providing goods and services) & 3.58 (Disposing of Property)

**Budget Implications:**

The officer's recommendation will cost Council an estimated net changeover price of \$107,000 during the 2019/20 financial year. The Plant Reserve balance currently sits at \$252,462, which includes an amount of \$52,000 from the sale of the JCB skid steer loader in 2018/19.

SHIRE OF COLLIE  
**AGENDA - ORDINARY MEETING OF COUNCIL**  
Tuesday, 28 January 2020

---

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

Nil

**Strategic Plan Implications:**

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

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

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

**OUTCOME 3.5** – A sustainable asset and infrastructure base.

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

**Relevant Precedents:**

The 2018/19 plant replacement program.

**Comment:**

Council carried out a review of both its light and heavy vehicle fleet in 2016 using Uniqco International Pty Ltd. The review confirmed that Council should use a combination of both age and utilisation factors to determine the optimum time to replace heavy items of plant. The review highlighted optimal replacement intervals based on the national benchmarks provided by the Institute of Public Works Engineers Australia (IPWEA). It was recommended that Council adopt these benchmarks, therefore the 10 year Plant Replacement program has been updated to reflect these benchmarks.

**CO 188857 – Bobcat Skid Steer Loader**

The current machine is a 2006 model purchased new in 2007, and as at 30<sup>th</sup> November 2019 it had 4,530 hours of usage recorded. This equates to around 400 hours per year. The age of the machine exceeds the IPWEA recommended changeover of 5 years, and is close to the 5,000hr recommended changeover in hours.

**Ride-on mower for Central Park**

Staff are currently mowing Central Park with a 20-inch self-propelled walk-behind rotary mower with a catcher. This is a very large area to mow using this method and requires 1-2 staff members for almost an entire day. If Council purchased a commercial ride-on mower with a 50-inch cutting deck and catcher, this task could be carried out in around 2-3 hours which would free up resources for other tasks. In addition, the same ride-on mower could be used to mow the Shire admin building and some other areas such as Soldiers Park and Lions Park if required.

SHIRE OF COLLIE  
**AGENDA - ORDINARY MEETING OF COUNCIL**  
Tuesday, 28 January 2020

---

**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 BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN**

Members have the ability to submit notices of questions between meetings and up to a time prescribed in standing orders before a meeting.

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

The Hon. Mick Murray MLA has requested Shire representation for the Collie Mural Project. A large mural on Wellington Dam will be the centerpiece of the project with a series of other smaller murals also to be commissioned in town. The group will help select the artists, artworks and sites for the Collie Mural Project.

**Officer's Recommendation:**

*That Council nominate \_\_\_\_\_ as the Council's nominee(s) for the Collie Mural Project.*

**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 6
- 'All Open' at Appendix 7

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

**21. CLOSE**