



Shire of
Collie

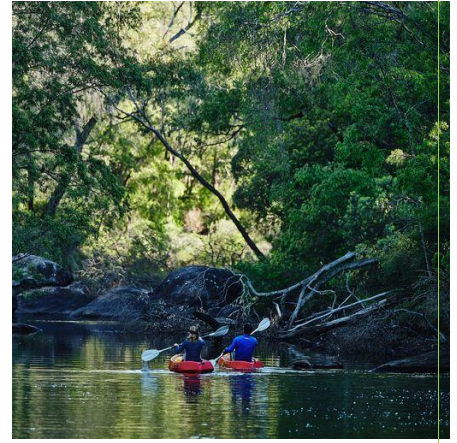
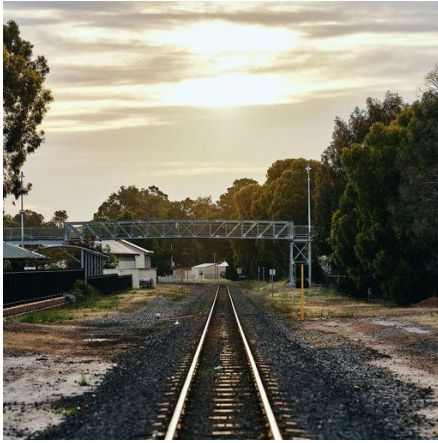
MINUTES

of the

ORDINARY MEETING OF COUNCIL

held on

Tuesday, 9 September 2025



Our Vision

Collie - *A progressive community, rich in opportunities and as diverse as its heritage and landscape.*

Our Values

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

Integrity

Transparency

Accountability

Collaboration

Respect

Our Commitment to Community

We will lead the delivery of our vision

We will support local business wherever possible

We will consult and engage with our community on issues that affect them

We will encourage, welcome and value feedback

We will encourage, support and advocate for our community

Acknowledgement of Country

The Shire of Collie acknowledges the Traditional Custodians of the land, the Wiilman and Kaniyang people of the Noongar Nation, and pays our respects to Elders, past, present and emerging. We thank them for the contributions they have made to life in the Shire of Collie and to this region.

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Minutes of the Ordinary Meeting of the Collie Shire Council held in the Council Chambers, 87 Throssell Street Collie on Tuesday, 9 September 2025.

The Shire President declared the meeting open at 7:02pm and welcomed councillors, staff, press and those attending as public gallery.

1. OPENING/ATTENDANCE/APOLOGIES & LEAVE OF ABSENCE

PRESENT:

Ian Miffing OAM JP	Councillor (Presiding Member)
Joe Italiano	Councillor (Deputy Member)
Leonie Burton	Councillor (via Teams)
Gary Faries	Councillor
John Kearney	Councillor
Shane Sadlier	Councillor
Michelle Smith	Councillor
 Phil Anastasakis	 Chief Executive Officer
Xandra Curnock	Director Corporate & Community Services
Scott Geere	Director Operational Services
Alex Wiese	Director Development Services
Nicole Wasmann	Governance Coordinator

APOLOGY:

Brett Hansen	Councillor
Dale Hill-Power JP	Councillor
Paul Moyses	Councillor

VISITORS: Nil

PRESS: 1 member of the press attended

GALLERY: 1 member of the public attended

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

Council Decision:

Resolution: 9642

Moved: Cr Faries

Seconded: Cr Sadlier

That Council grant Cr Moyses, Cr Hansen and Cr Hill-Power a Leave of Absence for this meeting.

Carried: 7/0

For: Cr Miffing, Cr Italiano, Cr Burton, Cr Faries, Cr Kearney, Cr Sadlier, Cr Smith.

Against: Nil.

2. PUBLIC QUESTION TIME

Nil.

3. RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

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 20.2 - Renergi Project Update	Financial – Leases residential property to Directors.
Cr Kearney	Item 20.1 - Special Projects Director	Impartial – Work related
Ms Curnock	Item 14.2 – Budgeted Amendment LV Replacement Plan	Financial – Officer is assigned a Shire vehicle.

5. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil.

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

20.1 Special Projects Director
20.2 Renergi Project Update

7. ITEMS BROUGHT FORWARD DUE TO INTEREST BY ATTENDING PERSONS

Nil.

8. CONFIRMATION OF THE PREVIOUS MEETINGS OF COUNCIL MINUTES

8.1 Ordinary Council Meeting – 12 August 2025

Officer's Recommendation/Council Decision:		Resolution: 9643
Moved:	Cr Sadlier	Seconded: Cr Kearney
That Council confirms the Minutes of the Ordinary Meeting of Council held on 12 August 2025 subject to an alteration to the attendance, noting that Cr Burton was on Teams not Cr Hill-Power.		
		Carried: 7 /0
For:	Cr Miffing, Cr Italiano, Cr Burton, Cr Faries, Cr Kearney, Cr Sadlier, Cr Smith.	
Against:	Nil.	

9. BUSINESS ARISING FROM THE PREVIOUS MINUTES

Nil.

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

Nil.

11. CEO REPORTS

11.1 WALGA Annual General Meeting	
Reporting Department:	Chief Executive Office
Reporting Officer:	Nicole Wasmann – Governance Coordinator
Accountable Manager:	Phil Anastasakis – Chief Executive Officer
Legislation	Not Applicable
File Number:	GVR/001
Appendices:	Appendix 11.1.A - WALGA 2025 Annual General Meeting Agenda Appendix 11.1.B - Summary of WALGA Annual General Meeting Motions and Recommended Shire of Collie Position
Voting Requirement	Simple Majority

Report Purpose

For Council to provide direction to voting delegates on matters for consideration at the Western Australia Local Government Association (WALGA) 2025 Annual General Meeting.

Officer's Recommendation/Council Decision:

Resolution: 9644

Moved: Cr Kearney

Seconded: Cr Faries

That Council:

1. *Supports the recommendations for items 7.1 to 7.5 as presented in the Western Australian Local Government Association (WALGA) 2025 Annual General Meeting Agenda and included in Appendix 12.1.B;*
2. *Authorises the Shire's voting delegates to vote in accordance with the Council position on these matters, unless additional information is presented at the Annual General Meeting which the voting delegates consider warrants a change in the position;*
3. *Requests an item be presented to the next Council Meeting should the Shire's delegates not vote in accordance with the Council position; and*
4. *Authorises the Shire's voting delegates to make a determination, in accordance with the Shire's Corporate Business Plan and other guiding plans or policies, to vote for any late items presented to the WALGA Annual General Meeting.*

Carried: 7/0

For: Cr Miffing, Cr Italiano, Cr Burton, Cr Faries, Cr Kearney, Cr Sadlier, Cr Smith.

Against: Nil.

Background:

WALGA is the peak industry body for local government in Western Australia and advocates on behalf of its member local governments.

The Annual General Meeting of WALGA will be held at the Perth Convention and Exhibition Centre on Tuesday 23 September 2025. At the Ordinary Meeting of Council held Tuesday 12 August 2025, Council resolved to nominate the Shire President and Deputy Shire President as voting delegates to the Meeting, with the Chief Executive Officer to be the proxy in the absence of either nominated Councillor.

Matters considered at the Annual General Meeting are the WALGA's Annual Financial Statements, the President's Annual Report, and executive and member motions. The Agenda includes the consideration of five executive and member motions. In accordance with Council Policy detailed below, Council is to provide voting delegates with guidance on the Council position.

Statutory and Policy Implications:

Policy CP1-006 Delegates and/or Voting at Association Conferences (previously CS1.4)

That where practical the position of the Council as it relates to items for decision at the WA Local Government Association (WALGA) Annual General Meeting shall be determined prior, providing nominated voting delegates with guidance on the Council position, notwithstanding:

- a) In the event new information is obtained / provided subsequent to the position of Council being determined the voting delegate may alter the position of the Council, providing that this be reported back to the Council at the next meeting of the full Council following the Annual General Meeting of WALGA; and
- b) In the event the Council is unable to provide direction on all or some matters the delegate must vote giving consideration to the Council's Strategic, or any other plan.

Budget Implications:

Not applicable.

Budget – Whole of Life Cost:

As this report does not propose new assets, there are no direct whole of life or ongoing cost implications.

Communications Requirements: (Policy No. CS 1.7)

Not Applicable.

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN		
GOAL:	5	Our Organisation
Objective:	5.1	Innovative leadership, forward planning, and mutually beneficial partnerships
Strategic Priority:	5.1.4	To collaborate and build partnerships with the Government sector to optimise resources and service delivery.

Relevant Precedents:

Each year, Council is represented at the WALGA Annual General Meeting by delegates who vote on motions.

Comment:

A table of motions and recommended decisions for each item in the WALGA Annual General Meeting Agenda has been included in Attachment 1.1.B to provide guidance to the Shire's nominated delegates.

Council is asked to consider the proposed position and provide guidance to voting delegates.

11.2 Review of Council Committee Structure and Terms of Reference

Reporting Department:	Chief Executive Office
Reporting Officer:	Phil Anastasakis – Chief Executive Officer
Accountable Manager:	Phil Anastasakis – Chief Executive Officer
Legislation:	<i>Local Government Act 1995</i>
File Number:	GOV/137
Appendices:	Appendix 11.2.A – CP1-021 – Council Committees, Working Groups, Reference Groups and External Committees Policy Appendix 11.2.B – Committee Instrument of Appointment & Terms of Reference
Voting Requirement:	Absolute Majority

Report Purpose

Policy establishment and review is undertaken as a matter of good governance and forms part of the role of Council under the *Local Government Act 1995*.

Council is requested to consider and adopt the Council Committees, Working Groups, Reference Groups and External Committees Policy (refer to Appendix 11.2.A – CP1-021 – Council Committees, Working Groups, Reference Groups and External Committees Policy).

Officer's Recommendation:

That Council:

1. *Adopts the Shire of Collie Council Committees, Working Groups, Reference Groups and External Committees Policy (refer to Appendix 11.2.A – CP1-021 – Council Committees, Working Groups, Reference Groups and External Committees Policy);*
2. *Endorses the template "Committee Instrument of Appointment & Terms of Reference - 2025";*
3. *Endorses the Terms of Reference for the following Shire of Collie Committees:*
 - a) *Audit, Risk and Improvement Committee:*
 - *The membership shall consist of the following:*
 - i.) *an Independent Presiding Member (chair);*
 - ii.) *an Independent Deputy Member to the Presiding Member (deputy chair); and*
 - iii.) *five (5) Councillors.*
 - *The Committee Objectives are to focus on audit matters and reflects to a large extent the model Terms of Reference provided in the Local Government Operation Guidelines No.9 – Audit in Local Government.*
 - *The Committee Objectives include delegated powers and duties under section 5.17 of the Local Government Act, where the Audit, Risk and Improvement Committee is delegated the power to conduct the formal meeting with the Auditor required by Section 7.12(A)(2) on behalf of the local government.*

- *The Committee will continue to review the annual audit report, meet annually with the auditor, review the annual Compliance Audit Return, review the Regulation 17 Review Report on Legislative Compliance, Internal Controls and Risk Management, review the Financial Management Systems Review conducted every three (3) years, and receive the biennial Risk Summary Report, together with fulfilling the detailed functions set out in the Local Government (Audit) Regulations 1996, Regulation 14, 16 and 17.*
- b) *Tourism & Economic Development Committee:*
 - *The membership shall consist of consist of the following:*
 - a) *Three (3) Councillors*
 - b) *Chief Executive Officer*
 - c) *Director Development Services*
 - *The Committee Objectives are to focus on the development and implementation of strategic tourism and economic development initiatives aligned to the Shire of Collie Strategic Community Plan.*
- c) *Community Safety & Crime Prevention Committee:*
 - *The membership shall consist of consist of the following:*
 - a) *Three (3) Councillors*
 - b) *Chief Executive Officer*
 - c) *Director Development Services*
 - d) *Director Operations*
 - e) *Director Corporate and Community Services*
 - f) *Other Persons – law enforcement and community services agencies*
 - *The Committee Objectives are to focus on the development and implementation of the Community Safety & Crime Prevention Plan and related initiatives.*
- d) *CEO Performance Review Committee*
 - *The membership shall consist of consist of the following:*
 - a) *Five (5) Councillors.*
 - *The Committee Objectives are to oversee the annual CEO performance review.*
- e) *Bushfire Advisory Committee*
 - *The membership shall consist of consist of the following:*
 - a) *Councillors – two (2)*
 - b) *Shire of Collie - Chief Bush Fire Control Officer*
 - c) *Shire of Collie - Fire Control Officer of each volunteer bush fire brigade*
 - d) *Chief Executive Officer*
 - e) *Director of Development Services*
 - f) *Senior Ranger*
 - g) *Community Emergency Services Manager; and*
 - h) *Other representatives from state government agencies whose responsibility include bushfire and emergency management and should include as a minimum a representative of the Department of Fire and Emergency Services and Parks and Wildlife Service.*

- *The Committee Objectives are to:*
 - a) *To advise the local government on all matters relating to:*
 - i.) *the preventing, controlling and extinguishing of bush fires;*
 - ii.) *the planning of the layout of fire breaks in the district;*
 - iii.) *policy regarding prosecutions for breaches of the Bush Fires Act 1954;*
 - iv.) *the formation of bush fire brigades and the grouping thereof under group brigade officers;*
 - v.) *the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities; and*
 - vi.) *any other matter relating to bush fire control whether of the same kind, as, or a different kind from, those specified above.*
 - b) *To recommend a person or persons for the position(s) of Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer and Bush Fire Control Officer for each bush fire brigade in the Shire of Collie as required.*
 - c) *To make recommendations to Council on motions received by the Bush Fires Advisory Committee from bush fire brigades.*

Reason for Decision Being Different to the Officer's Recommendation

Local Government (Administration) Regulations – r.11(da) require that where a Council decision is substantially different from the Officer's Recommendation that the reason be recorded.

The reason the Council decision is different to the Officer's Recommendation is that Council wished to include reference to a review of the Terms of Reference for the Functions, Awards and Events Reference Group.

