



Shire of
Collie

MINUTES

of the

ORDINARY MEETING OF COUNCIL

held on

Tuesday, 28 January 2020

INDEX

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	2
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	3
9.	BUSINESS ARISING FROM THE PREVIOUS MINUTES.....	3
10.	RECEIPT OF MINUTES OF COMMITTEE MEETINGS HELD SINCE THE PREVIOUS MEETING OF COUNCIL.....	3
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.....	11
13.	DEVELOPMENT SERVICES REPORTS	14
13.1	Third Party Appeal Rights in Planning.....	14
13.2	63 Rowe Street – Proposed Home Business (TraaVerse Tourism Services and Equipment Hire).....	16
14.	TECHNICAL SERVICES REPORTS.....	20
14.1	Disposal of Minor Plant Items	20
14.2	2019/20 Plant Replacement Program	22
15.	MOTIONS FOR WHICH PRIOR NOTICE HAS BEEN GIVEN.....	24
16.	QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN	24
17.	URGENT BUSINESS APPROVED BY THE PRESIDING MEMBER OR BY DECISION	24
18.	ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS.....	24
19.	STATUS REPORT ON COUNCIL RESOLUTIONS.....	26
20.	CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC	26
21.	CLOSE.....	27

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

Minutes of the Ordinary Meeting of the Collie Shire Council held in Council Chambers, 87 Throssell Street Collie, on Tuesday, 28 January 2020 commencing at 7:04pm.

1. OPENING/ATTENDANCE/APOLOGIES & LEAVE OF ABSENCE

PRESENT:	Sarah Stanley	Councillor (Presiding Member)
	Ian Miffing JP	Councillor (Deputy Member)
	Gary Faries	Councillor
	Brett Hansen	Councillor
	Rebecca Woods	Councillor
	Elysia Harverson	Councillor
	Leonie Scoffern	Councillor
	Joe Italiano	Councillor (arrived 7.15pm)
	Michelle Smith	Councillor
	Brent White	Councillor
	John Kearney	Councillor
	Brett Lowcock	Acting CEO
	Allison Fergie	Director Corporate Services
	Hasreen Mandry	Finance Manager
	Belinda Dent	CEO PA

APOLOGIES: David Blurton CEO

GALLERY:

- 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.

8348

Moved: Cr Faries	Seconded: Cr Scoffern
That Cr Italiano be granted Leave of Absence for this Ordinary Meeting of Council if required.	
CARRIED 10/0	

2. PUBLIC QUESTION TIME

Nil

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?

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

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 Margareta 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

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

Councillor/Staff	Agenda Item	Disclosure
Cr Kearney	Item 13.2 – 63 Rowe Street Proposed Home Business Item 17 – Council Representative – Collie Mural Project	Impartial – Member of CEFAQ Impartial – Employee of Dept. of Premier & Cabinet who will be managing project.
Cr Woods	Item 13.2 – 63 Rowe Street Proposed Home Business	Impartial – Live on the same street as applicant.

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

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

Nil

7. ITEMS BROUGHT FORWARD DUE TO INTEREST BY ATTENDING PERSONS

Nil

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

12. CORPORATE SERVICES REPORTS

Cr Italiano arrived at 7.15pm.

12.1 Renewal of Lease to Lions Club of Collie Inc.

Reporting Department:	Corporate Services
Reporting Officer:	Allison Fergie – Director Corporate Services
Accountable Manager:	Allison Fergie – Director Corporate Services
Legislation	WA Local Government Act 1995
File Number:	L10077
Appendices:	No
Voting Requirement	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/Council Decision:

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.

8351

Council Decision:

Moved: Cr Harverson

Seconded: Cr Faries

That Council;

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

CARRIED 11/0

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

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)

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

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

Issue	Long Term Lease – Responsible party
Building additions and alterations	Lessee must obtain Shire approval and comply with Building Code of Australia.
Major maintenance	Shire
Minor maintenance and cleaning	Lessee
Security system and response	Lessee
Payment of utility charges (power, water etc)	Lessee
Payment of Emergency Services Levy	Shire
Painting upgrade (internal and external)	By Lessee every 5 years to satisfaction of Shire
Asbestos removal (if required)	Shire
Sub letting	Not permitted
Use by others	Casual hire with Shire approval

Communications Requirements: (Policy No. CS 1.7)

Correspondence to proponent.

