



Shire of
Collie

AGENDA

for the

ORDINARY MEETING OF COUNCIL

to be held on

Tuesday, 13 September 2022

**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, 13 September 2022

in Council Chambers at 87 Throssell Street, Collie WA,



Stuart Devenish
Chief Executive Officer

8 September 2022

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

September 2022

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 13 September 2022

Ordinary Meeting of Council

7.00pm in Council Chambers

To be confirmed

Indoor Pool Project Working Group

To be confirmed

Trails Panel

To be confirmed

Audit Committee

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)SignatureDate

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, 13 September 2022

Agenda for the Ordinary Meeting of the Collie Shire Council to be held in Council Chambers, 87 Throssell Street Collie, on Tuesday, 13 September 2022 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 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 Faries noted that a weekly clean was scheduled for the Wallsend ground and asked who actually uses the facilities?

Mr Young responded:

The toilets at the Wallsend ground changerooms and stable toilets are used on an infrequent basis by Western Riding Club, Collie Harness Racing Club when the land is used for events, used when the land is occupied as a caravan park overflow, as well as used in association with any occasional event booking at the Wallsend ground. A weekly clean is scheduled for these toilets whereas other publicly accessible toilets are cleaned on a daily basis. This cleaning frequency is considered as necessary to maintain the general level of service for these facilities.

The Shire does not maintain a record of how many users access these facilities.

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.

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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.

5.1 Beam Mobility – Mia Onorato

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 Ordinary Meeting of Council held on 9 August 2022.

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

Nil.

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11. CEO REPORTS

11.1 Consideration of Objection to Proposed Lease – Wagon Kiosk

Reporting Department:	Chief Executive Office
Reporting Officer:	Stuart Devenish – Chief Executive Officer
Accountable Manager:	N/A
Legislation:	<i>Local Government Act 1995</i>
File Number:	GOV/043
Appendices:	11.1.A – Submission of objection
Voting Requirement	Simple Majority

Report Purpose:

To consider an objection submitted by the Collie Rail Heritage Group Inc, to the proposed lease of a portion of Reserve 42791 to Emma Spencer and Rachael Harms for the site of the Wagon kiosk.

Officer's Recommendation:

That Council resolve:

1. *that having considered the objection from Collie Rail Heritage Inc. to the proposed lease of a portion of Reserve 42791 in accordance with Section 3.58(3) of the Local Government Act 1995, to dismiss the objection for the following reasons:*
 - a) *arrangements between the owner of the railway carriage and the lessees are outside the scope of the lease consideration; and*
 - b) *the proposed lessees have invested in establishing a new business that now provides a valuable service to the community, and should be allowed to continue that business now that it has become a going concern;*
2. *to authorise the entering into a lease with Emma Spencer and Rachael Harms for a portion of Reserve 47291 for the location of a kiosk, subject to the following main terms and conditions:*
 - a) *A term of five years;*
 - b) *A further term of five years (renewal option);*
 - c) *An annual rental of \$5,200 plus GST;*
 - d) *An annual increase to the market rent of 2%; and*
 - e) *Ministerial consent being provided;*
3. *to authorise the President and Chief Executive Officer to sign and affix the Common Seal to the lease document between the Shire of Collie and Emma Spencer and Rachael Harms for the lease of a portion of Reserve 47291 in line with the terms set out in 2. above.*

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Background:

At the Ordinary Council Meeting held on 9 August 2022, Council considered a proposed new commercial lease for the Wagon kiosk in Central Park. Council resolved to:

1. *Give local public notice inviting submissions on the proposed lease of a portion of Reserve 42791 in accordance with Section 3.58(3) of the Local Government Act 1995;*
2. *Subject to no submissions of objection received during the advertising period referred to in 1. above, Council authorise the entering into a lease with Emma Spencer and Rachael Harms for a portion of Reserve 47291 for the location of a kiosk, subject to the following main terms and conditions:*
 - a) *A term of five years;*
 - b) *A further term of five years (renewal option);*
 - c) *An annual rental of \$5,200 plus GST;*
 - d) *An annual increase to the market rent of 2%; and*
 - e) *Ministerial consent being provided.*
3. *Subject to 1. and 2. above, authorise the President and Chief Executive Officer to sign and affix the Common Seal to the lease document between the Shire of Collie and Emma Spencer and Rachael Harms for the lease of a portion of Reserve 47291.*

Following the period of local public notice, one submission of objection was received from Collie Rail Heritage Group Inc. (CRHG). A copy of the submission is included in Appendix 11.1.A.

The objection centres around arrangements and dealings between the group and the lessee. The CRHG also ask the Council to gauge interest of other parties to run the business, or to consider granting the lease to the CRHG.

Statutory and Policy Implications:

In accordance with section 3.58 of the *Local Government Act 1995*, where a local government chooses to dispose of property other than by public auction or public tender, it must first give local public notice of the proposed disposition, inviting submission to be made. The local government must consider any submissions made and, where a decision is made, include the decision and the reasons for the decision in the minutes of the meeting.

Budget Implications:

The lease will provide an annual income of \$5,200, increasing by 2% per annum.

Communications Requirements:

Details of the agreement have been advertised via local public notice in line with section 3.58 of the *Local Government Act 1995* providing members of the community 14 days to submit any reasonable objections in writing to the Shire.

Strategic Community Plan/Corporate Business Plan Implications:

Goal 2: Our Economy: A strong and diversified economic base driven by a range of business and employment opportunities.

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Outcome 2.2: A strong business and services sector.

Strategy 2.2.1: Promote and support growth in the commercial, professional and governance services sectors.

The lease supports Goal 2 Our Economy: A strong and diversified economic base driven by a range of business and employment opportunities.

Relevant Precedents:

Nil.

Comment:

The agreement between the lessee and the Collie Rail Heritage Group (CRHG) for the use of the Wagon for the kiosk is a private arrangement between the lessee and CRHG and outside the scope of this lease.

Whilst the Shire may be sympathetic to the issues raised by CRHG, it is not appropriate for the Shire to intervene in arrangements between the parties. The parties are encouraged to reach appropriate agreement that will serve the best interests of the community.

An invitation to other parties to take up the lease to run the business is not supported. The existing operators have worked to develop a business into a going concern. The business provides a valuable service to the community and as such should be allowed to continue operation.

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12. CORPORATE SERVICES REPORTS

12.1 Accounts Paid – July 2022

Reporting Department:	Corporate Services
Reporting Officer:	Hasreen Mandry – Finance Manager
Accountable Manager:	Nicole Wasmann – Director Corporate Services
Legislation:	<i>Local Government Act 1995 & Financial Management Regulations 1996</i>
File Number:	FIN/024
Appendices:	Appendix 12.1.A – Accounts Paid – July 2022
Voting Requirement	Simple Majority

Report Purpose:

To present the accounts paid during the month of July 2022.

Officer's Recommendation:

That Council accepts the Accounts as presented in Appendix 12.1.A being vouchers 41872-41877 totalling \$3,583.29 and direct payments totalling \$771,047.53 authorised and paid in July 2022.

Background:

In accordance with Delegation 14 adopted by Council on 10 August 2021, the Chief Executive Officer is authorised to incur expenditure in accordance with the Annual Budget provisions and limited over-expenditure subject to subsequent budget amendment. In doing so, section 13 of the *Financial Management Regulations 1996* is to be adhered to with a list of accounts for approval to be presented to the Council each month.

Month	2022/23		
	Cheques	Electronic Transfer	Total Payment
July	3,583.29	771,047.53	774,630.82

Statutory and Policy Implications:

WA Local Government Act 1995
Financial Management Regulations 1996

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

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A list of all accounts paid shall be presented to Council within two months. 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:

N/A

Comment:

For a detailed listing of payments see Appendix 12.1.A.

