



Shire of
Collie

MINUTES

of the

ORDINARY MEETING OF COUNCIL

held on

Tuesday, 13 September 2022

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Minutes of the Ordinary Meeting of the Collie Shire Council held in Council Chambers, 87 Throssell Street Collie, on Tuesday, 13 September 2022 commencing at 7:02pm.

Prior to the commencement of the formal business of the meeting, one minute of silence was observed to reflect on the life and legacy of Queen Elizabeth II.

1. OPENING/ATTENDANCE/APOLOGIES & LEAVE OF ABSENCE

PRESENT: Ian Miffing OAM JP Councillor (Deputy Shire President)
Gary Faries Councillor
Brett Hansen Councillor
Elysia Harverson Councillor
John Kearney Councillor
Joe Italiano Councillor
Leonie Scoffern Councillor
Michelle Smith Councillor
Brent White Councillor
Rebecca Woods Councillor

Stuart Devenish Chief Executive Officer
Matthew Young Director Development Services
Rick Miller Director Technical Services
Nicole Wasmann Director Corporate Services

APOLOGIES: Sarah Stanley Councillor (Shire President)

GALLERY: Nola Green – Press
Mia Onorato-Sartari – Beam Mobility (left Chambers at 7:52pm)
Luke Van Blommestein – Beam Mobility (left Chambers at 7:52pm)
Stuart O’Callaghan – Beam Mobility (left Chambers at 7:52pm)
Tamsin Emmett (left Chambers at 7:52pm)
Lorraine Robinson (left Chambers at 8.16pm)
Keith Robinson (left Chambers at 8.16pm)
Glenda Savic (left Chambers at 8.16pm)
Steve Savic (left Chambers at 8.16pm)
Max Burton (left Chambers at 8.16pm)
Russell Saunders (left Chambers at 8.16pm)
Tom Reardon
Gael Varian

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

Nil.

1.2 Councillors requesting Leave of Absence for future Ordinary Meetings of Council.

Nil.

1.3 Councillors who are applying for Leave of Absence for this Ordinary Meeting of Council.

Councillor Stanley is seeking a leave of absence for this Ordinary Council Meeting.

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9052

Moved: Cr Hansen	Seconded: Cr Faries
That Cr Stanley be granted a Leave of Absence for this Ordinary Council Meeting.	
CARRIED 10/0	

2. PUBLIC QUESTION TIME

Nil.

3. RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Questions taken on notice from the previous Council meeting.

Cr Faries noted that a weekly clean was scheduled for the Wallsend ground and asked who actually uses the facilities?

Mr Young took this question on notice.

Response:

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

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

Councillor/Staff	Agenda Item	Disclosure
Cr Smith	Item – 11.1 Consideration of Objection to Proposed Lease – Wagon Kiosk	Financial – Business arrangement with lessee.
Cr Smith	Item – 13.1 Alternative Site for Coalfields Museum and Historical Research Centre	Impartial – Site being discussed is adjacent to her residence.
Cr Italiano	Item – 13.1 Alternative Site for Coalfields Museum and Historical Research Centre	Impartial – President of the Collie Museum and Historical Research Centre

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Councillor/Staff	Agenda Item	Disclosure
Cr Scoffern	Item – 11.1 Consideration of Objection to Proposed Lease – Wagon Kiosk	Impartial – son employed by lessee
Cr Hansen	Item – 14.1 Request Recreation Grounds Lighting Towers Donation - Collie Eagles Football Club	Impartial – Vice President of Football Club

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

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

9053

Moved: Cr Kearney	Seconded: Cr White
That Council suspend Standing Orders.	
CARRIED 10/0	

5.1 Beam Mobility – Mia Onorato-Sartari

Ms Mia Onorato-Sartari and Mr Stuart O’Callaghan from Beam Mobility, provided a presentation on the potential introduction of electric scooters in and around the Collie townsite.

Cr Miffing thanked Ms Onorato-Sartari and Mr O’Callaghan for their deputation.

Ms Onorato-Sartari, Mr O’Callaghan, and Mr van Blommestein left the Chambers at 7.52pm.

Tamsin Emmett left the Chambers at 7:52pm.

9054

Moved: Cr Kearney	Seconded: Cr Smith
That Council resume Standing Orders.	
CARRIED 10/0	

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

- There is one matter for which the meeting may be closed to the public.

7. ITEMS BROUGHT FORWARD DUE TO INTEREST BY ATTENDING PERSONS

Item 11.1 brought forward due to interested attending persons.

Cr Smith has declared a financial interest in Item 11.1.

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Cr Scoffern has declared an impartial interest in Item 11.1.
Cr Smith left the Chambers at 7.52pm.

9055

Moved: Cr Kearney	Seconded: Cr Woods
That Council suspend Standing Orders.	
CARRIED 9/0	

Mr Russell Saunders and Mr Steve Savic from Collie Rail Heritage Group addressed Council in relation to their submission.

9056

Moved: Woods	Seconded: Scoffern
That Council resume Standing Orders.	
CARRIED 9/0	

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

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- 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.