Council Decision:

Resolution: 9645

Moved: Cr Italiano

Seconded: Cr Smith

That Council:

1. *Adopts the Shire of Collie Council Committees, Working Groups, Reference Groups and External Committees Policy (refer to Appendix 11.2.A – CP1-021 – Council Committees, Working Groups, Reference Groups and External Committees Policy);*
2. *Endorses the template "Committee Instrument of Appointment & Terms of Reference - 2025";*
3. *Endorses the Terms of Reference for the following Shire of Collie Committees:*
 - a. *Audit, Risk and Improvement Committee:*
 - *The membership shall consist of consist of the following:*
 - i.) *an Independent Presiding Member (chair);*
 - ii.) *an Independent Deputy Member to the Presiding Member (deputy chair); and*
 - iii.) *five (5) Councillors.*

- *The Committee Objectives are to focus on audit matters and reflects to a large extent the model Terms of Reference provided in the Local Government Operation Guidelines No.9 – Audit in Local Government.*
 - *The Committee Objectives include delegated powers and duties under section 5.17 of the Local Government Act, where the Audit, Risk and Improvement Committee is delegated the power to conduct the formal meeting with the Auditor required by Section 7.12(A)(2) on behalf of the local government.*
 - *The Committee will continue to review the annual audit report, meet annually with the auditor, review the annual Compliance Audit Return, review the Regulation 17 Review Report on Legislative Compliance, Internal Controls and Risk Management, review the Financial Management Systems Review conducted every three (3) years, and receive the biennial Risk Summary Report, together with fulfilling the detailed functions set out in the Local Government (Audit) Regulations 1996, Regulation 14, 16 and 17.*
- b. Tourism & Economic Development Committee:*
- *The membership shall consist of consist of the following:*
 - a) Three (3) Councillors*
 - b) Chief Executive Officer*
 - c) Director Development Services*
 - *The Committee Objectives are to focus on the development and implementation of strategic tourism and economic development initiatives aligned to the Shire of Collie Strategic Community Plan.*
- c. Community Safety & Crime Prevention Committee:*
- *The membership shall consist of consist of the following:*
 - a) Three (3) Councillors*
 - b) Chief Executive Officer*
 - c) Director Development Services*
 - d) Director Operations*
 - e) Director Corporate and Community Services*
 - f) Other Persons – law enforcement and community members*
 - *The Committee Objectives are to focus on the development and implementation of the Community Safety & Crime Prevention Plan and related initiatives.*
- d. CEO Performance Review Committee*
- *The membership shall consist of consist of the following:*
 - a) Five (5) Councillors.*
 - *The Committee Objectives are to oversee the annual CEO performance review.*
- e. Bushfire Advisory Committee*
- *The membership shall consist of consist of the following:*
 - a) Councillors – two (2)*
 - b) Shire of Collie - Chief Bush Fire Control Officer*
 - c) Shire of Collie - Fire Control Officer of each volunteer bush fire brigade*

- d) *Chief Executive Officer*
 - e) *Director of Development Services*
 - f) *Senior Ranger*
 - g) *Community Emergency Services Manager; and*
 - h) *Other representatives from state government agencies whose responsibility include bushfire and emergency management and should include as a minimum a representative of the Department of Fire and Emergency Services and Parks and Wildlife Service.*
- *The Committee Objectives are to:*
 - a) *To advise the local government on all matters relating to:*
 - i.) *the preventing, controlling and extinguishing of bush fires;*
 - ii.) *the planning of the layout of fire breaks in the district;*
 - iii.) *policy regarding prosecutions for breaches of the Bush Fires Act 1954;*
 - iv.) *the formation of bush fire brigades and the grouping thereof under group brigade officers;*
 - v.) *the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities; and*
 - vi.) *any other matter relating to bush fire control whether of the same kind, as, or a different kind from, those specified above.*
 - b) *To recommend a person or persons for the position(s) of Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer and Bush Fire Control Officer for each bush fire brigade in the Shire of Collie as required.*
 - c) *To make recommendations to Council on motions received by the Bush Fires Advisory Committee from bush fire brigades.*
4. *That the Terms of Reference, including the process of appointing external representatives and the decision making process, for the Functions, Events & Awards Reference Group and associated sub groups, be considered at the October 2025 Ordinary Council Meeting.*

Carried: 7/0

For: *Cr Miffing, Cr Italiano, Cr Burton, Cr Faries, Cr Kearney, Cr Sadlier, Cr Smith.*

Against: *Nil.*

Background:

Policies and procedures are an essential part of any organisation and facilitate good governance within local government operations. Together, policies and procedures provide a roadmap for day-to-day operations. They ensure compliance with laws and regulations, give guidance for decision-making, and streamline internal processes.

While it is proposed that the Shire of Collie undertake a full review of Council Policies in the new year and then on a triennial basis, it has been identified that a number of new Policies need to be created due to recent changes in legislation and/or improved operational efficiency in the lead up to the 2025 local government election.

This report recommends the creation of a new Shire of Collie Council Committees, Working Groups, Reference Groups and External Committees Policy (refer to Appendix 11.2.A – CP1-021 – Council Committees, Working Groups, Reference Groups and External Committees Policy) to clarify the differing roles, composition and administration of:

- Council Committees
- Operational Working Groups
- Community Project Reference Groups
- External Committees / Groups.

Noting that all existing Council Committees / Groups are disbanded on the 18 October 2025 to align with the local government elections, this report introduces a template “Committee Instrument of Appointment & Terms of Reference - 2025” under which the proposed Committees of Council will be formed following the local government election in October 2025.

These Terms of Reference determine the objectives and purpose of each Committee and will be utilised when Committees are re-formed after the local government elections. The report also recommends when and for what purpose Working Groups and Reference Groups should be established.

A copy of the template “Committee Instrument of Appointment & Terms of Reference” is provided in Attachment 11.2.A.

In accordance with section 5.8, 5.9 and 5.10 of the *Local Government Act 1995* (the Act), Council is empowered to establish committees and elect persons to serve on those committees. Committees, Working Groups and Reference Groups also play an important part in community engagement and allows opportunities for community members to be actively involved in Local Government activities and initiatives.

Establishing committees, Working Groups and Reference Groups in local government brings several benefits, both for the effective functioning of the Shire and for elected members. Some of these benefits include:

1. Improved Decision-Making

- Committees allow for focused discussion on specific issues (e.g., planning, finance, economic development).
- Smaller groups can explore complex topics in more detail than full council meetings.

2. Increased Efficiency

- Work can be divided among different groups, reducing the workload on the full council.
- Streamlines processes by enabling quicker responses and more agile problem-solving.

3. Enhanced Accountability and Transparency

- Committees can improve transparency through broader membership and involvement.
- They provide a clear structure for reporting and scrutiny.

4. Broader Engagement and Expertise

- Involving members with relevant skills or interests leads to better-informed decisions.

- Reference groups may include external stakeholders, boosting community involvement and drawing in local expertise.

5. Strategic Focus

- Enables long-term planning and monitoring of specific policy areas.
- Allows local government to pursue goals in a coordinated and sustained way.

Statutory and Policy Implications:

The following *Local Government Act 1995* requirements apply to the business before Council in relation to committees.

Local Government Act 1995**Subdivision 2 — Committees and their meetings****5.8. Establishment of committees**

A local government may establish committees of 3 or more persons to assist the council.*

** Absolute majority required.*

Note for this section: A local government may delegate powers and duties to a committee under section 5.16.

5.9. Committees, types of

(1) *In this section —*

other person means a person who is not a council member or an employee.

(2) *A committee is to comprise —*

- (a) *council members only; or*
- (b) *council members and employees; or*
- (c) *council members, employees and other persons; or*
- (d) *council members and other persons; or*
- (e) *employees and other persons; or*
- (f) *other persons only.*

5.10. Appointment of committee members

(1) *A committee is to have as its members —*

- (a) *persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and*
- (b) *persons who are appointed to be members of the committee under subsection (4) or (5).*

** Absolute majority required.*

(2) *At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.*

- (3) *Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the council.*
- (4) *If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of the mayor or president's wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.*
- (5) *If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of the CEO's wish —*
 - (a) *to be a member of the committee; or*
 - (b) *that a representative of the CEO be a member of the committee,**the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.*

5.11A. Deputy committee members

- (1) *The local government may appoint* a person to be a deputy of a member of a committee and may terminate such an appointment* at any time.*

** Absolute majority required.*

- (2) *.....*

5.11. Committee membership, tenure of

- (1) *Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —*
 - (a) *the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or*
 - (b) *the person resigns from membership of the committee; or*
 - (c) *the committee is disbanded; or*
 - (d) *the next ordinary elections day,**whichever happens first.*
- (2) *Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —*
 - (a) *the term of the person's appointment as a committee member expires; or*
 - (b) *the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or*
 - (c) *the committee is disbanded; or*
 - (d) *the next ordinary elections day,**whichever happens first.*

5.12. Presiding members and deputies

- (1) *The local government must appoint* a member of a committee to be the presiding member of the committee.*

** Absolute majority required.*

- (2) *The local government may appoint* a member of a committee to be the deputy presiding member of the committee.*

** Absolute majority required.*

5.13. Deputy presiding members, functions of

If, in relation to the presiding member of a committee —

- (a) the office of presiding member is vacant; or*
- (b) the presiding member is not available or is unable or unwilling to perform the functions of presiding member,*

then the deputy presiding member, if any, may perform the functions of presiding member.

5.14. Who acts if no presiding member

If, in relation to the presiding member of a committee —

- (a) the office of presiding member and the office of deputy presiding member are vacant; or*
- (b) the presiding member and the deputy presiding member, if any, are not available or are unable or unwilling to perform the functions of presiding member,*

then the committee members present at the meeting are to choose one of themselves to preside at the meeting.

5.15. Reduction of quorum for committees

The local government may reduce the number of offices of committee member required for a quorum at a committee meeting specified by the local government if there would not otherwise be a quorum for the meeting.*

** Absolute majority required.*

5.16. Delegation of some powers and duties to certain committees

- (1) *Under and subject to section 5.17, a local government may delegate* to a committee any of its powers and duties other than this power of delegation.*

** Absolute majority required.*

- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

- (3) *Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —*

- (a) a delegation made under this section has effect for the period of time specified in the delegation or if no period has been specified, indefinitely; and*

- (b) *any decision to amend or revoke a delegation under this section is to be by an absolute majority.*
- (4) *Nothing in this section is to be read as preventing a local government from performing any of its functions by acting through another person.*

5.17. Limits on delegation of powers and duties to certain committees

- (1) *A local government can delegate —*
 - (a) *to a committee comprising council members only, any of the council's powers or duties under this Act except —*
 - (i) *any power or duty that requires a decision of an absolute majority of the council; and*
 - (ii) *any other power or duty that is prescribed;*
 - and*
 - (b) *to a committee comprising council members and employees, any of the local government's powers or duties that can be delegated to the CEO under Division 4; and*
 - (c) *to a committee referred to in section 5.9(2)(c), (d) or (e), any of the local government's powers or duties that are necessary or convenient for the proper management of —*
 - (i) *the local government's property; or*
 - (ii) *an event in which the local government is involved.*
- (2) *A local government cannot delegate any of its powers or duties to a committee referred to in section 5.9(2)(f).*

5.18. Register of delegations to committees**5.19. Quorum for meetings**

- (1) *The quorum for a meeting of a council or committee is at least 50% of the number of offices (whether vacant or not) of member of the council or the committee.*
- (2) *.....*

5.20. Decisions of councils and committees

- (1) *A decision of a council does not have effect unless it has been made by a simple majority or, if another kind of majority is required under any provision of this Act or has been prescribed by regulations or a local law for the particular kind of decision, by that kind of majority.*
- (2) *A decision of a committee does not have effect unless it has been made by a simple majority or, if another kind of majority has been prescribed by regulations or a local law for the particular kind of decision, by that kind of majority.*
- (3) *.....*

5.21. Voting

- (1) *Each council member and each member of a committee who is present at a meeting of the council or committee is entitled to one vote.*

- (2) *Subject to section 5.67, each council member and each member of a committee to which a local government power or duty has been delegated who is present at a meeting of the council or committee is to vote.*
- (3) *If the votes of members present at a council or a committee meeting are equally divided, the person presiding is to cast a second vote.*
- (4) *If a matter is voted on at a meeting of a council or committee, the following information must be recorded in the minutes —*
 - (a) *the total votes cast for;*
 - (b) *the total votes cast against;*
 - (c) *the individual vote of each member of the council or committee.*
- (4A) *Subsection (4) does not apply to a vote that is required to be by secret ballot under Schedule 2.3.*
- (4B) *Regulations may prescribe how information is to be recorded for the purposes of subsection (4)(a), (b) or (c).*
- (5) *A person who fails to comply with subsection (2) or (3) commits an offence.*
Penalty for this subsection: a fine of \$10 000.

5.22. Minutes of council and committee meetings

- (1) *The CEO must cause minutes to be kept of the proceedings of a meeting of a council or a committee.*
- (2) *The minutes of a meeting of a council or a committee are to be submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.*
- (3) *The person presiding at the meeting at which the minutes are confirmed is to sign the minutes and certify the confirmation.*

Local Government Amendment Act 2024**Division 1A — Audit, risk and improvement committee****7.1A. Establishment of audit, risk and improvement committee****Budget Implications:**

The administration of Council Committees requires significant resources to prepare agendas, notes, reports and minutes. In addition to the administration, staff time is also taken up with queries from Committee members, attendance to meetings and workshops.

At some meetings up to five staff members may be in attendance. Where a committee meets four times a year, it is estimated that the administration could cost as much as \$15,000 per annum in staff productivity and time.

It is therefore important that Committees are run efficiently and effectively to assure maximum benefit is achieved, and the attendance at Committees by Councillors and community members is optimised.

Budget – Whole of Life Cost:

As this report does not propose new assets, there are no direct whole of life or ongoing cost implications.

Communications Requirements:

Not applicable.

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN		
GOAL:	5	Our Organisation
Objective:	5.1	Innovative leadership, forward planning, and mutually beneficial partnerships
Strategic Priority:	5.1.5	To imbed our strategic priorities throughout the organisation

Relevant Precedents:

Guided by the principles of good governance, Council has established an “Instrument of Appointment & Terms of Reference” for most of the Committees that it is responsible for administering. The majority of these Terms of Reference were established and formally adopted by Council in recent years and have determined the objectives and purpose of each Committee.

Comment:**1. Council Committees****• Audit, Risk and Improvement Committee**

The Audit Committee is required by legislation (section 7.1A) and the *Local Government Act 1995* specifically excludes the CEO and other staff from being a voting member, but staff do attend the meetings. A minimum of three (3) members are required on the committee, the majority are to be Council members.

This Audit Committee has historically been a Councillor only committee and currently has three Councillors as its members, which is proposed to be increased to five Councillors in the updated “Instrument of Appointment & Terms of Reference - 2025”.

The *Local Government Amendment Act 2024* amends the *Local Government Act 1995* to advance various reforms being progressed by the State Government. One of these reforms has been to revise the function and composition of the Audit Committee to become the Audit, Risk and Improvement Committee (ARIC).

The updated committee name to “Audit, Risk and Improvement Committee” and updated Objectives is based on these impending legislative changes – S.87 of the *Local Government Amendment Act 2024*.