Please raise any queries prior the meeting to enable questions to be investigated and a response prepared.

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12.2 Financial Report – July 2022

Reporting Department:	Corporate Services
Reporting Officer:	Hasreen Mandry – Finance Manager
Accountable Manager:	Nicole Wasmann – Director Corporate Services
Legislation:	<i>Local Government Act 1995 & Financial Management Regulations 1996</i>
File Number:	FIN/024
Appendices:	12.2.A – Financial Report – July 2022
Voting Requirement	Simple Majority

Report Purpose:

To provide a summary of the Financial Position for the Shire of Collie for the month ending July 2022.

Officer's Recommendation:

That Council resolve to accept the Financial Management Report for July 2022 as presented in Appendix 12.2.A.

Background:

In accordance with Council policy and the provisions of the *Local Government Act 1995*, the Financial Report and budget amendments required for the end of the period is presented to Council for information. Refer to Appendix 12.2.A.

Statutory and Policy Implications:

Section 34 (1) (a) of the *Local Government (Financial Management) Regulations 1996* states that a Local Government is to prepare monthly statement of financial activity including annual budget estimates; budget estimates to the end of the month to which the statement relates; actual amounts of expenditure, revenue and income to the end of the month to which the statement relates, material variances between monthly budget and actual figures, and net current assets on a monthly basis.

In accordance with section 34(5) of the *Local Government (Financial Management) Regulations 1996* each year a local government is to adopt a percentage or value to be used in statements of financial activity for reporting material variances. In this case, the Shire of Collie has adopted the material variance of 10% or \$10,000, whichever is greater, for reporting variations to the 2022/23 Budget in the monthly statement of financial activity reported to Council.

Budget Implications:

Nil

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Communications Requirements: (Policy No. CS1.7)

Nil

Strategic Community Plan/Corporate Business Plan Implications:

Nil

Relevant Precedents:

N/A

Comment:

The financial statements provided in Appendix 12.2.A reports on the following information for the reporting period:

- Rate Setting Statement by Nature and Type
- Material Variances
- Statement of Financial Positions
- Cash and Investments
- Receivables & Payables
- Capital Projects
- Other Projects
- Budget Amendments

Commentary for the material variances identified is included in Appendix 12.2.A.

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13. DEVELOPMENT SERVICES REPORTS

13.1 Alternative Site for Coalfields Museum and Historical Research Centre

Reporting Department:	Development Services
Reporting Officer:	Matt Young – Director Development Services
Accountable Manager:	Matt Young – Director Development Services
Legislation	<i>Local Government Act 1995</i>
File Number:	N/A
Appendices:	13.1.A - Site Plan
Voting Requirement	Simple Majority

Report Purpose:

To consider working with land owners and Coalfields Museum and Historical Research Centre Inc for a new Coalfields Museum.

Officer's Recommendation:

That Council resolve to:

- 1. endorse the working relationship between the CMHRC and Shire officers to progress the identification of a suitable site for a future museum development in Collie;*
- 2. support in principle discussions with affected parties of land between the Collie River Valley Tourist Centre and Collie Roundhouse (Reserve 22218, Lot 561 and 2860; Reserve 47127 Throssell Street) and also Lot 2863 and 2884 Reserve 47288 Forrest Street for a future museum development; and*
- 3. considers any final determination on the proposed redevelopment after receiving and considering the outcomes of 1) and 2) above prior to the preparation of business case.*

Background:

The CMHRC currently leases 161 Throssell Street, Collie from the Shire of Collie and has off-site storage in a shed adjacent to Roche Park. The CMHRC is regularly gifted new additions to the museum collection and has also been promised significant museum pieces from Muja and Collie coal mining companies. The museum and storage facility are at/beyond capacity. The buildings at 161 Throssell Street are not fit for purpose and have a number of issues that put the collection at risk.