Strategic 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
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 28 January 2020

12.2 Accounts Paid – November 2019

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 1
Voting Requirement	Simple Majority

Report Purpose:

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

8352

Officer's Recommendation/Council Decision:

Moved: Cr Miffling

Seconded: Cr Faries

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.

CARRIED 11/0

The following questions were asked by elected members:

Cr Faries – Page 2 – EFT27532 - \$880.00 Cross Security Services – Why was this system installed at the Weighbridge?

Mr Lowcock responded that the security system was upgraded to improve worker safety at the site in line with other customer service roles in the Shire.

Cr Faries – Page 2 – EFT27538 - \$393.97 Connect CCS – Why is this service so high?

Mrs Fergie responded that this is the after-hours services and it is charged according to number of calls received regardless of whether a message is left.

Cr Faries – Page 3 – EFT27544 - \$2,354.00 Pilatti Bros Transport – What is this concrete for at the Cardiff Fire Station?

Mr Dover responded that this was for the construction of Disabled Parking at the Cardiff Fire Station.

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

Cr Faries – Page 3 – EFT27547 - \$572.00 Rose and Crown Hotel – What was this accommodation for?

Mr Dover responded that the accommodation was for the relief ranger whilst attending training.

Cr Faries – Page 6 – EFT27574 - \$1,600.00 Collieburn/Cardiff Fire Brigade & EFT27575 \$660.00 Preston Road Fire Brigade – What is a treatment 378 ESL Mitigation Grant?

Mr Dover took this question on notice.

Cr Faries – Page 8 – EFT27588 - \$3,940.00 Collie Roof Plumbing – Why have we paid for the cleaning and installation of gutter guards to the Cardiff Hall?

Mr Dover took this question on notice.

Cr Faries – Page 8 – EFT27594 - \$8,789.00 Frontline Fire and Rescue – Do we receive a refund from DFES for the purchase of the items for the Bushfire Brigades?

Mr Dover responded that these are covered by the Emergency Services Levy.

Cr Faries – Page 10 – EFT27607 - \$152.32 Mitchell Ryan Jones – Do we receive reimbursement from DFES for the travel claimed for Preston Road Bushfire Brigade attending training course?

Mrs Mandry responded that this is reimbursed through the Emergency Services Levy.

Cr Faries – Page 10 – EFT27608 - \$2942.92 Mettler Toledo – Calibration of the weighbridge how much use is the weighbridge receiving and is this cost being covered by fees for the use of the weighbridge?

Mrs Mandry responded that she would provide an update on funds received from the weighbridge and distribute to Councillors.

Cr Faries – Page 10 – EFT27613 - \$1322.75 Piavanini Welding – Can the tailgate be dove tailed on the back of the truck? Can this be discussed with the Plant Panel prior to modifications taking place and discuss budget options.

Mr Lowcock responded and indicated that the Plant Panel would be involved in discussions.

Cr Faries – Page 13 – EFT27635 - \$1540.00 Amalgamated Civil & Plant Hire Pty Ltd – Did we get quotes for gravel?

Mr Lowcock responded that we obtained 3 quotes to provide gravel for the Shannon Road construction.

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

Cr Faries – Page 14 – 27640 - \$1122.00 Scott Christinger – Why were the exhaust fans installed by Council in changerooms?

Mr Dover took this question on notice.

Cr Faries – Page 19 - CHQ1339 - \$5243.04 Safe Tool Solutions – Tagging of electrical equipment was this a local business?

Mr Dover took this question on notice.

Cr Faries – Page 20 - EFT27683 - \$4000.00 Veens Design Drafting Service – Was this for the swimming club rooms?

Mrs Fergie responded that the drafting was for the community facility at the pool.

Cr Faries – Page 29 – DD25370.2 - \$2038.21 SG Fleet Australia Pty Ltd - Are these two vehicles leases for the Bushfire Brigade covered through DFES?

Mr Dover advised they are leased and covered through the Emergency Services Levy.

Cr Miffing – Page 14 – EFT27644 - \$3880.00 Collie Chamber of Commerce – What was the value of the vouchers?

Mr Mandry advised that the value per voucher was \$40.00.

Cr Miffing – Page 26 – EFT27733 - \$2854.50 Collie Sign FX – What budget did the replacement of building logo's come out of and who approved?

Mr Dover responded that the signs with the new logo funds came out of the Building Asset Maintenance Budget and he had approved the replacement of the old logo's.