The revised ARIC must have an Independent Presiding Member to ensure a level of neutrality and impartial oversight in chairing these meeting. An Independent Presiding Member must be a person who is not a council member of any local government or an employee of the local government. If a Deputy Presiding Member is appointed, they must also be independent. The revised ARIC will therefore consist of the following:

- a) an Independent Presiding Member (chair)

- b) an Independent Deputy Member to the Presiding Member (deputy chair)
- c) an optional Independent Committee Member as Deputy Presiding Member
- d) Councillors – proposed five (5).

The updated Committee Objectives continue to focus on audit matters and reflects to a large extent the model Terms of Reference provided in the Local Government Operation Guidelines No.9 – Audit in Local Government.

The updated Objectives also include delegated powers and duties under section 5.17 of the Act, where the Audit, Risk and Improvement Committee is delegated the power to conduct the formal meeting with the Auditor required by Section 7.12(A)(2) on behalf of the local government.

The Committee will continue to be review of the annual audit report, meeting annually with the auditor, reviewing the annual Compliance Audit Return, reviewing the Regulation 17 Review report on Legislative Compliance, Internal Controls and Risk Management, reviewing the Financial Management Systems Review conducted every three (3) years and receiving the biennial Risk Summary Report, together with fulfilling the detailed functions set out in the *Local Government (Audit) Regulations 1996*, Regulation 14, 16 and 17.

- **Tourism & Economic Development Committee**

While the Tourism & Marketing Advisory Committee is not currently active, it is proposed to reconstitute this Committee as the Tourism and Economic Development Committee to enable ongoing tourism and economic development initiatives to be examined and developed. The re-formed committee is proposed to be made up of three (3) Councillors and employees comprising the CEO, Director Development Services and Tourism & Economic Development Officer. In 2023 the former Committee had three (3) Councillors appointed to it.

The updated committee “Instrument of Appointment & Terms of Reference - 2025” and objectives continues to focus on the development and implementation of strategic tourism and economic development initiatives for Collie, with the Director Development Services appointed to manage the committee.

- **Community Safety & Crime Prevention Committee**

While the Community Safety and Wellbeing Committee is not currently active, it is proposed to reconstitute this Committee as the Community Safety and Crime Prevention Committee to enable ongoing community safety initiatives to be examined and developed, and proactive crime prevention initiatives to be developed with relevant law enforcement and community service agencies. The re-formed committee is proposed to be made up of three (3) Councillors, employees and other persons. In 2023 the former Committee had four Councillors appointed to it.

The updated committee “Instrument of Appointment & Terms of Reference - 2025” and objectives continues to focus on the development and implementation of the Community Safety & Crime Prevention Plan and related initiatives, with the Director Development Services appointed to manage the committee.

- **CEO Performance Review Committee**

The CEO Review Committee is currently an active committee with five (5) Councillors appointed to it. It is proposed to reconstitute this Committee as the CEO Performance

Review Committee to undertake the CEO's annual performance review in accordance with legislative requirements under the *Local Government Act 1995*. The re-formed committee is proposed to be made up of five (5) Councillors only.

The updated committee "Instrument of Appointment & Terms of Reference - 2025" and objectives continues to focus on the CEO's annual performance review and to conduct activities and discharge the requirements of the *Local Government Act 1995*, with the Shire President appointed to manage the committee.

- **Bushfire Advisory Committee**

The Bushfire Advisory Committee is currently an active committee with two (2) Councillors appointed to it. It is proposed to reconstitute this Committee in accordance with provisions of Section 5.8 of the *Local Government Act 1995* and Section 67 of the *Bush Fires Act 1954* as the Bushfire Advisory Committee to undertake the following:

- a) To advise the local government on all matters relating to:
 - (i) the preventing, controlling and extinguishing of bush fires;
 - (ii) the planning of the layout of fire-breaks in the district;
 - (iii) policy regarding prosecutions for breaches of the *Bush Fires Act 1954*;
 - (iv) the formation of bush fire brigades and the grouping thereof under group brigade officers;
 - (v) the ensuring of co-operation and co-ordination of bush fire brigades in their efforts and activities; and
 - (vi) any other matter relating to bush fire control whether of the same kind, as, or a different kind from, those specified above.
- b) To recommend a person or persons for the position(s) of Chief Bush Fire Control Officer, Deputy Chief Bush Fire Control Officer and Bush Fire Control Officer for each bush fire brigade in the Shire of Collie as required.
- c) To make recommendations to Council on motions received by the Bush Fires Advisory Committee from bush fire brigades.

The re-formed committee is proposed to be made up of Councillors, employees and other persons consisting of the following:

- a) Councillors – two (2)
- b) Shire of Collie - Chief Bush Fire Control Officer
- c) Shire of Collie - Fire Control Officer of each volunteer bush fire brigade
- d) Chief Executive Officer
- e) Director of Development Services
- f) Senior Ranger
- g) Community Emergency Services Manager; and
- h) Other representatives from state government agencies whose responsibility include bushfire and emergency management and should include as a minimum a representative of the Department of Fire and Emergency Services and Parks and Wildlife Service.

The updated committee "Instrument of Appointment & Terms of Reference - 2025" and objectives continues to focus on the noted functions, with the Director Development Services appointed to manage the committee.

2. Operational Working Groups**• Work Health & Safety Working Group (Committee)**

The objectives and functions of Work, Health & Safety (WHS) Committee are part of the operational responsibilities of the CEO and managers, and is a statutory requirement under Work Health & Safety legislation. The role of the employee Committee is to:

- Review hazard, injury, damage and near miss, environmental incident reports, and/or high-risk incidents, identify and discuss any potential trends and corrective actions.
- Communication and consultation between management and Health and Safety representatives.
- Review outstanding corrective actions for incident reports and workplace inspections.
- To assess and review WHS benchmarks, strategies and key performance indicators (KPIs).

• Trails and Tourism Assets Maintenance Working Group

The objectives and functions of the Trails and Tourism Assets Maintenance Working Group form part of the operational responsibilities of the CEO and managers. The role of this Working Group is to:

- To guide and support the maintenance of trails within the Shire of Collie.
- To support, when applicable, programs and activities related to the establishment of trails within the Shire of Collie.
- Recreational Trails for the purpose of the Working Group are defined as pathways, cycleways, dual use paths and trails, for the use of walking, hiking, equestrian, kayaks, trail bikes and cycling trails within the Shire of Collie.

3. Community Project Reference Groups**• Townscape Reference Group**

While the Townscape & Environment Committee is currently active, it is proposed to reconstitute this Committee as the Townscape Reference Group and the Collie Environmental & Waterways Reference Group to enable ongoing townscape initiatives to be examined and developed separately to Environmental initiatives.

The re-formed Townscape Reference Group is proposed to be made up of two (2) Councillors, employees comprising the CEO, Director Operations and Director Development Services, and up to three (3) other persons appointed in accordance with the Terms of Reference once approved by Council. In 2023 the former Committee had four (4) Councillors appointed to it.

The function of the Townscape Reference Group is to assist with identification, development and review of proposals for streetscapes and reserves in the townsites within the Shire of Collie including:

- Collie Central Business District
- Major Tree planting programs;
- Major Signage; and
- Street furniture and public art.

- **Collie Environment & Waterways Reference Group**

While the Townscape & Environment Committee is currently active, it is proposed to reconstitute this Committee as the Townscape Reference Group and the Collie Environmental & Waterways Reference Group to enable ongoing townscape initiatives to be examined and developed separately to Environmental initiatives.

The re-formed Collie Environmental & Waterways Reference Group is proposed to be made up of one (1) Councillor, employees comprising the Director Operations and Waste and Environment Coordinator, and up to three (3) other persons appointed in accordance with the Terms of Reference once approved by Council. In 2023 the former Committee had four (4) Councillors appointed to it.

The function of the Collie Environmental & Waterways Reference Group is to assist with the identification, development, and review of proposals for areas under public management that are of environmental importance, including river revitalisation initiatives. This includes ways to implement measures to restore or protect the natural environment while respecting heritage considerations.

- **Shire of Collie Functions, Events & Awards Reference Group**

While the Shire's House Panel is currently inactive, it is proposed to reconstitute this Panel as the Shire of Collie Functions, Events & Awards Reference Group.

The re-formed Shire of Collie Functions, Events & Awards Reference Group is proposed to be made up of three (3) Councillors and employees comprising the Director Corporate & Community Services, the Community Development Officer, and the CEO's Personal Assistant, and up to three (3) other persons appointed in accordance with the Terms of Reference once approved by Council.. The former House Panel had four (4) Councillors appointed to it.

It is proposed that this Reference Group have three sub-groups to fulfill the following functions of the Shire of Collie Functions, Events & Awards Reference Group:

Civic Function & Events Sub-Group:

- Planning and delivering efficiently and effectively civic receptions and other similar civic functions.
- Recognising significant community milestones and achievements with appropriate function/s or events.

Australia Day Sub-Group:

- To facilitate Australia Day as a community day of celebration within the Shire of Collie.
- To coordinate and select the annual Shire of Collie Citizen of the Year, Young Citizen of the Year, Community Group of the Year and Environmental Award, and any other awards that the Collie Shire Council may determine to present on Australia Day.

Collie Sports Awards Sub-Group:

- To coordinate and select the annual Shire of Collie Sports Person of the Year awards.

- **Collie Christmas Decorations Reference Group**

The objectives and functions of the Collie Christmas Decorations Reference Group is to assist Collie to celebrate and embrace the spirit of Christmas as a community through:

- overseeing and assisting with the design and installation of Christmas decorations on Shire managed property in Collie; and
- encouraging community and business involvement in decorating Collie for Christmas.

- **Collie Disability Access & Inclusion Reference Group**

While the Shire's Access and Inclusion Group Committee is currently inactive, it is proposed to reconstitute this group as the Collie Disability Access and Inclusion Reference Group to enable ongoing access and inclusion initiatives to be examined and developed.

The re-formed Collie Disability Access and Inclusion Reference Group is proposed to be made up of one (1) Councillor, employees comprising the Director Corporate & Community Services and Community Development Officer, and up to three (3) other persons appointed in accordance with the Terms of Reference once approved by Council. The former Committee had two (2) Councillors appointed to it.

The function of the Collie Disability Access and Inclusion Reference Group is:

- To monitor and review the implementation of the Shire of Collie Disability Access and Inclusion Implementation Plan under the Disability Services Act 1993, or as amended from time to time.
- Through the Director Corporate & Community Services, report on the Reference Group's activities annually, for inclusion in the Shire of Collie Annual Report.
- To advise Council on appropriate matters relating to access and inclusion to Shire related programmes and works.
- To consider matters relating to people with disabilities, raised by Council, Group Members or the community that may impact the Shire of Collie.

- **Collie Recreation and Open Space Strategy Reference Group**

4. External Committees / Groups

- **LEMC**

The Shire of Collie Local Emergency Management Committee (LEMC) is currently an active committee with one Councillor appointed to it. This committee is required to be established under section 38 of *Emergency Management Act 2005* and operates as specified by State Emergency Management Committee (SEMC) Policy. It is therefore not established as a formal Council Committee, but as a Committee under the *Emergency Management Act 2005* and SEMC Policy.

It is proposed to reconstitute this External Committee as the Shire of Collie Local Emergency Management Committee to undertake the following functions:

- a) to advise and assist the local government in ensuring that local emergency management arrangements are established for its district (including recovery planning);
- b) to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements;

- c) to carry out other emergency management activities as directed by the State Emergency Management Committee or prescribed by the regulations.
- d) to advise and assist the local government on how to manage recovery following an emergency affecting the community in the district; and
- e) to advise and assist the local government on other functions relevant to Emergency Management, including but not limited to the following:
 - (i) Preparation of annual reports as recommended by State Emergency Management Policy 2.6;
 - (ii) Providing comment on State Emergency Management Policies;
 - (iii) the adequacy of State government support to achieve efficient, effective and consistent emergency management responses at the local level.

The re-formed External Committee is to consist of:

- a) One (1) Councillor as Chairperson;
- b) Community Emergency Services Manager;
- c) Chief Bush Fire Control Officer for the Shire of Collie;
- d) State Emergency Services Local Manager;
- e) Chief Executive Officer of the Shire of Collie (or nominee);
- f) Director of Development Services, Shire of Collie;
- g) Recovery Coordinator, Shire of Collie;
- h) representatives from state government agencies whose responsibility include bushfire and emergency management and should include as a minimum a representative of the Department of Fire and Emergency Services, the Officer in Charge of Collie Police, the Department of Biodiversity, Conservation and Attractions;
- i) Representatives from local industry, welfare organisations and health services.

The updated committee “Instrument of Appointment & Terms of Reference - 2025” and objectives continues to focus on the noted functions, with the Director Development Services appointed to manage the External Committee.

- **Collie Development Unit / Just Transition Working Group**

Purpose: To oversee, coordinate and implement the Just Transition initiative for Collie.

- **Bunbury Geopraphe Tourism Partnership**

Purpose: To facilitate the economic development and promotion of the Bunbury-Geopraphe Region.

- **Collie Chamber of Commerce & Industry**

Purpose: The Chamber's prime function is to advance the business, commercial and industrial interests of the area, and support the local community. It is a lobby group to present and defend the views of the business community to Government; Local, State and Federal, as well as other authorities and organisations.

- **Collie Health Service Advisory Committee**

Purpose: For local health consumers, carers, community members and health service representatives to work together to improve and inform health service planning, assess, safety and quality in Collie.

- **Collie Visitor Centre**

Purpose: To assist visitors in making the most of their time in Collie.

- **Regional Joint Development Assessment Panel**

Purpose: Council is required to appoint two representatives and two alternative representatives to the Regional Joint Development Assessment Panel which considers Development applications in Collie with a value greater than \$10 million in value, or of a value between \$2 million and \$10 million where the applicant elects such.

- **Cooperative Research Program**

Purpose: To support Australian industries to be competitive and productive and research solutions to solve industry identified problems such as coal mine rehabilitation or reuse.

- **Motoring Southwest**

Purpose: Assist in the Management of the Collie Motorplex.

- **Regional Road Group (RRG)**

Purpose: RRGs provide Local Government input on how the State Government's contribution to local roads is spent. This includes identifying road projects and providing input to road funding decisions across the region.

- **South West Zone of WA Local Government Association**

Purpose: Provides advice to, and identifies issues for consideration of, the WA Local Government Association.

- **Worsley Alumina Refinery and Port – Community Liaison Committee**

Purpose: To provide a two-way communication and engagement mechanism between Worsley and the communities in which it operates.