The CMHRC has progressed a number of options for its growth and expansion. Originally the museum executive progressed redevelopment plans of the existing museum site at 161 Throssell Street, Collie.

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The CMHRC was given in principal support by Council to investigate redevelopment of the existing site in Throssell Street (R20038) in July 2020. This site has become unworkable due to cost factors (building estimated to be around \$6 million) and the difficulties posed by having to pack up and move the entire collection during the construction phase, where the museum would be closed plus associated storage costs.

The CMHRC considered several other sites in 2021 that were all ruled out. The CMHRC, being a volunteer run, not-for-profit organisation, does not have the funds necessary to engage consultants or conduct high level feasibility studies into various sites. Instead, the executive developed desirable criteria including items such as land ownership, current approved land uses, vehicle access, parking, proximity to the CBD, Throssell Street frontage and proximity to other visitor attractions.

The CMHRC committee concluded in 2021 that the most favourable site is R47293 Throssell Street located next to the RSL building and the old Wallsend underground mine. R47293 is vested in the Shire of Collie with power to lease. The current purposes for R47293 include tourist/historical display.

Council considered this matter on 19 January 2021 (resolution 8655) and resolved:

That Council:

1. *notes the work of the Coalfields Museum and Historical Research Centre Inc (CMHRC) undertaken to date with regard for the planning for a new museum development on Reserve 20038 (Lot 1260) Throssell Street Collie and vested in the Shire as a Museum site with power to lease; and also, investigations into various other sites around town;*
2. *provides in-principal support to preliminary investigation and due diligence for possible future development at a site in Throssell Street next to the RSL building (R47293); and*
3. *considers any final determination on the proposed redevelopment after receiving and considering the results of the CMHRC's due diligence report.*

On 29 January 2021 the CMHRC commenced detailed discussion on Reserve 20038 (Lot 1260) Throssell Street Collie and started to developed detailed site plans and layout concepts. No formal DA has been lodged.

The main issue with Reserve 20038 (Lot 1260) Throssell Street Collie is that it is small, being contained by the RSL site to the west, the truck-stop and carpark to the east, the rail reserve to the north and Throssell Street to the south. The available land is approx. 3,000m², and would adjoin a shared carpark with the rear (eastern side) of the RSL.

The main issue for the CMHRC in Reserve 20038 (Lot 1260) Throssell Street is that it is not expandable and is unable to accommodate large display pieces such as that promised from the power stations the coal mining companies.

On 1 July the Shire was approached by Rotary Club of Collie to discuss an opportunity to relocate a disused fire tower into Collie. After a series of meetings a report was

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considered by Council on 14 September 2021 (Resolution 8809 Rotary Fire Tower Relocation Project- Preliminary Site Analysis)

That Council resolve to:

1. *Provide in-principle support for the Rotary Fire Tower Relocation Project, for the Munro Fire Tower to be relocated to Collie;*
2. *Authorise Officers to continue working with the Collie Rotary Club to identify and analyse site selections for the fire tower; and*
3. *require the final preferred location(s) for the fire tower to be referred to Council for determination.*

As part of the Rotary Club of Collie's site selection process 20 Throssell Street, Collie was identified as a potential suitable site for the fire tower to be relocated to and restored as a large amount of laydown area was unused by the Forestry Products Commission.

The Collie Rotary Club established an informal working group of members, consultants and the Shire (Director Development Services) to scope out and progress the Munro fire tower project and its relocation to Collie and subsequent restoration. The project moved back to the Collie Rotary Club to secure funding opportunities. These are largely stalled as the Collie Rotary Club does not have an agreed location for the tower to be stored in Collie.

On 7 September 2021 the Council discussed the Coalfield's Museum and Munro Fire Tower at its briefing.

Following further contact from the CMHRC in early March 2022, officers wrote to the Forestry Products Commission on 24 March 2022 to formally request that 20 Throssell Street, Collie is transferred to the Shire of Collie so that it can work with the CMHRC and Collie Rotary Club to establish a new Coalfields Museum, incorporating (potentially) the Munro fire tower.