Cr Harverson – Page 7 – EFT27582 - \$1721.50 Collie Machine Shop – What is a vertimower and what is it used for?

Mr Lowcock responded that a vertimower is a piece of equipment used to air rate and de-thatch grass.

Cr Harverson – Page 8 – EFT27587 – \$304.43 Coates Hire – Why did we hire a vertimower when we have our own?

Mr Lowcock took this question on notice.

Cr Harverson – Page 15 – EFT27654 - \$27654 – Heatley Sales Pty Ltd – Do we supply the electrolyte sachets to staff at no cost? What quantities are used?

Mrs Mandry responded that the sachets are supplied to staff and took on notice that she would find out what quantities are used per year.

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

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
July	\$458.65	\$832,384.94	\$832,843.59
August	\$1,629.84	\$1,189,189.01	\$1,190,818.85
September	\$1,863.90	\$985,349.82	\$987,213.72
October	\$10,619.81	\$1,175,526.79	\$1,186,146.60
November	\$5,887.05	\$658,803.39	\$664,690.44
December			
January			
February			
March			
April			
May			
June			

Statutory and Policy Implications:

WA Local Government Act 1995
Financial Management Regulations 1996

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

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

Budget Implications:

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

Communications Requirements: (Policy No. CS1.7)

Nil

Strategic Community Plan/Corporate Business Plan Implications:

Nil

Relevant Precedents:

Comment:

For a detailed listing of payments see Appendix 1.

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

12.3 Financial Report – November 2019

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:

This report provides a summary of the Financial Position for the Shire of Collie for the month ending November 2019.

8353

Officers Recommendation/Council Decision:

Moved: Cr Italiano

Seconded: Cr Scoffern

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

CARRIED 11/0

Cr Italiano – The Recreation and Culture budget has an increase what is the reasoning for this variance? Can Council have an update on revenue at the end of the season.

Mrs Mandry responded that the increase was due to additional revenue from increased attendance and participation in aqua classes at the pool combined with increased temperatures early in the swimming season and extended hours. Mrs Mandry advised that an update on revenue would be provided at the end of the season.

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

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

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 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.**

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

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
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 28 January 2020

13. DEVELOPMENT SERVICES REPORTS

13.1 Third Party Appeal Rights in Planning

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

8354

Officer's Recommendation/Council Decision:

Moved: Cr Faries

Seconded: Cr Smith

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.**

CARRIED 11/0

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.

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

Statutory and Policy Implications:

N/A

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
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 28 January 2020

Cr Kearney and Cr Woods both declared an Impartial Interest in Item 13.2.

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

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

Report Purpose:

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

8355

Officer's Recommendation/Council Decision:

Moved: Cr Faries

Seconded: Cr Italiano

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.**

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

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.
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.

CARRIED 11/0

Background:

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



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

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".

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 Minnipool.

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.

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

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

Strategic Community Plan/Corporate Business Plan Implications:

Goal 3: Our Built Environment

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

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 50m²;*
- 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
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 28 January 2020

14. TECHNICAL SERVICES REPORTS

14.1 Disposal of Minor Plant Items

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

Report Purpose:

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

8356

Officer's Recommendation/Council Decision:

Moved: Cr Smith

Seconded: Cr Kearney

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

CARRIED 11/0

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

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

Strategic Community Plan Implications:

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

OUTCOME 3.3 – A safe and reliable transport system

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

OUTCOME 3.5 – A sustainable asset and infrastructure base.

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

Relevant Precedents:

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
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 28 January 2020

14.2 2019/20 Plant Replacement Program

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

Report Purpose:

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

8357

Officer's Recommendation/Council Decision:

Moved: Cr Faries

Seconded: Cr Woods

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.

CARRIED 11/0

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

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

at \$252,462, which includes an amount of \$52,000 from the sale of the JCB skid steer loader in 2018/19.

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 30th 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
MINUTES - ORDINARY MEETING OF COUNCIL
Tuesday, 28 January 2020

15. MOTIONS FOR WHICH PRIOR NOTICE HAS BEEN GIVEN

Nil

16. QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN

Nil

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

Cr Kearney declared an Impartial Interest in Item 17.

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.

8358

Officer's Recommendation/Council Decision:

Moved: Cr Miffing

Seconded: Cr Italiano

That Council nominate Cr Scoffern with Cr Woods as proxy as the Council's nominee(s) for the Collie Mural Project.