9057

Council Decision:

Moved: Cr Italiano

Seconded: Cr Harverson

That Council:

1. **thanks the Collie Rail Heritage Group for the integral role it has played in getting the rail wagon coffee service established at Central Park;**
2. **advises the CRHG 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;**
3. **authorises 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 with annual rental to be reviewed at the end of the first five years of the lease;**
 - d) **An annual increase to the market rent of 2%; and**
 - e) **Ministerial consent being provided;**

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4. authorises 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 3. above.

CARRIED 9/0

The reason that Council amended the Officer's recommendation was to acknowledge the integral role the Collie Rail Heritage Group has played in the establishment of the Wagon kiosk and to specify the need for review of the annual rent at the end of the first five years.

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.

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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.

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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Cr Smith returned to the room at 8.16pm.

Lorraine Robinson, Keith Robinson, Glenda Savic, Steve Savic, Max Burton, and Russell Saunders left the meeting at 8:16pm.

8. PREVIOUS MEETINGS OF COUNCIL MINUTES

9058

Council Decision:

Moved: Cr Harverson

Seconded: Cr Italiano

That Council confirms the Minutes of the Ordinary Meeting of Council held on 9 August 2022 subject to the following amendments:

- 1) the Item number relating to Cr Miffing's declaration of interest referred to at section 7 be changed from 11.1 to 7.1;**
- 2) the paragraph at the bottom of page 3 be removed; and**
- 3) in Item 7.1, the seconder of the motion be changed from Cr Wood to Cr Woods.**

CARRIED 10/0

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.

11. CEO REPORTS

11.1 Consideration of Objection to Proposed Lease – Wagon Kiosk

Item 11.1 was brought forward due to interested attending persons.

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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.

9059

Officer's Recommendation/Council Decision:

Moved: Cr Woods

Seconded: Cr Scoffern

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.

CARRIED 10/0

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

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Council Policy CS3.7 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 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.

9060

Officer’s Recommendation/Council Decision:

Moved: Cr Faries

Seconded: Cr Woods

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

CARRIED 10/0

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.

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Budget Implications:

Nil

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

Cr Italiano and Cr Smith have declared an impartial interest in Item 13.1.

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.

9061

Officer's Recommendation/Council Decision:

Moved: Cr Kearney

Seconded: Cr Smith

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.**

CARRIED 10/0

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.

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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.

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.

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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 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:

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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 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

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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 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: 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/Motion:

Moved: Cr Woods

Seconded: Cr Harverson

That Council resolve by ABSOLUTE MAJORITY:

- 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;
- 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 13.2 be a dog exercise area, to adjoining the existing dog exercise area on R18806 along the Collie River trail to Preston Road;
- To note that Part of R15195 - Portion of Wallsend Ground – end of Bridge Street and Raymond Street remaining as a dog exercise area;
- 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
- 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.

LOST 3/7

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9062

Council Decision:

Moved: Cr Faries

Seconded: Cr Scoffern

That Council resolve by ABSOLUTE MAJORITY:

1. That 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. That the above exclusion from dog exercise areas 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;
3. That subject to 2. 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; and
4. That staff investigate alternative off lead dog exercise areas and report back to Council.

CARRIED 10/0

The reason that Council amended the Officer's recommendation was that councillors were concerned that there were a number of users who use the Collie River Walk Trail through the area proposed along the Collie River, being part of R15783 from Cameron Road to Burt Street as set out in Appendix 13.2, and that dogs off lead may cause a risk to bike riders and other users.

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 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.

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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 Bididi Trails).

For these reasons and as a result of a few community complaints it is recommended that 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 Bididi 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

Cr Hanson has declared an impartial interest in Item 14.1.

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</i> <i>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.

9063

Council Decision:

Moved: Cr Kearney

Seconded: Cr Italiano

That the item be deferred until Council has obtained engineering advice regarding the ability to recertify and feasibility to reuse the poles with or without LED lighting.

CARRIED10/0

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The reason that Council did not adopt the Officer's Recommendation was that Council wished to investigate the potential for the poles to be reused.

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 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

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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.

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 Hanson declared an impartial interest in Item 17.1 at the time of the matter being raised.

9064

Moved: Cr Miffing	Seconded: Cr White
That the Council consider the following two late items:	
17.1 Use of Collie Recreation Ground by Collie Little Athletics and Collie Eagles Football Club	
17.2 Motion of Condolence – Queen Elizabeth II	
CARRIED 10/0	

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17.1 Use of Collie Recreation Ground by Collie Little Athletics and Collie Eagles Football Club

Cr Hanson declared an impartial interest in Item 17.1.

Cr Faries advised that a meeting held been held between representatives of the Collie Eagles Football Club, Collie Little Athletics, Cr Italiano, Cr Kearny and himself and he asked Council to consider adopting a resolution to define the times of use during the 2022/23 Athletics Season.