The Director Development Services attended the CMHRC executive committee on 4 May to outline the Forestry Products Commission submission, to suggest the idea of establishing a working group with the Shire to progress the land transfer, to identify funding opportunities and to progress museum plan development. The Director Development Services also discussed with the CMHRC a potential layout sketch of how the Forestry Products Commission site could be developed.

Council on 14 September 2021 considered a report into investigations into 20 Throssell Street, Collie (MOTION 9008 Alternative Site for Coalfields Museum and Historical Research Centre) and resolved:

That Council resolve to endorse Shire Officer request to the Forestry Products Commission to have land transferred to the Shire for the relocated Coalfields Museum and Historical Research Centre Inc (CMHRC) at 20 Throssell Street Collie.

The Forest Products Commission formally advised that it is committed to operating the office and depot at 20 Throssell Street. Effectively this site is not available for a future

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museum site. This was communicated to the Coalfields Museum & Historical Research Centre and Collie Rotary.

The CMHRC has advised that the preferred next option is the land to the west of the Collie River Valley Visitors Centre.

The Director Development Services approached the National Trust to see if the eastern end of Reserve 47127 (vested in the National Trust of Australia) would be considered for a museum, linking the roundhouse and Collie Visitors Centre. The National Trust has advised that Be Our Guest Holdings has exclusive option over the whole site. The Roundhouse redevelopment is still subject to further planning and decisions in respect to Building Better Regions funding are still outstanding.

Statutory and Policy Implications:

N/A

Budget Implications:

The Shire has allocated \$10,000 in the 2022/23 budget to assist the preparation of a business case for a new museum.

As the CMHRC has limited capacity to continually progress site options and building designs, Shire staff have been assisting in identifying options for the new museum.

Any new museum will need to be assessed through a business case and capable of being funded, operated and maintained by the CMHRC so that it will not create additional cost liability to the Shire of Collie.

Communications Requirements: (Policy No. CS 1.7)

Discussions with land owners and affected parties will need to be undertaken prior to any final decisions being made.

Strategic Community Plan/Corporate Business Plan Implications:

Goal 4: Our Built Environment: Infrastructure, amenities and development that supports the needs and aspirations of the community.

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

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

Relevant Precedents:

N/A

Comment:

Officers and the CMHRC are keen to pursue a long term site for the Coalfields Museum.

As the Forestry Products Commission's site at 20 Throssell Street is not available the CMHRC has identified the land between the Colie River Valley Tourist Centre and Roundhouse as being an alternative. The reserves on the northern side of the railway on Forrest Street were also identified for the new museum as a second preferred option. Separately, but also related, the Shire officers are continuing to work with the

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Collie Rotary to find a suitable site to erect the DBCA's Munro fire tower, and the Collie Retired Mineworkers Assoc Inc regarding the restoration and relocation of the dragline into Collie.

From the CMHRC's perspective the land west of the visitors centre would be an ideal location to establish a new indoor / open air museum so that it can better display its current collection. The museum has been promised significant heritage pieces for its collection from the coal mining and power generation companies (e.g. Muja A&B equipment from Synergy) and this collection could also be expanded to cover timber heritage.

The Shire has been in discussion with the DBCA to develop a pump track on the same site, although alternative locations previously also include the reserves on the northern side of the railway on Forrest Street around the Collie BFB/SES training area.

As site options need to be progressed and owing to the complexities of associated issues it is recommended that the Shire continues to work with the CMHRC to progress a new museum location.

Once a site is selected a business case should be developed to provide justification as to the benefits of the project and to determine the self-sustaining viability for developing and the ongoing maintenance of the museum. It will evaluate the benefit, cost and risk of alternative options and provides a rationale for the preferred solution for decision makers and stakeholders (Shire and CMHRC). This is important because it enables decisions around site management such as lease terms, building works and responsibilities, access arrangement, common use areas and the like.