CARRIED 11/0

18. ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS

Cr Woods

- 8 Feb – Expo in the Park 10-11am

Cr Faries

- 26 January – Attended Australia Day movie in the Park.
- 21 January – Attended Trails Reference Group

Cr Hansen

- 30 January - Attending Bushfire Debrief

Cr Smith

- Thanked Christine Szostak & Brett Lowcock for the recycled Christmas Decorations

Cr Scoffern

- 11 Dec & 20 Jan – Attended Trails Branding with Gumfire
- 12 December - Attended the Cheerio Club Christmas Party
- 26 January - Attended the Australia Day celebrations

Cr Harverson

- 26 January - Attended Australia Day breakfast.

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

Mr Dover

- 15-20 December – Responded to Yourdamung/Gervasse Bushfire
- Advised Golden Eagle restoration of verandah has commenced.

Cr Miffing

- 26 January – Attended the Australia Day celebrations and thanked the Australia Day Panel for their involvement.

Cr Stanley

- 11 December - Collie Futures Economic Advisory Group meeting
- 12 December - Cheerio Club Christmas Dinner
- 13 December - Collie River Valley Marketing Planning Session
- 15-20 December - Yourdamung and Gervasse bushfire response
- 17 December - Regular meeting with local member Hon. Mick Murray
- 18 December - Official Launch of the MTB Map, a joint project with the Bunbury Geographe Tourism Partnership and SWDC
- 21 December - Collie Christmas Pageant
- January - Met with potential restaurateur looking to invest in Collie
- 16 January - Met with Innovation Facilitator for the Entrepreneurs' Program, Department of Industry, Innovation and Science. Looking at how they can provide the same level of service to regional areas as is available to metropolitan counterparts. To present at a future Business Connections meeting.
- 16 January - Met with Australia's South West to discuss potential collaboration with local marketing efforts
- 16 January - Official launch of Boodja Gin, a collaboration between Beelagu Moort and Harris River Estate on locally produced gin infused with foraged traditional herbs and plants.
- 23 January - Official launch for the autonomous mining vehicle training centre being constructed just outside of Collie.
- 23 January - Regional Visit with Premier Mark McGowan
- 23 January - BGEA Board Meeting
- 26 January - Australia Day Awards Ceremony.

Upcoming events:

- 29 January - Meet and Greet with the Leader of the Opposition in Donnybrook
- 31 January - Collie Hydrogen Project update
- February - Bunbury-Geographe Sub-regional Strategy Steering Group Strategic Workshop
- 8 February - Collie Community Expo

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

- 12 February - Business Connections, Collie Golf Club
- 11 March - Potential networking event with Bunbury Geographe elected members hosted by the Shire of Dardanup

Mr Lowcock

- 12 December - Attended the Cheerio Club's Christmas Party
- 15-20 December – Responded to Yourdamung/Gervasse Bushfire
- 23 January – Attended the Launch of Autonomous Vehicle Training Center
- 23 January - Met with the Premier Mark McGowan whilst on his Regional visit

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

The elected members discussed the following open motions:

Motion No. 6245 – Mr Dover provided an update that we have now gained a grant for trail signage from Lottery West.

Motion No. 8255 – Mr Lowcock provided an update on the speed limit request in Allanson that Main Roads will not be changing the speed limit to the other side of Rose Road.

Motion No. 7673 – Discussion was held around the Buckingham Hall and future use of the hall.

Motion No. 7830 – Discussed that signage needs updating.

Motion No. 8238 – Mr Lowcock advised that no further information has been received around bus numbers at the Railway Heritage Building.

Motion No. 8271 – Request to re-open motion as not complete.

20. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC

8359

Moved: Cr Faries

Seconded: Cr Woods

That Council moves Into Committee.

CARRIED 11/0

Mr Dover provided an update on the Scenic Drive court proceedings.

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

Mr Lowcock provided information regarding a letter dated 17 January from a solicitor requesting payment of outstanding funds to their client.

Mr Lowcock provided an update on the River Stop contract.

8360

Moved: Cr Faries	Seconded: Cr Scoffern
That Council moves Out of Committee.	
CARRIED 11/0	

21. CLOSE

The Shire President thanked Council and Staff for their attendance. The Presiding Member declared the meeting closed 9.40pm.

I certify that these Minutes were confirmed at the Ordinary Meeting of Council held on Tuesday, 18 February 2020.

.....
Presiding Member

.....
Date