- **Premier Coal Community Reference Group**

Purpose: To provide a mechanism for ongoing consultation between Premier and representatives of the Collie community, providing updates on operational activities and projects and to seek feedback on activities to enable better collaboration.

11.3 Local Government Reform – Communication Agreements

Reporting Department:	Chief Executive Office
Reporting Officer:	Phil Anastasakis – Chief Executive Officer
Accountable Manager:	Phil Anastasakis – Chief Executive Officer
Legislation:	<i>Local Government Act 1995</i>
File Number:	GOV/049
Appendices:	Appendix 11.3.A – DLGSC – Communications Agreement Consultation Paper Appendix 11.3.B - Draft Local Government (Default Communications Agreement) Order 2025
Voting Requirement:	Simple Majority

Report Purpose

This report provides Council with an update on the Local Government Reform process, and the legislative changes being introduced as part of the Tranche 2 legislative changes, with particular focus on the introduction of Communication Agreements. A portion of the Tranche 2 changes were introduced as part of legislative changes in December 2024.

A copy of the “Communications Agreement Consultation Paper” is provided in Attachment 11.3.A.

Officer’s Recommendation/Council Decision:

Resolution: 9646

Moved: Cr Kearney

Seconded: Cr Faries

That Council:

- 1. Receives and acknowledges the information provided in relation to the Tranche 2 legislative changes introducing Communication Agreements as part of the Local Government Reform process.*
- 2. Resolves to utilise the Default Communications Agreement between the Council and the Chief Executive Officer set out in the Local Government (Default Communications Agreement) Order 2025.*

Carried: 7/0

For: Cr Miffing, Cr Italiano, Cr Burton, Cr Faries, Cr Kearney, Cr Sadlier, Cr Smith.

Against: Nil.

The local government reform process is the most significant reform to the [Local Government Act 1995](#) (the Act) in 25 years and aims to ensure local governments better serve residents and ratepayers.

Reforms have been developed in consultation with WALGA and the local government sector and are based on six (6) themes:

1. Earlier intervention, effective regulation and stronger penalties
2. Reducing red tape, increasing consistency and simplicity

3. Greater transparency and accountability
4. Stronger local democracy and community engagement
5. Clearer roles and responsibilities
6. Improved financial management and reporting.

To ensure that key election related reforms were in place before the 2023 local government elections, the amendments to the Act were divided into 2 tranches.

- The first tranche, the *Local Government Amendment Act 2023*, focused on electoral reform. These changes applied from 18 May 2023 or as proclaimed and introduced the following :
 - Caretaker Period – S1.4A, S3.73
 - Abolition of Wards – S2.2A
 - Method of electing Mayor or President – S2.17A
 - Changes to number of elected members based on population (reducing to 9 Councillors including the Shire President for Collie) – S2.18
 - Occupier voting entitlements – S2.19, S4.31, S4.32, S4.33, S4.45, S4.46A
 - Councillor attendance – leave of absence – S2.25
 - Expanded functions of a local government – S3.1
 - Preferential voting – S4.73
 - Council and Committees – S5.18A, S5.19, S5.21, S5.33A
 - Electronic broadcasting of Council meetings – S5.23A
 - Annual Review of CEO Performance – S5.38, S5.39AA
 - Annual Report – S5.53
 - Council Plan – S5.56
 - Community Engagement Charter – S5.56A, S5.56B
 - **Communications Agreement – S5.92A**
 - Fees & Expenses Policy – S5.100, S5.129
 - Filling Extraordinary and other vacancies – Sch4.1A, Sch4.1.B
 - Preferential vote counting – Sch4.1
 - Transitional provisions – Sch9.3
 - other minor related and inconsequential changes.
- The second tranche, the *Local Government Amendment Act 2024*, focuses on introducing the new Local Government Inspector and monitors for early intervention and resolution of issues, as well as a range of other reforms to the local government sector. A portion of the Tranche 2 changes were introduced as part of legislative changes on the 6 December 2024, which are summarised below:
 - Role of Council – S2.7
 - Role of Mayor or President – S2.8
 - Role of Councillors – S2.10

- Local government offences, disqualification – S2.19, S2.22, S2.25A
- Local laws – S3.12, S3.16
- Regional Subsidiaries – S3.69, S3.70
- Postal and in-person elections – S4.1C, S4.31, S4.32
- Council and committee meetings – S5.8, S5.23
- CEO and Senior Employees – S5.37A, S5.39, S5.39BA
- Role of CEO – S5.41
- Rates and Revenue Policy – S5.56AA
- Elected member conduct records – S5.96C
- Superannuation for Council members – S5.99B
- Model Code of Conduct and Complaints – S5.103, S5.105, S5.130
- Prohibition on certain matters connected with legal matters – 6.14A
- Financing of environmental or heritage upgrade works – S6.83
- Audit, Risk & Improvement Committee – S7.1, S7.1A – S7.1CB
(must be established no later than 6 months after amendment day)
- Inquiry by Inspector, Inquiry panels – S8.1 – S8.44
- Breach Complaints and General Complaints – S8A, S8B
- Good Practice Guidelines – S9.69AA
- Development Assessment Panel Functions – S9.69B
- other minor related and inconsequential changes.

To implement these reforms, the WA Government has prepared the draft *Local Government Regulations Amendment Regulations 2025* and the draft *Local Government (Default Communications Agreement) Order 2025*.

The *Local Government (Default Communications Agreement) Order 2025* (refer to App 11.3.B) is a draft Ministerial Order, not a finalised law or established agreement. It's part of ongoing local government reforms that require Councils and their CEOs to have formal Communications Agreements outlining how they interact and share information. If a local government fails to adopt its own agreement, this draft order would provide a standard default agreement to be followed.

The draft was open for consultation until the 22 August 2025 as part of the broader reforms, with the intent of clarifying communication protocols between elected Councillors and the administrative staff. It is anticipated that the Order will come into effect on the 19 October 2025.

The purpose of Communications Agreements is to provide a standardised communications framework for local governments in Western Australia when they don't have their own internal agreement. The goal of the agreement is to ensure professionalism, responsiveness, and clear boundaries in communications between council members and the CEO's administrative staff.

The default agreement aims to set general principles for how information is requested and provided, ensuring requests are relevant to a council member's functions and are handled by the administration in an appropriate and timely manner.

Statutory and Policy Implications:

The Local Government Act 1995

Local Government Amendment Act 2023.

The 2023 Amendment Act inserts sections 5.92A — 5.92C into the Local Government Act 1995 (the Act) which require that:

- each local government must have a Communications Agreement which deals with the matters required by the Act and regulations.
- a local government may adopt a Communications Agreement by the CEO and Council both agreeing to its terms.
- if a local government does not adopt or is unable to adopt a Communications Agreement, the default Communications Agreement set out in a Ministerial order applies.

Budget Implications:

The local government reform process has the opportunity to impact on annual budget costs based on the reforms implemented through legislative change.

Budget – Whole of Life Cost

While the local government reforms does not impact directly on the whole of life cost of assets, it does indirectly refer to asset and financial sustainability.

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN		
GOAL:	5	Our Organisation
Objective:	5.1	Innovative leadership, forward planning, and mutually beneficial partnerships
Strategic Priority:	5.1.5	To imbed our strategic priorities throughout the organisation

Relevant Precedents:

Legislative changes occur on a regular basis for many aspects of local government operations.

Comment:

The six (6) Themes and Reform Topics are summarised below:

Theme 1: Early intervention, effective regulation and stronger penalties

1.1 Early intervention powers

- It is proposed to establish a Chief Inspector of Local Government (the inspector), supported by an Office of the Local Government Inspector (the inspectorate).
- The inspector would receive minor and serious complaints about elected members.
- The inspector would oversee complaints relating to local government Chief Executive Officers (CEOs).
- Tony Brown, currently from WALGA has recently been appointed to this role.

1.2 Local government monitors

- A panel of Local Government Monitors would be established.
- Monitors could be appointed by the inspector to go into a local government and try to resolve problems.
- The purpose of monitors would be to proactively fix problems, rather than to identify blame or collect evidence.

1.3 Conduct panel

- The Standards Panel is proposed to be replaced with a new Local Government Conduct Panel.
- The Conduct Panel would be comprised of suitably qualified and experienced professionals. Sitting Councillors will not be eligible to serve on the Conduct Panel.

1.4 Review of penalties

- Penalties for breaching the Act are proposed to be strengthened.
- It is proposed that the suspension of Councillors (for up to three months) is established as the main penalty where a Councillor breaches the Act or Regulations on more than one occasion.
- It is proposed that a Councillor who is suspended multiple times may become disqualified from office.
- Councillors who do not complete mandatory training within a certain timeframe will also not be able to receive sitting fees or allowances.

1.5 Red card referrals

- Red cards not progressed.

1.6 Vexatious complaint referrals

- Local governments already have a general responsibility to provide ratepayers and members of the public with assistance in responding to queries about the local government's operations. Local governments should resolve queries and complaints in a respectful, transparent and equitable manner.
- It is proposed that if a person makes repeated complaints to a local government CEO that are vexatious, the CEO will have the power to decide that the complainant is being unreasonable, and that they will no longer respond.

1.7 Other minor reforms

- Potential other reforms to strengthen guidance for local governments are being considered.

Theme 2: Reducing red tape, increasing consistency and simplicity**2.1 Resource sharing**

- Amendments are proposed to encourage and enable local governments, especially smaller regional local governments, to share resources, including CEOs and senior employees.

- Local governments in bands 2, 3 or 4 would be able to appoint a shared CEO at up to two salary bands above the highest band. For example, a band 3 and a band 4 council sharing a CEO could remunerate to the level of band 1.

2.2 Standardisation of crossovers

- It is proposed to amend the Local Government (Uniform Local Provisions) Regulations 1996 to standardise the process for approving crossovers for residential properties and residential developments on local roads.

2.3 Introduce innovation provisions

- New provisions are proposed to allow exemptions from certain requirements of the Act for:
 - short-term trials and pilot projects
 - urgent responses to emergencies.

2.4 Streamline local laws

- It is proposed that local laws would only need to be reviewed by the local government every 15 years.
- Local laws not reviewed in the timeframe would lapse, meaning that old laws will be automatically removed and no longer applicable.

2.5 Simplifying approvals for small business and community events

- Proposed reforms would introduce greater consistency for approvals for:
 - alfresco and outdoor dining
 - minor small business signage rules
 - running community events.

2.6 Standardised meeting procedures, including public question time

- To provide greater clarity for ratepayers and applicants for decisions made by council, it is proposed that the meeting procedures and standing orders for all local government meetings, including for public question time, are standardised across Western Australia.
- Regulations would introduce standard requirements for public question time and the procedures for meetings generally.
- Further minor changes to Electors Meetings are proposed.

2.7 Regional subsidiaries

- Work is continuing to consider how Regional Subsidiaries can be best established.

Theme 3: Greater transparency and accountability

3.1 Recordings and live-streaming of all council meetings

- It is proposed that all local governments will be required to record meetings.
- Band 1 and 2 local governments would be required to live-stream meetings and make video recordings available as public archives.
- Limited exceptions would be made for meetings held outside the ordinary council chambers, where audio recordings may be used.

- Recognising their generally smaller scale, typically smaller operating budget, and potential to be in more remote locations, band 3 and 4 local governments would be required to record and publish audio recordings, at a minimum.
- All council meeting recordings would need to be published at the same time as the meeting minutes. Recordings of all confidential items would also need to be submitted to DLGSC for archiving.

3.2 Recording all votes in council minutes

- To support the transparency of decision-making by Councillors, it is proposed that the individual votes cast by all Councillors for all council resolutions be required to be published in the council minutes to identify those for, against, on leave, absent or who left the chamber.

3.3 Clearer guidance for meeting items that may be confidential

- Recognising the importance of open and transparent decision-making, it is considered that confidential meetings and confidential meeting items should only be used in limited, specific circumstances.
- It is proposed to make the Act more specific in prescribing items that may be confidential and items that should remain open to the public.
- All confidential items would be required to be audio recorded, with those recordings submitted to DLGSC.

3.4 Additional online registers

- It is proposed to require local governments to report specific information in online registers on the local government's website. Regulations would prescribe the information to be included. The following new registers, each updated quarterly, are proposed:
 - Lease register to capture information about the leases the local government is a party to (either as lessor or lessee).
 - community grants register to outline all grants and funding provided by the local government.
 - interests disclosure register that collates all disclosures made by elected members about their interests related to matters considered by council.
 - applicant contribution register accounting for funds collected from applicant contributions, such as cash-in-lieu for public open space and car parking.
 - contracts register that discloses all contracts above \$100,000.

3.5 Chief Executive Officer Key Performance Indicators (KPIs) be published

- To provide for minimum transparency, it is proposed to mandate that the KPIs agreed as performance metrics for CEOs:
 - be published in council meeting minutes as soon as they are agreed prior to (before the start of the annual period).
 - the KPIs and the results be published in the minutes of the performance review meeting (at the end of the period).

Theme 4: Stronger local democracy and community engagement**4.1 Community and stakeholder engagement charters**

- It is proposed to introduce a requirement for local governments to prepare a community and stakeholder engagement charter which sets out how local government will communicate processes and decisions with their community.

4.2 Ratepayer satisfaction surveys (band 1 and 2 local governments only)

- It is proposed to introduce a requirement that every four years, all local governments in bands 1 and 2 hold an independently managed ratepayer satisfaction survey.

4.3 Introduction of preferential voting

- Preferential voting is proposed to be adopted as the method to replace the current first past the post system in local government elections.
- In preferential voting, voters number candidates in order of their preferences.
- Optional preferential voting is proposed, to ensure that electors may lodge a valid vote without numbering all candidates, if they wish to vote in that way.

4.4 Public vote to elect the mayor and president

- Accordingly, it is proposed that the mayor or president for all band 1 and 2 councils is to be elected through a vote of the electors of the district. Councils in bands 3 and 4 would retain the current system.

4.5 Tiered Limits on the Number of Councillors

- It is proposed to limit the number of Councillors based on the population of the entire local government.
- The Local Government Panel Report proposed for a population of:
 - up to 5000 — 5 Councillors (including the president)
 - between 5000 and 75,000 — 5 to 9 Councillors (including the mayor/president)
 - above 75,000 — nine to fifteen Councillors (including mayor).
- Based on requests from impacted councils, it is proposed to adjust this to allow local governments with a population of up to 5000 people to decide to have 5, 6 or 7 Councillors.

4.6 No wards for small councils (band 3 and 4 councils only)

- It is proposed that the use of wards for councils in bands 3 and 4 is abolished.