This new museum project will only be successful if it has been planned realistically, with a clear focus after detailed consideration of the associated costs and risks. The business case will also assist in providing a project justification for funding sources.

Endorsement of a collaborative working relationship between the CMHRC and the Shire to help achieve these ends is recommended accordingly.

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13.2 Amendment to Dog Exercise Areas on portion of the Collie River Trail

Reporting Department:	Development Services
Reporting Officer:	Matt Young - Director Development Services
Accountable Manager:	Matt Young – Director Development Services
Legislation	<i>Local Government Act 1995</i> <i>Dog Act 1967</i> <i>Dog Amendment Regulations 2014</i>
File Number:	LAW001
Appendices:	13.2.A: Map of Proposed Dog Exercise Area Amendments
Voting Requirement	Absolute Majority

Report Purpose:

For Council to consider changes to dog exercise areas along portions of the Collie River trail between Coombes Street and Burt Street.

Officer's Recommendation:

That Council resolve by ABSOLUTE MAJORITY:

1. *To specify the following dog exercise areas be removed:*
 - *The dog exercise area along the Collie River from Coombes Street to Cameron Road, being parts of R15195, R6770, R24713 & R23606;*
2. *To specify the following new dog exercise area:*
 - *The area along the Collie River being part of R15783 from Cameron Road to Burt Street as set out in Appendix 13.1 be a dog exercise area, to adjoining the existing dog exercise area on R18806 along the Collie River trail to Preston Road;*
3. *To note that Part of R15195 - Portion of Wallsend Ground – end of Bridge Street and Raymond Street remaining as a dog exercise area;*
4. *That the above designation will not take effect until the amendments to the dog exercise area is published as a local public notice as defined in the Local Government Act 1995 section 1.7 for a period of 28 days; and*
5. *That subject to 4. above, new signage shall be installed of the relevant changes to the dog exercise areas and indicate where all dogs shall be kept on a lead.*

Background:

Council establishes dog exercise areas and specified areas where dogs are prohibited, via an absolute majority Council resolution in accordance with the *Dog Act 1976*. Dog

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exercise areas are sites where dog owners can exercise dogs off-lead (as long as the dogs remain under control).

Pursuant to Clause 31(1) of the *Dog Act 1976*, nothing in the declaration of these areas prevents dog owners from exercising their pets in a public street or a park provided:

- (a) *it is held by a person who is capable of controlling the dog; or*
- (b) *securely tethered for a temporary purpose.*

Statutory and Policy Implications:

Dog Amendment Regulations 2014 – require a Council resolution for dog exercise areas and dog prohibited areas.

Budget Implications:

Signage costs estimated at \$60 per sign including posts, with up to 15 signs required. This totals \$900.

Communications Requirements: (Policy No. CS 1.7)

Council is required to give 28 days' public notice of the intention to specify dog prohibited areas or dog exercise areas.

Strategic Community Plan/Corporate Business Plan Implications:

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

Outcome 1.5: A safe community

Strategy 1.5.3: Provide animal management services

Relevant Precedents:

N/A

Comment:

The section of river foreshore between the Coombes Street Bridge and the East End Bridge (Cameron Road) is well used by the community for general recreation activities, the Collie River Trail parkrun and the Collie Rail to River Heritage Trail. The footpath is also part of the Collie River Trail route from Soldiers Park to Minningup Pool (connecting to the Wagyl Bidli Trails).

For these reasons and as a result of a few community complaints it is recommended that the dog exercise area be restricted to be for dogs to be allowed but on-lead only.

The section of path between Cameron Road (East End Bridge) and Burt Street, which is currently not a designated dog exercise area, be approved for dog exercise. It is noted that the reserve incorporating the Wagyl Bidli Trails and newly opened Drop and Skills Park is prohibited to dogs.