9065

Council Decision:	
Moved: Cr Faries	Seconded: Cr Smith
1. That Council grants use of Collie Recreation Ground and Velodrome to Collie Little Athletics Club:	
a) from 1 October 2022 to 31 Jan 2023 on the following days and times:	
Monday	from 4:30pm to 6:30pm
Wednesday	from 4:30pm to 6:30pm
Friday	from 4:30pm to 7:30pm
Further that shire staff to remove the goals prior to the commencement of the Little Athletics season.	
b) from 1 February 2023 to 12 March 2023 on the following days and times:	
Monday	from 4:30pm to 6:30pm
Wednesday	from 4:30pm to 6:30pm
Saturdays	all day
The Collie Recreation Ground and Velodrome is to be available to be utilised by other user groups, including the Collie Eagles Football Club, outside of the above times.	
Collie Eagles Football Club to remove goal posts on Friday nights, commencing the first Friday in February 2023, after training has been completed and to supply contact phone numbers to Little Athletics, in the event that the goals have not been removed, for Little Athletics to be able to contact Collie Eagles Football Club to remove the goal posts.	
Collie Eagles Football Club to loan protection pads for goalposts for the Little Athletics for the duration of the Little Athletics season.	
2.	Council to meet with both parties in early April 2023 to review the above and determine if any amendments are required.
3.	Council to work with Little Athletics and relevant agencies to seek grant funding to establish a long term facility to benefit Little Athletics and the wider community.
CARRIED 10/0	

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17.2 Motion of Condolence – Queen Elizabeth II

This week, we join many around the world in mourning the passing of Queen Elizabeth II. Her Majesty was an enduring symbol of service and dedication to duty, having overseen much change during her seventy year reign. She has inspired many and will forever be remembered for her kindness and loyalty.

I wish to move a motion for the Shire of Collie to record sorrow at the loss of Her Majesty who was loved and admired and to extend heartfelt condolences to the Royal Family.

9066

Moved: Cr Miffing	Seconded: Cr Smith
That Council of the Shire of Collie resolve to:	
1. record deepest sorrow at the loss of a remarkable Monarch, Her Majesty, Queen Elizabeth II who died on Thursday 8 September 2022; and	
2. write to the Royal Family to express the Council's sincere condolences at this very sad time.	
CARRIED 10/0	

18. ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS

Cr Scoffern

- 8 September – attended the 'Energy Transformation Information Session' at the Mineworkers' Institute; 9 September – Attended Kaniyang Wiilman Bridge and Wiilman Bilya Trail opening.
- 9 September – attended FestivArty Official Opening night at the Art Centre.

Cr Harveson

- 8 September – attended the 'Energy Transformation Information Session' at the Mineworkers' Institute;
- 13 September – attended the Citizenship Ceremony

Cr Italiano

- 8 September – attended the 'Energy Transformation Information Session' at the Mineworkers' Institute;
- 11 September – attended a meeting with representatives of Collie Eagles Football Club and Little Athletics.

Cr Miffing

- 22 August – attended the Public Health Plan meeting at Roche Park
- 5 September – attended the TransWA bus announcement by the Premier at the Collie Visitor Centre
- 6 September – attended the Leo Labs presentation at the Council Chambers

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- 8 September –attended the 'Energy Transformation Information Session' at the Mineworkers' Institute;
- 9 September – attended and spoke on behalf of Council at the 'Thank You' morning tea for retiring cleaning contractor Mr Dave Swan;
- 9 September – attended the Scenic Drive bridge opening by the Minister for the Environment.

Cr Smith

- 30 August – attended the Just Transition – Diversifying the local economy sub working group
- 6 September – attended the Just Transition Working Group meeting
- September– attending Department of Health Advisory Meeting.
- 6 September – attended the Leo Labs presentation at the Council Chambers
- 9 September – attended farewell morning tea for Dave Swan

Mr Devenish

- 10 August – meeting with South West Development Commission regarding housing and land supply issues
- 12 August – meeting with Chief Executive Officers of the southwest region
- 29 August – meeting with Department of Water Environment and Regulation regarding Lake Kewari environmental flow matters and a public forum
- 30 August – attended the Just Transition – Diversifying the local economy sub working group
- 1 September – meeting with proponent of flying school at Collie Airport
- 2 September – meeting with Development WA regarding residential land development/redevelopment options in Collie
- 5 September – attended media event with Premier – Westrac training centre expansion announcement
- 5 September – attended media event with Premier regarding Collie-Bunbury bus service trial
- 6 September – attended the Just Transition Working Group meeting
- 6 September – meeting with Leo Labs and Collie Police
- 6 September – attended Leo Labs information session
- 6 September – attended Councillor Forum
- 7 September – meeting with Synergy regarding corporate account arrangements
- 8 September – chaired Renergi Project Control Group meeting
- 8 September – attended the Community Forum on Energy Transformation
- 9 September – attended the Kaninyang Wiilman Bridge and Wiilman Bilya Trail Opening with Minister Reece and the local MLA.

Ms Wasmann

- 24 August 2022: - attended opening of Kylie Trail and Djinang Koorliny Lookout

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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

Nil.

21. CLOSE

The Deputy Shire President thanked Council and Staff for their attendance. The Presiding Member declared the meeting closed at 10:10pm

I certify that these Minutes were confirmed at the Ordinary Meeting of Council held on Tuesday, 11 October 2022.

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Presiding Member

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Date