4.7 Electoral reform — clear lease requirements for candidate and voter eligibility

- Reforms are proposed to prevent the use of 'sham leases' in council elections. Sham leases are where a person creates a lease only to be able to vote or run as a candidate for council.
- The City of Perth Inquiry Report identified sham leases as an issue.

4.8 Reform of candidate profiles

- Further work will be undertaken to evaluate how longer candidate profiles could be accommodated.

- Longer candidate profiles would provide more information to electors, potentially through publishing profiles online.

4.9 Other minor electoral reforms

- Reforms are proposed to include:
 - the introduction of standard processes for vote re-counts.
 - the introduction of more specific rules concerning local government council candidates' use of electoral rolls.
 - Filling extraordinary vacancies following elections - Based on input from the sector, it is proposed to create a new power to allow vacancies on councils arising up to twelve months after an election to be filled by the next highest-polling candidate.
 - Election timeframes - It is necessary to extend timeframes for elections in the Act to account for slower postal services.
 - Electronic/online voting - It is proposed to amend the Act to allow for the future implementation of electronic voting in elections.
 - Extended leave from meetings - Based on advocacy from the sector, it is proposed to provide a right for elected representatives to take up to six months' leave if they become a parent or guardian. Similarly, they may take up to six months of medical leave with a medical certificate.

Theme 5: Clear roles and responsibilities

5.1 Introduce principles in the Act

- It is proposed to include new principles in the Act, including:
 - the recognition of Aboriginal Western Australians
 - tiering of local governments (with bands being as assigned by the Salaries and Allowances Tribunal)
 - community engagement
 - financial management.

5.2 Greater role clarity

- The Local Government Act Review Panel recommended that roles and responsibilities of elected members and senior staff be better defined in law.
- It is proposed that these roles and responsibilities are further defined in the legislation.

5.2.1 Mayor or President role

- While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the mayor or president is responsible for:
 - representing and speaking on behalf of the whole council and the local government, at all times being consistent with the resolutions of council
 - facilitating the democratic decision-making of council by presiding at council meetings in accordance with the Act
 - developing and maintaining professional working relationships between Councillors and the CEO

- performing civic and ceremonial duties on behalf of the local government
- working effectively with the CEO and Councillors in overseeing the delivery of the services, operations, initiatives and functions of the local government.

5.2.2 Council role

- While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the council is responsible for:
 - making significant decisions and determining policies through democratic deliberation at council meetings
 - ensuring the local government is adequately resourced to deliver the local government's operations, services and functions — including all functions that support informed decision-making by council
 - providing a safe working environment for the CEO
 - providing strategic direction to the CEO
 - monitoring and reviewing the performance of the local government

5.2.3 Elected Member (Councillor) role

- While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that every elected Councillor is responsible for:
 - considering and representing, fairly and without bias, the current and future interests of all people who live, work and visit the district (including Councillors elected for a particular ward)
 - positively and fairly contributing and applying their knowledge, skill, and judgement to the democratic decision-making process of council
 - applying relevant law and policy in contributing to the decision-making of the council
 - engaging in the effective planning and review of the local government's resources, and the performance of its operations, services, and functions
 - communicating the decisions and resolutions of council to stakeholders and the public
 - developing and maintaining professional working relationships with all other Councillors and the CEO
 - maintaining and developing their knowledge and skills relevant to local government
 - facilitating public engagement with local government.
- It is proposed that elected members should not be able to use their title (e.g. Councillor, mayor or president) and associated resources of their office (such as email address) unless they are performing their role in their official capacity.

5.2.4 CEO role

- The Act requires local governments to employ a CEO to run the local government administration and implement the decisions of council.
- To provide greater clarity, it is proposed to amend the Act to specify the roles and responsibilities of all local government CEOs.

- While input and consultation will inform precise wording, it is proposed that the Act is amended to generally outline that the CEO of a local government is responsible for:
 - coordinating the professional advice and assistance necessary for all elected members to enable the council to perform its decision-making functions
 - facilitating the implementation of council decisions
 - ensuring functions and decisions lawfully delegated by council are managed prudently on behalf of the council
 - managing the effective delivery of the services, operations, initiatives and functions of the local government determined by the council
 - providing timely and accurate information and advice to all Councillors in line with the council communications agreement (see item 5.3)
 - overseeing the compliance of the operations of the local government with State and Commonwealth legislation on behalf of the council
 - implementing and maintaining systems to enable effective planning, management, and reporting on behalf of the council.

5.3 Council communication agreements

- In State Government, there are written communication agreements between Ministers and agencies that set standards for how information and advice will be provided.
- It is proposed that local governments will need to have Council Communications Agreements between the Council and the CEO.
- These Council Communication Agreements would clearly specify the information that is to be provided to Councillors, how it will be provided, and the timeframes for when it will be provided.
- A template would be published by DLGSC. This default template will come into force if a Council and CEO do not make a specific alternative agreement within a certain timeframe following any election.

5.4 Local governments may pay superannuation contributions for elected members

- It is proposed that local governments should be able to decide, through a vote of council, to pay superannuation contributions for elected members. These contributions would be additional to existing allowances.

5.5 Local governments may establish education allowances

- Local governments will have the option of contributing to the education expenses for Councillors, up to a defined maximum value, for tuition costs for further education that is directly related to their role on council.

5.6 Standardised election caretaker period

- A State-wide caretaker period for local governments is proposed.

5.7 Remove WALGA from the Act

- The [Local Government Panel Report](#) recommended that WALGA not be constituted under the Act.
- Separating WALGA out of the Act will provide clarity that WALGA is not a State Government entity.

5.8 CEO recruitment

- It is proposed that DLGSC establishes a panel of approved members to perform the role of the independent person on CEO recruitment panels.

Theme 6: Improved financial management and reporting**6.1 Model financial statements and tiered financial reporting**

- Recognising the difference in the complexity between smaller and larger local governments, it is proposed that financial reporting requirements should be tiered — meaning that larger local governments will have greater financial reporting requirements than smaller local governments.
- It is proposed to establish standard templates for Annual Financial Statements for band 1 and 2 councils and simpler, clearer financial statements for bands 3 and 4.

6.2 Simplify strategic and financial planning

- In order to provide more consistency and clarity across the State, it is proposed that greater use of templates is introduced to make planning and reporting clearer and simpler, providing greater transparency for ratepayers.
- Local governments would be required to adopt a standard set of plans, and there will be templates published by DLGSC for use or adaptation by local governments.
- It is proposed that the plans that are required are:
 - Simplified Council Plans that replace existing Strategic Community Plans and set high-level objectives with a new plan required at least every eight years. These will be short-form plans with a template available from DLGSC.
 - Simplified Asset Management Plans to consistently forecast costs of maintaining the local government's assets.
 - Simplified Long Term Financial Plans will outline any long-term financial management and sustainability issues, and any investments and debts. A template will be provided, and these plans will be required to be reviewed in detail at least every four years.
 - A new Rates and Revenue Policy (see item 6.3) that identifies the approximate value of rates that will need to be collected in future years (referencing the Asset Management Plan and Long-Term Financial Plan) providing a forecast to ratepayers (updated at least every four years).
 - The use of simple, one-page Service Proposals and Project Proposals that outline what proposed services or initiatives will cost, to be made available through council meetings. These will become Service Plans and Project Plans added to the yearly budget if approved by council.

6.3 Rates and revenue policy

- The Rates and Revenue Policy is proposed to increase transparency for ratepayers by linking rates to basic operating costs and the minimum costs for maintaining essential infrastructure.
- A Rates and Revenue Policy would be required to provide ratepayers with a forecast of future costs of providing local government services.
- The policy would need to reflect the Asset Management Plan and the Long-Term Financial Plan (see item 6.2), providing a forecast of what rates would need to be, to cover unavoidable costs.

6.4 Monthly reporting of credit card statements

- The statements of a local government's credit cards used by local government employees will be required to be tabled at council meetings on a monthly basis.

6.5 Amended financial ratios

- Financial ratios will be reviewed in detail, building on work already underway by DLGSC.

6.6 Audit committees

- To ensure independent oversight, it is proposed the chair of any audit committee be required to be an independent person who is not on council or an employee of the local government.
- Audit committees would also need to consider proactive risk management.
- To reduce costs it is proposed that local governments should be able to establish shared regional audit committees.
- The committees would be able to include council members but would be required to include a majority of independent members and an independent chairperson.
- No requirement for majority of independent members (only independent chair)
- Local governments may remunerate independent committee members

6.7 Building Upgrade Finance

- Reforms would allow local governments to provide loans to third parties for specific building improvements — such as cladding, heritage and green energy fixtures.

6.8 Cost of Waste Service to be Specified on Rates Notices

- It is proposed that waste charges are required to be separately shown on rate notices (for all properties which receive a waste service).

11.4 Bunbury Geographe Group of Councils (BGGC) - Minutes

Reporting Department:	Chief Executive Office
Reporting Officer:	Phil Anastasakis – Chief Executive Officer
Accountable Manager:	Phil Anastasakis – Chief Executive Officer
Legislation:	<i>Local Government Act 1995</i>
File Number:	GVR/011
Appendices:	Appendix 11.4.A – BGGC Minutes – 21 August 2025
Voting Requirement:	Absolute Majority

Report Purpose

This report presents to Council the minutes of the Bunbury Geographe Group of Councils meeting held on the 21 August 2025, and the recommendations from that meeting for Council's consideration.

Officer's Recommendation/Council Decision:

Resolution: 9647

Moved: Cr Italiano

Seconded: Cr Smith

That Council:

1. *Receives the minutes of the Bunbury Geographe Group of Council's (BGGC) meeting held on the 21 August 2025;*
2. *Endorses the BGGC recommendation that the CEO Working Group engage with all relevant stakeholders to:*
 - a) *Develop a draft governance model.*
 - b) *Fund the development of the draft governance model from the existing BGGC surplus funds up to \$20,000.*
 - c) *Develop a contributions proposal to fund the governance model.*
 - d) *Recommend the most effective member group for the region.*
 - e) *Complete the above by 31 March 2026.*
3. *Endorses the BGGC recommendation that funding for the Bunbury Geographe Tourism Partnership run through to 30 June 2026, with the decision being made on the future of the partnership by 31 March 2026.*

Carried: 7/0

For: Cr Miffing, Cr Italiano, Cr Burton, Cr Faries, Cr Kearney, Cr Sadler, Cr Smith.

Against: Nil.

Background:

The Bunbury Geographe Group of Councils has operated as a voluntary association through an MOU since 1998. Member Councils have developed a proactive organisation providing advocacy for the region through an agreed alliance. This process has been successful as a syndicated collaboration, working on an advocacy partnership for the betterment of the region.

In late 2024 the Shire of Collie signed an updated Memorandum of Understanding (MOU) with the City of Bunbury and Shires of Capel, Dardanup, Donnybrook-Balingup and Harvey as the “Bunbury Geographe Group of Councils” (BGGC). The MOU remains in place until any or all participants withdraw from the agreement.

The purpose of the Bunbury Geographe Group of Councils is to:

- 1) Undertake the activities defined as Continuing Projects and Services in accordance with the MOU. These include:
 - a. Waste Minimisation: South West Regional Waste Group
 - b. Environmental Services:
 - i. Declared pests/weeds;
 - ii. Arum lilies control (a poisonous weed)
 - iii. Coastal Hazard Risk Management and Coastal Adaptation Planning (CHRMAP)
 - c. Regional Economic & Community Development:
 - i. Bunbury Geographe Tourism Partnership
 - ii. Bunbury Geographe Economic Alliance
 - d. Others Identified:
 - i. Regional Recycling
 - ii. Bunbury Harvey Regional Council / Subsidiary
 - iii. Land Care
 - e. Infrastructure Coordination:
 - i. Strategic Logistic Infrastructure
 - ii. Community Infrastructure
 - iii. Land, Housing & Accommodation
 - iv. Water surety and supply
 - f. Procurement Coordination
- 2) Provide a means for the Participants, through voluntary participation and the integration and sharing of resources, where the requirements of clause 7 are met, to:
 - a. Assess the possibilities and methodology of facilitating a range of services and facilities on a regional basis including, without limitation, the services and facilities described in Schedule 2 Part 1 .
 - b. Promote, initiate, undertake, manage and facilitate the services and facilities described in Schedule 2 Part 1
 - c. Promote productive effectiveness and financial benefit to the Participants where there are common and shared community of interest linkages.
 - d. Assess the possibilities and methodology of facilitating economic and community development for the benefit of the Region, including, without limitation, the matters described in Schedule 2 Part 2; and
 - e. Promote, initiate, undertake, manage and facilitate the matters described in Schedule 2 Part 2.

Council considered a report on the BGGC partnership and funding related to the Bunbury Geographe Tourism Partnership at the 11 February 2025 Council meeting, where Council resolved (Res 9536):

That Council:

- 1. receives the update provided on the Bunbury Geopraphe Tourism Partnership - Regional Tourism Strategy 2024-2027;*
- 2. supports the participation by the Shire of Collie in the newly negotiated Service Level Agreement for 2025/26; and*
- 3. supports the tourism marketing program continuing to be guided by the Bunbury Geopraphe Group of Councils (BGGC) CEO's, with this group setting the strategic directions of the program and endorsing the Strategic Plan; and.*
- 4. review the Shire's continued membership in the Bunbury Geopraphe Tourism Partnership beyond 30 June 2026 as part of Council's review of its strategic focus and financial evaluation associated with the Long Term Financial Plan.*

Carried: 10/0

Council considered a further report on the BGGC partnership at the 10 June 2025 Council meeting, where Council resolved (Res 9610):

That Council, in response to the recommendation received from the Bunbury Geopraphe Group of Councils (BGGC) meeting held on the 8 May 2025, resolve the following:

- 1. That the Shire of Collie supports the continuation of a voluntary regional association based on contributing proportionally to the operating costs to support the utilisation of an Executive Support Officer to support the BGGC administrative and meeting functions.*
- 2. That the Shire of Collie does not support continuation of a voluntary regional association beyond 2025/26 where a proportional contribution is made to the operating costs to support the employment of a Chief Executive Officer (based on a \$330,000 total cost) to support the BGGC. Should the other BGGC member Councils endorse the employment of a BGGC CEO, then the Shire of Collie gives notice of its intention to withdraw from the BGGC at the end of 2025/26 in accordance with Clause 9.1 of the BGGC Memorandum of Understanding.*
- 3. That the Shire of Collie supports a meeting schedule that mirrors the South West Zone of WALGA and that these meetings be held with due regard to the Zone meetings and that the members of the Zone be appointed members for the BGGC.*
- 4. That the Shire of Collie supports the CEO Working Group sourcing governance agreements operating from others regional groups in Western Australia or other States that demonstrate a best practice model of successful collaboration (based on the Executive Support Officer model) and present these to the elected member group for consideration, considering other legal and governance arrangements.*

Carried: 8/0

The BGGC recently met on the 21 August 2025 (refer to attached Minutes – Attachment 11.4.A), where the feedback from member Councils on the future of the BGGC arrangement and a BGGC CEO proposal was raised and discussed.