The dog exercise areas to be amended are shown in Appendix 13.2.A and illustrating the following:

- Portion of reserves R15195, R6770, R24713 & R23606 be amended as a dog exercise area to be restricted to dog on-lead.
- Portion of the River walk from Cameron Road to Burt Street added as dog exercise area as replacement.

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14. TECHNICAL SERVICES REPORTS

14.1 Request Recreation Grounds Lighting Towers Donation - Collie Eagles Football Club

Reporting Department:	Technical Services
Reporting Officer:	Rick Miller – Director Technical Services
Accountable Manager:	Rick Miller – Director Technical Services
Legislation	<i>Local Government Act 1995 Local Government (Functions and General) Regulations 1996</i>
File Number:	RCS/004
Appendices:	Nil
Voting Requirement:	Simple Majority

Report Purpose:

For Council to consider a donation request from Collie Eagles Football Club for the salvage rights to the existing Recreation Grounds lighting towers that are to be replaced by new floodlights.

Officer's Recommendation:

That Council resolve to donate to the Collie Eagles Football Club Inc, salvage rights to the existing Recreation Grounds lighting towers (including light infrastructure) subject to the following terms:

- 1. the Shire arranging the dropping of the existing lighting towers to the ground;*
- 2. the Club removing towers from the Recreation Grounds by no later than 16 October 2022; and*
- 3. the tower poles not to be reused as light towers unless recertified by a suitably qualified engineer.*

Background:

Correspondence was received 4 September 2022 from the Collie Eagles Football Club Inc. requesting that the Club be given the salvage rights of the old lighting towers.

“The Collie Eagles Football Club are of the belief that the lighting towers currently in use at the Collie Recreation Ground were put in place after the Club received funding from Mick Murray who was the local MLA at the time and donations made by Griffin Coal and Wesfarmers Premier Coal. The funding currently being used to install the new lighting system at the Recreation Ground has again been sought by the Football Club. The new lighting system will not only benefit the football club but also Little Athletics and other community groups. Currently the football club is responsible for all costs

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associated with the lights on a month-to-month basis and the club does not request payment from any of the other users of the oval.

Therefore, the Collie Eagles Football Club would like to request salvage rights of the old lighting towers as a gratia payment for maintenance and upkeep for the last 25 years.”

For clarity, Officers point out that the new light towers, as with the old towers are Shire owned assets and are subject to the Shire’s insurance coverage. The lighting project is a benefit to not just the football club but also other clubs and community groups that have use of the grounds.

Statutory and Policy Implications:

The Council may elect to dispose of property of value less than \$20,000 in any manner it deems appropriate.

Budget Implications:

The removal of the old towers (and delivery to the Shire transfer station for Shire to receive scrap value) is presently within the contractors scope of work for new light installations. The contracted removal cost is \$2,250. This amount can be saved from the project cost if the removal is excluded from the contract and undertaken by the Football Club.

The scrap value of the old light towers is estimated to range from \$720 to \$1,300 depending on how it is sold. If the Football Club removes the old towers and receives scrap value, the overall project costs are reduced in the order of \$1,250.

Communications Requirements:

N/A

Strategic Community Plan/Corporate Business Plan Implications:

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

Goal 2: Our Economy: A strong and diversified economic base driven by a range of businesses and employment opportunities

Goal 3: Our Business: Good governance through an effective, efficient and sustainable organisation

Relevant Precedents:

Nil

Comment:

It is acknowledged that the Football Club brings benefits to the community by paying the power consumption charges for the lights. Assignment of salvage rights to the Club recognises the Clubs contribution by enabling revenue for the Club while reducing overall lighting project costs.

The current contractor has agreed to vary the contract to exclude the removal component for the light towers. Assignment of the salvage rights to the Football Club is recommended accordingly.

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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 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**
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 19.1A
 - 'All Open' at Appendix 19.1B
20. **CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC**
21. **CLOSE**