The officer's recommendation is based on the BGGC discussion and recommendations.

Statutory and Policy Implications:

Local Government Act 1995

The Bunbury Geographe Tourism Partnership is a continuing project under the Bunbury Geographe Group Memorandum of Understanding, which has been signed by the Shire of Collie.

In accordance with the BGGC Memorandum of Understanding:

Clause 6. Continuing Projects & Services

- **Clause 6.5 Withdrawal**

A Participant may, at any time between 1 July and 31 December in any year, give to the Bunbury Geographe Group of Councils notice and reasons of its intention to withdraw from any of the Continuing Project and Services.

- **Clause 6.6 – When Withdrawal to take effect**

The withdrawal of a Participant under clause 9.1 shall take effect from the end of the financial year following the giving of the notice of withdrawal under clause 9.1.

Clause 7. New Projects or Services

Clause 8. Winding Up

Clause 9. Withdrawal of a Participant

- **Clause 9.1 Withdrawal**

A Participant may, at any time between 1 July and 31 December in any year, give to the Bunbury Geographe Group of Councils notice of its intention to withdraw from the Bunbury Geographe Group of Councils.

- **Clause 9.2 – When Withdrawal to take effect**

The withdrawal of a Participant shall take effect from the end of the financial year following the giving of the notice of withdrawal under clause 9.1.

Budget Implications:

The 2025/26 budget includes within GL#198330 \$20,000 towards the Bunbury Geographe Tourism Partnership.

The Long Term Financial Plan includes a general provision of \$20,000 towards Regional Tourism for 2026/27 and future years.

Budget – Whole of Life Cost

As no assets have been created as part of this agenda item, there are no whole of life cost implications.

Communications Requirements:

Not applicable.

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN		
GOAL:	2	Our Economy
Objective:	2.2	Tourism promotion and attractions
Strategic Priority:	2.2.1	To increase the tourism and marketing capability within the Shire with a focus on destination marketing.

Relevant Precedents:

The Shire of Collie has for many years supported participation in the Bunbury Geographe Group of Councils and Bunbury Geographe Tourism Partnership and regional tourism initiatives.

The Shire of Donnybrook-Balingup have advised the group that their Council has resolved not to continue in the Bunbury Geographe Tourism Partnership from 2025/26, with their membership concluding on 30 June 2025.

The Regional Tourism Strategy 2024-2027 proposes that the tourism marketing program continues to be guided by the BGGC CEOs, with this group setting the strategic directions of the program and endorsing the Strategic Plan.

Comment:

The Business Paper presented to Council in June 2025 referred to the development of a new governance framework and funding model for the BGGC. Council considered the proposed model and while supportive of the continuation of a voluntary regional association, was not supportive of the employment of a Chief Executive Officer (based on a \$330,000 total cost) to support the BGGC.

The BGGC decisions from the 21 August 2025 meeting provide the opportunity to explore other governance and funding models that may suit the region better, and to recommend the most effective grouping if more appropriate. By undertaking this review by 31 March 2025, it enables each local government to consider its future involvement and financial contribution, with this timeframe aligning with the annual budget review and development cycle.

11.5 Annual Review of Delegations 2025

Reporting Department:	Chief Executive Office
Reporting Officer:	Nicole Wasmann – Governance Coordinator
Accountable Manager:	Phil Anastasakis – Chief Executive Officer
Legislation:	<i>Local Government Act 1995</i>
File Number:	GOV/043
Appendices:	Appendix 11.5.A – Delegations Register
Voting Requirement:	Absolute Majority

Report Purpose

An annual review of Delegations has been undertaken with the 2025/26 Delegations Register provided for Council consideration and endorsement.

Officer's Recommendation/Council Decision:

Resolution: 9648

Moved: Cr Smith

Seconded: Cr Kearney

That Council:

- 1. Acknowledges that it has completed its annual review of delegations and duties to the Chief Executive Officer as empowered by the Local Government Act 1995, Regulations, and other relevant statutes.*
- 2. In accordance with Section 5.46(2) of the Local Government Act 1995, adopts the delegations provided for in Appendix 11.5.A.*

Carried: 7/0

For: Cr Miffing, Cr Italiano, Cr Burton, Cr Faries, Cr Kearney, Cr Sadlier, Cr Smith.

Against: Nil.

Background:

The *Local Government Act 1995* empowers Council to delegate certain power and authority to the Chief Executive Officer to carry out the functions of Council. Section 5.46 requires the delegations to be reviewed at least annually.

Delegations are used in local government in a number of circumstances including where:

- The business of the local government could not be efficiently carried on if the Council or CEO were to personally exercise their discretion to enforce all the rights or discharge all the duties; and
- Through practical administration, the Council or CEO needs to appoint other employees to exercise their discretion to make decisions, exercise powers or discharge duties on behalf of the local government.

All delegations made under the Act must be made by Absolute Majority and recorded in a register.

A number of duties are to be performed by Officer's authorised by the local government; these areas are included for Council to endorse.

To guide staff in understanding the relevant delegations to the CEO from Council, and to clarify how various delegations are enacted through employees, delegations from the CEO to employees together with any conditions or reporting requirements, are included in the Delegations Register [refer to Appendix 11.5.A)

Statutory and Policy Implications:

Local Government Act 1995

Section 3.24 and 3.25 - The powers given to the local government by this Subdivision can only be exercised on behalf of the local government by a person expressly authorised by it to exercise those powers. (This section relates to requiring the owner or occupier of land to do what is specified in the notice in relation to the land).

Section 5.16 - Under and subject to section 5.17, a local government may delegate* to a committee any of its powers and duties other than this power of delegation.* Absolute majority required. A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.42. Delegation of some powers and duties to CEO

- (1) *A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —*
 - (a) *this Act other than those referred to in section 5.43; or*
 - (b) *the Planning and Development Act 2005 section 214(2), (3) or (5).*

** Absolute majority required.*

- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*

5.43. Limits on delegations to CEO 28

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

- (a) *any power or duty that requires a decision of an absolute majority of the council;*
- (b) *accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;*
- (c) *appointing an auditor;*
- (d) *acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*
- (e) *any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A, 5.100 or 5.129;*
- (f) *borrowing money on behalf of the local government;*
- (g) *hearing or determining an objection of a kind referred to in section 9.5;*

- (ha) *the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;*
- (h) *any power or duty that requires the approval of the Minister or the Governor;*
- (i) *such other powers or duties as may be prescribed.*

5.44. CEO may delegate powers and duties to other employees

- (1) *A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.*
- (2) *A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.*
- (3) *This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —*
 - (a) *the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and*
 - (b) *the exercise of that power or the discharge of that duty by the CEO's delegate,*
are subject to any conditions imposed by the local government on its delegation to the CEO.
- (4) *Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.*
- (5) *In subsections (3) and (4) —*

conditions *includes qualifications, limitations or exceptions.*

5.45. Other matters relevant to delegations under this Division

- (1) *Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —*
 - (a) *a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and*
 - (b) *any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.*
- (2) *Nothing in this Division is to be read as preventing —*
 - (a) *a local government from performing any of its functions by acting through a person other than the CEO; or*
 - (b) *a CEO from performing any of the CEO's functions by acting through another person.*

5.46. Register of, and records relevant to, delegations to CEO and employees

- (1) *The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.*

- (2) *At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*
- (3) *A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.*

Section 9.10 - Appointment of authorised persons - The local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions. The local government is to issue the authorised person with a certificate stating the person is so authorised.

Bush Fires Act 1954

Section 59 (3) - A local government may, by written instrument of delegation, delegate authority generally, or in any class of case, or in any particular case, to its bush fire control officer, or other officer, to consider allegations of offences alleged to have been committed against this Act in the district of the local government and, if the delegate thinks fit, to institute and carry on proceedings in the name of the local government against any person alleged to have committed any of those offences in the district, and may pay out of its funds any costs and expenses incurred in or about the proceedings.

Section 48 (1) - A local government may, in writing, delegate to its Chief Executive Officer the performance of any of its functions under this Act.

Graffiti Vandalism Act 2016

Section 16 - The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Part.

Section 17 - A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under another provision of this Part other than this power of delegation.

Food Act 2008

Section 118 - A local government is authorised to empower an officer to undertake duties as defined by the Act.

Health (Miscellaneous Provisions) Act 1911 & Public Health Act 2016

Section 26 - Every local government is hereby authorised and directed to carry out within its district the provisions of this Act and the regulations, local laws, and orders made thereunder: Provided that a local government may appoint and authorise any person to be its deputy, and in that capacity to exercise and discharge all or any of the powers and functions of the local government for such time and subject to such conditions and limitations (if any) as the local government shall see fit from time to time to prescribe, but so that such appointment shall not affect the exercise or discharge by the local government itself of any power or function.

Cat Act 2011

Section 44 - The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Act.

Section 45 - A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under another provision of this Act.

Dog Act 1976

Section 10 AA - The local government may delegate to its CEO the exercise of any of its powers or the discharge of any of its duties under another provision of this Act.

Litter Act 1979 Appointment of Authorised Officers

All local government employees can be authorised officers providing they have been provided a Certificate of Appointment by the Authority, per Schedule 2 of the Litter Regulations 1981.

Town Planning

The Planning and Development (Local Planning Scheme) Regulations 2015 and the Shire of Collie Local Planning Scheme No. 6 provides Council the power to delegate power to the Chief Executive Officer.

Building Act 2011

Section 127 of the Building Act 2011 enables local governments to delegate any of its powers or duties as a permit authority under the Act. Such a delegation can only be made to an employee of the local government as per the Local Government Act 1995 section 5.36 [Chief Executive Officer].

Principal Environmental Health Officer

The Environmental Health Officer [EHO or PEHO] should be delegated the powers (in the list) for the performance of his/her day-to-day duties. There may, from time to time, be an urgent or emergency situation pertaining to public health in which prompt action by an EHO is required.

There are a number of items on the list which would not pertain to any emergency but such a part of the normal day-to-day functions of an EHO and well within the capabilities and competencies of an EHO.

There are a handful of significant emergency powers which are not included in the list. They pertain to events and matters which only a Chief Executive Officer should preside over.

Budget Implications:

While this report does not have any direct budget implications, various Delegations contained within the Delegations Register have budget allocations and implications.

Communications Requirements:

Not applicable.

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN		
GOAL:	5	Our Organisation
Objective:	5.1	Innovative leadership, forward planning, and mutually beneficial partnerships
Strategic Priority:	5.1.6	To provide good governance across the organisation.

Relevant Precedents:

Council consider delegations annually in accordance with the *Local Government Act 1995*. The last review was undertaken on the in August 2023, when Council resolved (Res: 9239) to adopt the reviewed delegations.

Comment:

Each delegation has been reviewed by the Chief Executive Officer before being submitted to Council for endorsement. Section 5.42 of the Local Government Act empowers Council to delegate authority to the Chief Executive Officer.

Where appropriate, the Chief Executive Officer may on-delegate authority to other officers for operational reasons. Such delegations will be made to the relevant officers that have the relevant qualifications and experience in relation to the delegated powers.

12. OPERATIONAL REPORTS

12.1 SWRRG – Report on Major Bridges on Roads of Regional Significance

Reporting Department:	Chief Executive Office
Reporting Officer:	Scott Geere – Director Operations
Accountable Manager:	Phil Anastasakis – Chief Executive Officer
Legislation	<i>Local Government Act 1995</i>
File Number:	RDS/006
Appendices:	Nil.
Voting Requirement	Simple Majority

Report Purpose

To seek Council's endorsement of a collaborative approach with other South West Regional Road Group (SWRRG) member Councils to prepare a report on major bridges on Roads of Regional Significance within the Shire of Collie.

Officer's Recommendation/Council Decision:

Resolution: 9649

Moved: Cr Smith

Seconded: Cr Sadlier

That Council:

- 1. Endorse a collaborative approach with other Southwest Regional Group (SWRRG) member Councils to engage a consultant with the necessary expertise to compile a report on the three (3) bridges within the Shire of Collie that are located on Roads of Regional Significance, based on member Councils contributing proportionally to the cost;*
- 2. Support the presentation of the collated regional report to the SWRRG Technical Committee at its November 2025 meeting, with the intent of strengthening regional advocacy for Main Roads Western Australia to retain responsibility for bridge renewal and replacement; and*
- 3. Authorise the Chief Executive Officer to progress the preparation of an individual Shire of Collie report, should a collaborative arrangement with other Member Councils not be achievable in time to meet the November 2025 reporting deadline.*

Carried: 7/0

For: Cr Miffing, Cr Italiano, Cr Burton, Cr Faries, Cr Kearney, Cr Sadlier, Cr Smith.

Against: Nil.

Background:

Main Roads Western Australia (MRWA) has been gradually withdrawing from asset management for bridges and have been progressively handing elements of the asset program to local governments, including in recent years:

- Full responsibility for culvert maintenance; and
- Management of bridge repair projects, with funding typically provided on a 2/3 contribution basis.

MRWA have recently indicated their intention to take a further step back from direct asset programming and project management of bridges. This is based on their view that local governments are better placed to manage procurement processes and have access to a wider pool of qualified contractors than MRWA.

The central concern of this intention is that local governments generally lack the technical expertise and resourcing to effectively undertake asset programming of bridges, and project management for major bridge renewal and replacement projects.

The Reporting Officer was first made aware of this matter at the South West Regional Road Group (SWRRG) Elected Members Meeting held on the 25 November 2024, when it was raised during general business. A motion was passed by the Committee as follows:

Final Motion: That the South West Regional Road Group Elected Members Committee request clarity and solutions around the risks associated with the MRWA proposed to hand over repairs to timber bridges and replacement of timber bridges with culverts to local government to project manage. These include, but are not limited to financial implications, quality control, resourcing, and safety of works both short term and after project completion.

It was again raised during the South West Regional Road Group (SWRRG) Elected Members Meeting held on the 31 March 2025, where the motion was resolved as follows:

Motion: That the South West Regional Road Group agree to Main Roads WA proposal for Local Governments to manage simple bridge repairs, with Main Roads WA providing assistance with design, survey and bridge inspections, and only in agreement between Main Roads WA and the Local Government authority.

Further concerns were raised by the South West Regional Road Group (SWRRG) Elected Members Meeting held on the 28 July 2025 regarding the handing over of further critical aspects of the bridge asset management program to local governments, and the ability for smaller local governments to financially deal with emergency bridge repair costs which are typically not eligible for funding by MRWA. A motion was passed by the Committee as follows:

Motion: That Member Councils each compile a report on major bridges on Roads of Regional Significance as outlined in ROADS 2040, within their LGA. This list is to be presented to the SWRRG Technical Committee at their November 2025 meeting for collation and decision for the ownership / responsibility / maintenance of these bridges to be passed to MRWA (Main Roads Western Australia). This collated list will be presented to Elected Members at the November meeting, then a letter to the Minister for Transport will be prepared highlighting the current and expected level of bridge maintenance within the South West Region.

As this motion relates to bridges on Roads of Regional Significance only, this will only relate to the following bridges within the Shire of Collie:

- Bridge 3518 – McAlinden Road
- Bridge 3520 – Powerhouse Road
- Bridge 3523 – Mungalup Road

Discussions have been held with technical staff from the Shire of Donnybrook-Balingup and the Shire of Boyup Brook, to discuss the prospect of a collaborative approach via the

appointment of a suitable approach to developing a report across multiple local government areas. This will provide a number of benefits:

- Consistency in approach and analysis;
- Utilisation of a consultant that has the relevant technical expertise in the field;
- Cost Sharing; and
- Stronger regional advocacy.

Statutory and Policy Implications:

Main Roads Act 1930

The *Main Roads Act 1930* establishes the powers and responsibilities of Main Roads Western Australia (MRWA) in relation to the control, construction, and maintenance of roads and associated infrastructure. The definition of 'road' under s.6 of this Act includes bridges. The gradual transfer of responsibility for certain bridge assets and maintenance functions from MRWA to Local Governments has implications for how responsibilities under the Act are interpreted and applied.

Local Government Act 1995

The *Local Government Act 1995* requires Local Governments to ensure the provision of adequate infrastructure and services to meet community needs. Should responsibility for bridges continue to be entrusted to local governments, the Shire of Collie will carry increased statutory obligations to manage bridge assets to an appropriate standard, including funding, procurement, inspection, and maintenance responsibilities

The South West Regional Road Group (SWRRG) is an external reference group, therefore any decisions made at SWRRG meeting refer to the activities and decision making role of the group. Any resolutions that refer to individual local governments operations need to be ratified by each local government, as the SWRRG does not have delegated authority from Council.

Budget Implications:

There are budget implications associated with the Shire of Collie contributing towards the engagement of a consultant to prepare the regional bridge report.

While the exact cost-sharing arrangement between member Councils is not yet known, a 2025/26 budget allocation of \$10,000 is provided for Regional Resource Sharing Initiatives (GL#104600) which could be utilised for this purpose.

Budget – Whole of Life Cost:

There are potential long term budget implications if responsibility for bridge renewal and replacement is further devolved from MRWA to local governments. Such works represent high value infrastructure projects, and without secured State funding contributions, they could pose a substantial financial burden on the Shire in future years.

Communications Requirements: (Policy No. CS 1.7)

Not applicable.

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN		
GOAL:	5	Our Organisation
Outcome:	5.1	Innovative leadership, forward planning, and mutually beneficial partnerships

Relevant Precedents:

Not applicable

Comment:

The SWRRG resolution provides an opportunity for member Councils to highlight the scale and condition of bridges on Roads of Regional Significance within the South West region, and to collectively advocate for MRWA to retain responsibility for their long-term renewal and replacement.

However, preparation of the required report will necessitate significant technical input and resourcing. It is not considered efficient or practical for each member Council to individually undertake this task, given the shared challenges faced by all local governments in the region.

A collaborative approach between Member Councils is therefore recommended. Pooling resources to engage either an external consultant would ensure that:

- The report is compiled to a professional and technically sound standard;
- The regional advocacy case is strengthened by consistent reporting across member Councils; and
- The Shire's resource constraints are managed without diverting staff from other operational priorities.

Should a collaborative arrangement not be able to be established in sufficient time to meet the November 2025 reporting deadline, the Shire of Collie will need to progress the preparation of its own report independently to enable implementation of the intention of the SWRRG resolution.

13. DEVELOPMENT SERVICES REPORTS

Nil.

14. CORPORATE SERVICES REPORTS

14.1 Adoption of Disability Access and Inclusion Plan 2025-2029	
Reporting Department:	Corporate and Community Services
Reporting Officer:	Tamsin Emmett – Community Development Officer
Accountable Manager:	Xandra Curnock – Director Corporate and Community Services
Legislation	<i>Disability Services Act 1993</i>
File Number:	GOV/022
Appendices:	Appendix 14.1.A - Shire of Collie Disability Access and Inclusion Plan 2025-2029
Voting Requirement	Simple Majority

Report Purpose

For Council to adopt the Shire of Collie Disability Access and Inclusion Plan 2025-2029 and receive the community feedback as provided.

Officer's Recommendation/Council Decision:

Resolution: 9650

Moved: Cr Faries

Seconded: Cr Kearney

That Council:

- 1. Receives the community feedback received on the Shire of Collie Disability Access and Inclusion Plan 2024-2029;*
- 2. Adopts the Shire of Collie Disability Access and Inclusion Plan 2024- 2029 included as Appendix 14.1.A; and*
- 3. Authorises the Chief Executive Officer to submit a copy of the Shire of Collie Disability Access and Inclusion Plan 2024-2029 to the Department of Communities (Disability Services).*

Carried: 7/0

For: Cr Miffing, Cr Italiano, Cr Burton, Cr Faries, Cr Kearney, Cr Sadlier, Cr Smith.

Against: Nil.

Background:

At the Ordinary Meeting of Council held 8 July 2025, Council resolved:

That Council:

- 1. Approves the advertising of the Shire of Collie Disability Access and Inclusion Plan 2024- 2029 as attached to this report for public comment for 21 days; and*

2. *Requests the Chief Executive Officer to report the outcomes of the public comment period and present the proposed Disability Access and Inclusion Plan 2025-2029 at a subsequent 2025 Ordinary Council Meeting*

The Plan was advertised in the Collie River Valley Bulletin, on the Shire's website, via the Shire's social media channels, and on the Shire noticeboard on Forrest Street. Copies were also available in hard copy at the Shire Administration Office and Library.

One submission was received during the public comment period. The submission requested that Mario's Taxis be compensated for the services provided beyond their standard operations, and that skip bins be provided for low-income earners and people with disabilities. These matters have been considered, however, no further amendments to the Plan are proposed.

The 2025-2029 Plan outlines strategies to improve accessibility and inclusivity across Shire services, facilities, information, and community engagement, consistent with the State Disability Strategy.

Statutory and Policy Implications:

Section 29 of the *Disability Services Act 1993* (amended 2004) requires all local governments to have and implement a Disability Access and Inclusion Plan (DAIP).

The below legislation is also relevant in the development and implementation of Disability Access and Inclusion Plans.

- *Western Australian Equal Opportunity Act 1984 (amended 1988)*
- *Commonwealth Disability Discrimination Act 1992*
- *Disability (Access to Premises – Buildings) Standards 2010*
- *Local Government Act 1995*

Budget Implications:

Implementation of the Plan's actions will be accommodated within existing operational budgets, with capital works considered in future budgets as required.

Budget – Whole of Life Cost:

Any infrastructure-related initiatives arising from the Plan will be incorporated into long-term asset management and maintenance planning.

Communications Requirements: (Policy No. CS 1.7)

The Plan was advertised for public comment for 21 days. The Plan was advertised on the Shire's website, in the local newspaper, via community noticeboards, and through relevant stakeholder networks. Copies were available in both print and accessible formats upon request.

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN		
GOAL:	1	Our Community
Outcome	1.2	Community connection, engagement and participation
Priority	1.2.3	Improve how we communicate with the community and other stakeholders.
GOAL:	3	Our Built Environment
Outcome:	3.1	Safe and well-maintained shire owned facilities and infrastructure
Priority:	3.1.1	To increase the Shire's capability to maintain and improve facilities and infrastructure

Relevant Precedents:

Council has previously adopted Disability Access and Inclusion Plans, including the 2017–2021 Plan, and has met all annual reporting requirements under the *Disability Services Act 1993*.

Comment:

The Disability Access and Inclusion Plan 2025–2029 is represented unchanged to Council for endorsement after public advertising and represents the Shire's ongoing commitment to creating an inclusive and accessible community for people of all abilities. The Plan was informed by community consultation, legislative requirements, and the State Disability Strategy.

Endorsement of the Plan will enable the Shire to continue improving physical access, information accessibility, inclusive decision-making, and equitable participation in community life.

Ms Curnock declared a Financial Interest in Item 14.2.

14.2 Budget Amendment Request – Alteration to Light Vehicle Replacement Plan for 2025/26 Financial Year	
Reporting Department:	Corporate and Community Services
Reporting Officer:	Xandra Curnock – Director Corporate and Community Services
Accountable Manager:	Phil Anastasakis – Chief Executive Officer
Legislation	<i>Local Government Act 1995</i>
File Number:	FIN/065
Appendices:	Appendix 14.2.A – Light Vehicle Replacement
Voting Requirement	Absolute Majority

Report Purpose

For Council to consider an amendment to the 2025/26 Budget in relation to light vehicle purchases to ensure fleet maintenance and replacement is optimised. The proposed amendment will have no impact on the budgeted surplus or Plant Reserve fund.

Officer's Recommendation/Council Decision:

Resolution: 9651

Moved: Cr Sadlier

Seconded: Cr Smith

That Council, pursuant to Section 6.8(1) of the Local Government Act, approve amendments to the light vehicle purchases identified in the 2025/26 Budget supporting information in accordance with Appendix 14.2.A.

Carried: 7/0

For: Cr Miffing, Cr Italiano, Cr Burton, Cr Faries, Cr Kearney, Cr Sadlier, Cr Smith.

Against: Nil.

Background:

At the Ordinary Meeting of council held 8 July 2025, Council adopted the 2025/26 Budget.

The Budget included a listing of proposed light vehicle purchases as part of plant and equipment. Following the adoption of the Budget and as a result of vehicle reliability concerns, a further review of the light vehicle fleet has been undertaken and amendments to the replacement program are proposed.

At the Ordinary Meeting of Council held 12 August 2025, Council approved an amendment to the Budget to reduce the proceeds of asset disposal by \$21,600 and support the retention of the Holden Colorado single cab utility, registration 112CO.

Statutory and Policy Implications:

Local Government Act 1995

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
 - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
 - (b) is authorised in advance by resolution*;

Additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

Budget Implications:

The amendments to acquisitions and disposal to the light vehicle fleet will have no nett financial impact on the 2025/26 Budget.

Budget – Whole of Life Cost:

No material variance is expected to whole of life costs as the total number of vehicles within the light vehicle fleet is not changing.

Communications Requirements: (Policy No. CS 1.7)

Nil.

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN		
GOAL:	5	Our Organisation
Objective:	5.1	Innovative leadership, forward planning, and mutually beneficial partnerships
Strategic Priority:	5.1.5	To imbed our strategic priorities throughout the organisation

Relevant Precedents:

Council has previously approved light vehicle fleet replacement as part of the 2025/26 Budget adoption.

Comment:

A review of vehicle replacement has occurred due to mechanical issues with cars previously not identified for replacement and with the onboarding of new staff.

The table included in Appendix 14.2.A summarises the proposed changes to the light vehicle fleet purchasing budget as listed below:

- The new Isuzu DMax vehicle, for the rangers is estimated to be \$10,000 less than budgeted, based on recent market research.
- The Director Corporate & Community Services current vehicle is a 2016 Holden Captiva which was originally scheduled for replacement in 2026/27. This vehicle has had recent mechanical issues and has travelled 132,000 km and therefore needs to be replaced sooner than originally scheduled.

Assuming a trade-in value of \$10,000 and a cost of \$70,000 for the new vehicle, based on a Isuzu MUX in line with other Director replacement vehicles, the balance of \$60,000 would continue to be funded from the Plant Reserve.

- The Manager Operations vehicle Mazda CX5, is due for replacement and is to be replaced with an Isuzu Dmax valued at \$45,000, in line with other manager vehicles. A \$15,000 saving is forecast on the original budget estimates.
- A lower trade in value is presumed for the disposal of the Director Development Services vehicle, a Holden Calais.
- The ICT Manager no longer requires the vehicle allocated to this role as this employee has opted to take a vehicle allowance in lieu of a vehicle, which is included within the employee cost budget, resulting in a \$45,000 saving on vehicle purchases and a \$45,000 reduction in Plant Reserve transfers.

The vehicles listed will be purchased, or similar, subject to availability and budgeted amounts.

The overall impact of the above is nil.

14.3 Financial Management Report – July 2025

Reporting Department:	Corporate Services
Reporting Officer:	Geoff Lawrence – Finance and Business Excellence Coordinator
Accountable Manager:	Xandra Curnock – Director Corporate and Community Services
Legislation	<i>Local Government Act 1995 & Financial Management Regulations 1996</i>
File Number:	FIN/024
Appendices:	Appendix 14.3.A – Financial Report – July 2025
Voting Requirement	Simple Majority

Report Purpose

To provide a summary of the financial position for the Shire of Collie for the month ending 31 July 2025.

Officer's Recommendation/Council Decision:

Resolution: 9652

Moved: Cr Kearney

Seconded: Cr Faries

That Council receive the Financial Management Reports for July 2025 as presented in Appendix 14.3.A.

Carried: 7/0

For: Cr Miffing, Cr Italiano, Cr Burton, Cr Faries, Cr Kearney, Cr Sadlier, Cr Smith.

Against: Nil.

Background:

In accordance with Council policy and the provisions of the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* (Regulations), the Shire is required to prepare a monthly Statement of Financial Activity and Statement of Financial Position each month. Refer to Appendix 14.3.A.

Statutory and Policy Implications:

Local Government Act 1995

6.4. Financial Report

- (1) *A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.*
- (2) *The financial report is to —*
 - (a) *be prepared and presented in the manner and form prescribed; and*
 - (b) *contain the prescribed information.*

Local Government (Financial Management) Regulations 1996**34. Financial activity statement required each month (Act s. 6.4)**

(1A) *In this regulation—*

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

(1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*

- (a) *annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*
- (b) *budget estimates to the end of the month to which the statement relates; and*
- (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
- (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- (e) *the net current assets at the end of the month to which the statement relates.*

(1B) *The detail included under subregulation (1)(e) must be structured in the same way as the detail included in the annual budget under regulation 31(1) and (3)(a).*

(1C) *Any information relating to exclusions from the calculation of a budget deficiency that is included as part of the budget estimates referred to in subregulation (1)(a) or (b) must be structured in the same way as the corresponding information included in the annual budget.*

(2) *Each statement of financial activity is to be accompanied by documents containing*

- (a) *deleted*
- (b) *an explanation of each of the material variances referred to in subregulation (1)(d); and*
- (c) *such other supporting information as is considered relevant by the local government.*

(3) *The information in a statement of financial activity may be shown according to nature and type classification.*

(4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*

- (a) *presented at an ordinary meeting of the council within 2 months after the end of the relevant month; and*
- (b) *recorded in the minutes of the meeting at which it is presented.*

Local Government (Financial Management) Regulations 1996

35. Financial position statement required each month

- (1) *A local government must prepare each month a statement of financial position showing the financial position of the local government as at the last day of the previous month (the previous month) and —*
 - (a) *the financial position of the local government as at the last day of the previous financial year; or*
 - (b) *if the previous month is June, the financial position of the local government as at the last day of the financial year before the previous financial year.*
- (2) *A statement of financial position must be —*
 - (a) *presented at an ordinary meeting of the council within 2 months after the end of the previous month; and*
 - (b) *recorded in the minutes of the meeting at which it is presented.*

Budget Implications:

The monthly Financial Management Report provides Council with an overview of budget compared to actual expenditure and revenue.

Future reports will include financial forecasts to the end of the financial year to enable employees to closely monitor revenue and expenditure and provide up to date forecasts for the end of the financial year. This will provide more accurate budget monitoring, assist the mid-year budget review analysis, and will form a solid foundation for the estimated Surplus/(Deficit) at 30 June, which informs the future Budget and Long Term Financial Plan development process.

Budget – Whole of Life Cost:

As this report does not propose new assets, there are no direct whole of life or ongoing cost implications.

Communications Requirements: (Policy No. CS 1.7)

Nil

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN		
GOAL:	5	Our Organisation
Objective:	5.1	Innovative leadership, forward planning, and mutually beneficial partnerships
Strategic Priority:	5.1.5	To imbed our strategic priorities throughout the organisation

Relevant Precedents:

Each month Council is presented a monthly Financial Management Report.

Comment:

The financial statements provided in Appendix 14.3.A reports on the following information for the reporting period:

- Statement of Comprehensive income by Nature
- Statement of Comprehensive income by Program
- Statement of Financial Activity
- Explanation of material variances on the Statement of Financial Activity
- Statement of Financial Position
- Supplementary notes

The Statement of Financial Activity provides Elected Members with a high level oversight of operating and capital revenues and expenditures. It is also intended to link operating results with balance sheet items and reconcile with the end of month balances.

In accordance with the Regulations, for the 2025/26 period a report must be compiled on variances greater than the percentage agreed by Council which is currently plus (+) or minus (-) 10% or \$50,000, whichever is the greater.

For the period 1 July 2025 to 31 July 2025:

- Income is over budget by 2.45%; and
- Expenditure is under budget by 19.53%.

Commentary in relation to these variances is provided at nature and type level. A nil variance means that the year-to-date actual value is identical to the year-to-date budget estimate. Comments are therefore provided where the variance's value is >10% or >\$50,000 under or over budget.

Due to the need to focus on the end of 2025 financial year, the Monthly Financial Statement currently does not incorporate all of the detail anticipated in future reports.

The Financial Management Reports included in Appendix 14.3.A do not include end of year adjustments for the year ended 30 June 2025. The figures presented are unaudited and subject to change.

14.4 Accounts Paid – 16 July 2025 to 15 August 2025

Reporting Department:	Corporate Services
Reporting Officer:	Karen Rushton – Finance Officer
Accountable Manager:	Geoff Lawrence – Finance and Business Excellence Coordinator
Legislation:	<i>Local Government Act 1995 & Local Government (Financial Management) Regulations 1996</i>
File Number:	FIN/024
Appendices:	Appendix 14.4.A – Accounts Paid
Voting Requirement	Simple Majority

Report Purpose

To present the accounts paid for the period 16 July 2025 to 15 August 2025.

Officer's Recommendation/Council Decision:

Resolution: 9653

Moved: Cr Faries

Seconded: Cr Sadlier

That Council receives the List of Accounts paid for the period 16 July 2025 to 15 August 2025 as presented in Appendix 14.4.A totalling \$3,779,810.92.

Carried: 7/0

For: Cr Miffing, Cr Italiano, Cr Burton, Cr Faries, Cr Kearney, Cr Sadlier, Cr Smith.

Against: Nil.

Background:

Where a Council has delegated authority to the Chief Executive Officer to make payments from the municipal or trust fund, a list of accounts paid is to be presented at the ordinary meeting each month.

In accordance with Delegation 2.2.21, the Chief Executive Officer is authorised to make payments.

Statutory and Policy Implications:

Local Government Act 1995

Local Government (Financial Management Regulations) 1996

12. Payments from municipal fund or trust fund, restrictions on making

- (1) A payment may only be made from the municipal fund or the trust fund —
 - (a) if the local government has delegated to the CEO the exercise of its power make payments from those funds — by the CEO; or
 - (b) otherwise, if the payment is authorised in advance by a resolution of the council.

- (2) *The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.*

13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —*
- (a) the payee's name; and*
 - (b) the amount of the payment; and*
 - (c) the date of the payment; and*
 - (d) sufficient information to identify the transaction.*
- (2) *A list of accounts for approval to be paid is to be prepared each month showing —*
- (a) for each account which requires council authorisation in that month —*
 - (i) the payee's name; and*
 - (ii) the amount of the payment; and*
 - (i) sufficient information to identify the transaction; and*
 - (b) the date of the meeting of the council to which the list is to be presented.*
- (3) *A list prepared under subregulation (1) or (2) is to be —*
- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and*
 - (b) recorded in the minutes of that meeting.*

13A. Payments by employees via purchasing cards

- (1) *If a local government has authorised an employee to use a credit, debit or other purchasing card, a list of payments made using the card must be prepared each month showing the following for each payment made since the last such list was prepared —*
- (a) the payee's name;*
 - (b) the amount of the payment;*
 - (c) the date of the payment;*
 - (d) sufficient information to identify the payment.*
- (2) *A list prepared under subregulation (1) must be —*
- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and*
 - (b) recorded in the minutes of that meeting.*

Council Policy

CS3.7 Payment of Creditors

5.0 List of Accounts Paid

A list of all accounts paid shall be presented to the Council within two months. The list shall comprise of details as prescribed in the WA Financial Management Regulations (1996).

Budget Implications:

All liabilities settled have been in accordance with the annual budget provisions.

Budget – Whole of Life Cost:

As this report does not propose new assets, there are no direct whole of life or ongoing cost implications.

Communications Requirements: (Policy No. CS1.7)

Nil

Strategic Community Plan/Corporate Business Plan Implications:

STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN		
GOAL:	5	Our Organisation
Objective:	5.1	Innovative leadership, forward planning, and mutually beneficial partnerships
Strategic Priority:	5.1.5	To imbed our strategic priorities throughout the organisation

Relevant Precedents:

Each month Council receives the list of accounts presented.

Comment:

A listing of payments is included in Appendix 14.4.A.

Where possible, questions on specific payments should be submitted to the Chief Executive Officer or Director Corporate and Community Services before noon on the day of the scheduled meeting. This will ensure a response can be provided at the Council Meeting.

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

Nil.

18. ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS**Shire President Cr Miffing**

- 13 August – attended a District Health Advisory Committee (DHAC) meeting at the Collie Hospital.
- 15 August – attended a Just Transition Working Group ‘actions and priorities’ meeting.
- 15 August – attended a Collie Chamber of Commerce & Industry ‘Business Connections Evening’ at the Club Hotel.
- 16 August – represented Council at the Collie Cycle Club Collie-Donnybrook Cycle Race 100th Anniversary dinner at the Collie Italian Club.
- 18 August – attended by invitation from the Climate Justice Union a ‘Yarn’ gathering at the Child & Parent Centre in Wilson Park.
- 21 August – along with Cr Italiano and Mr Anastasakis attended a meeting in Capel of the Bunbury Geographe Group of Councils.
- 22 August – along with Cr Italiano and Mr Anastasakis attended a WA Local Government Association South West Zone meeting in Bridgetown.
- 26 August – attended as Council representative meetings of the Just Transition Working Group.
- 26 August – - along with Crs Italiano and Kearney attended the Councillor nomination information evening in the Council Chambers.
- 27 August – along with Cr Italiano attended as Council’s delegates by ZOOM link the meeting of the Regional Development Assessment Panel considering the battery storage and solar panel development on Williams Road.
- 2 September – - visited the Williams Road Neoen battery and Tesla repair facility projects for an update on progress.
- 9 September – represented Council at the Shire of Boyup Brook ‘Sandakan Memorial Service (World War II commemoration).

Deputy Shire President Cr Italiano

- 21 August – attended Bunbury Geograph Group of Councils meeting at Capel.
- 22 August – attended the SW Zone meeting at Bridgetown.
- 26 August – attended the presentation for potential shire election candidates.
- 27 August – attended the Regional Development Assessment Panel meeting regarding the Hysperia solar farm and battery project.
- 2 September – visited the Williams Road Neoen battery and Tesla repair facility projects for an update on progress.
- 5 September – met with Riverview Residence officials to discuss issues related to their units development project.

Cr Smith:

- 16 August – attended Collie Visitor Centre Committee Meeting .

Mr Anastasakis

- 22 August – attended a WA Local Government Association South West Zone meeting in Bridgetown.
- 2 September – visited the Williams Road Neoen battery and Tesla repair facility projects for an update on progress.
- 9 September – attended the Shire of Boyup Brook 'Sandakan Memorial Service (World War II commemoration).

19. STATUS REPORT ON COUNCIL RESOLUTIONS

Summary reports on the status of Council's resolutions are:

- 'Closed Since Last Meeting' at Appendix 19.1.A
- 'All Open' at Appendix 19.1.B

20. CLOSURE OF MEETING TO MEMBERS OF THE PUBLIC**Council Decision:****Resolution: 9654****Moved: Cr Kearney****Seconded: Cr Smith**

That in accordance with Section 5.23 (2) of the Local Government Act 1995, that the meeting is closed to members of the public with the following aspect(s) of the Act being applicable to these matters:

- (a) A matter affecting an employee or employees.*
- (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.*

Carried: 7/0**For:** Cr Miffing, Cr Italiano, Cr Burton, Cr Faries, Cr Kearney, Cr Sadlier, Cr Smith.**Against:** Nil.

Cr Burton, who had joined the meeting electronically, declared that she was able to maintain confidentiality during the closed part of this meeting and that if she was no longer able to maintain confidentiality, that she would excuse herself from the meeting.

Members of the public and the press left the meeting at 9:07 pm.

Cr Kearney declared an Impartial Interest in Item 20.1.

20.1 Special Projects Director	
Reporting Department:	Chief Executive Office
Reporting Officer:	Phil Anastasakis – Chief Executive Officer
Accountable Manager:	Phil Anastasakis – Chief Executive Officer
Legislation:	<i>Local Government Act 1995</i>
File Number:	GOV/111
Appendices:	N/A
Voting Requirement:	Absolute Majority

Officer's Recommendation/Council Decision:		Resolution: 9655
Moved:	Cr Italiano	Seconded: Cr Faries
<i>That Council:</i>		
<i>1. Endorse the creation of the Special Projects Director position;</i> <i>2. Authorise the Chief Executive Officer to recruit and negotiate the terms of appointment a through a 3-5 year Contract of Employment;</i> <i>3. Pursuant to Section 6.8(1) of the Local Government Act, approve an amendment to the 2025/26 Budget to increase employee costs through the employment of a Special Projects Director of \$134,750; and</i> <i>4. Pursuant to Section 6.8(1) of the Local Government Act, approve an amendment to the 2025/26 Budget to increase grants and contributions income associated with the employment of a Special Projects Director of \$134,750.</i>		
		Carried: 7/0
For:	<i>Cr Miffing, Cr Italiano, Cr Burton, Cr Faries, Cr Kearney, Cr Sadlier, Cr Smith.</i>	
Against:	<i>Nil.</i>	

Cr Burton left the meeting at 9:24pm.

Cr Burton returned to the meeting at 9:30pm.

Cr Smith declared a Financial Interest in Item 20.2, the nature of the interest being that Cr Smith leases a residential property to Renergi Directors at market value.

In accordance with s.5.68(1) of the *Local Government Act 1995*, Cr Smith requested the approval of the meeting to be allowed to participate in the discussion and the decision making relating to the matter.

Cr Smith left the meeting at 9:31pm whilst the Council considered her request.

Council Decision:		Resolution: 9656
Moved:	Cr Faries	Seconded: Cr Sadlier
<i>That Council, in accordance with s5.68 of the Local Government Act 1995, determine that Cr Smith's financial interest in relation to the Item 20.2 Renergi Project Update is trivial and that she be permitted to debate and participate in the decision.</i>		
		Carried: 6/0
For:	<i>Cr Miffling, Cr Italiano, Cr Faries, Cr Kearney, Cr Burton, Cr Sadlier.</i>	
Against:	<i>Nil.</i>	

Cr Smith returned to the meeting at 9:35pm.

Cr Burton left the meeting at 9:36pm.

20.2 Renergi Project Update	
Reporting Department:	Chief Executive Office
Reporting Officer:	Phil Anastasakis – Chief Executive Officer
Accountable Manager:	Phil Anastasakis – Chief Executive Officer
Legislation:	<i>Local Government Act 1995</i>
File Number:	GOV/111
Appendices:	Appendix 20.2.A – Renergi Presentation Appendix 20.2.B – Renergi Energy from Waste through Pyrolysis Lessons Learnt Report 5 - 2025
Voting Requirement:	Simple Majority

Officer's Recommendation/Council Decision:		Resolution: 9657
Moved:	Cr Faries	Seconded: Cr Sadlier
<i>That Council:</i>		
<i>1. Receive the Renergi Project update report – September 2025.</i> <i>2. Authorise the Chief Executive Officer to implement the Confidential recommendation contained within the 9 September 2025 Behind Closed Doors Report 20.2.</i>		
		Carried: 6/0
For:	<i>Cr Miffling, Cr Italiano, Cr Faries, Cr Kearney, Cr Sadlier, Cr Smith.</i>	
Against:	<i>Nil</i>	

Council Decision:**Resolution: 9658****Moved:** Cr Kearney**Seconded:** Cr Italiano*That the meeting be reopened to the public.***Carried: 6/0****For:** Cr Miffing, Cr Italiano, Cr Faries, Cr Kearney, Cr Smith, Cr Sadler.**Against:** Nil.

The meeting was reopened to the public at 10:22pm. No members of the press or the public returned to the meeting.

21. CLOSE

The Shire President declared the meeting closed at 10:23pm.