



Shire of
Collie

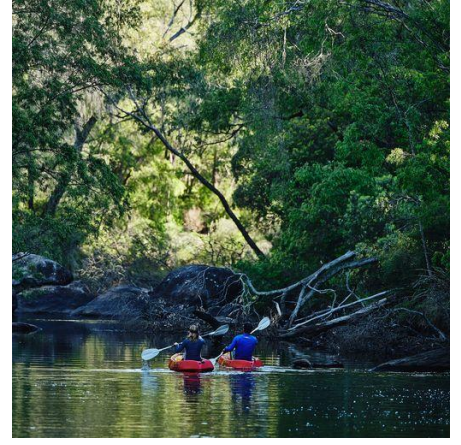
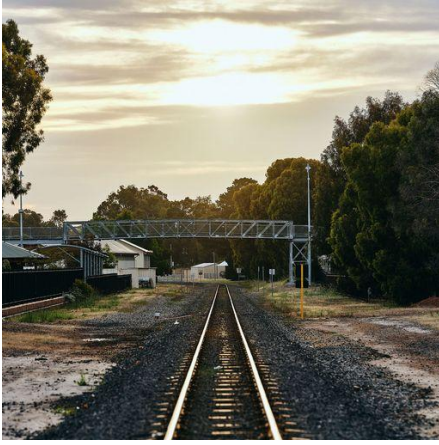
AGENDA

for the

SPECIAL MEETING OF COUNCIL

to be held on

Tuesday, 23 December 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 Willman 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.

NOTICE OF MEETING

Please be advised that a



Special Meeting of Council

will be held on

Tuesday, 23 December 2025

commencing at **4:00pm**

in Council Chambers at 87 Throssell Street, Collie WA

The purpose of the meeting is for Council

- To receive and adopt the 2024/25 Annual Report and to set the date for the Annual Electors Meeting.
- To receive the monthly financial management report for the period ending 30 November 2025.
- Consider quotes received for demolition and remediation to 26 Mary Street

A blue ink signature, appearing to read "Phil", is written over a horizontal line.

Phil Anastasakis
Chief Executive Officer

22 December 2025

DISCLAIMER

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

Please note this agenda contains recommendations, which have not yet been adopted by Council.



DISCLOSURE OF FINANCIAL INTEREST AND INTERESTS AFFECTING IMPARTIALITY

To: **Chief Executive Officer**

As required by section 5.65(1)(a) or 5.70 of the *Local Government Act 1995* and Council's Code of Conduct, I hereby declare my interest in the following matter/s included on the Agenda paper for the Council meeting to be held on _____ (Date)

| Item No. | Subject | Details of Interest | Type of Interest Impartial/Financial | *Extent of Interest (see below) |
|----------|---------|---------------------|---|---------------------------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

* Extent of Interest only has to be declared if the Councillor also requests to remain present at a meeting, preside, or participate in discussions of the decision making process (see item 6 below). Employees must disclose extent of interest if the Council requires them to.

Name (Please Print)

Signature

Date

NB

1. This notice must be given to the Chief Executive Officer prior to the meeting or at the meeting immediately before the matter in which you have declared an interest is discussed, Section 5.65(1) (a) & (b).
2. It remains Councillors'/Employees' responsibility to make further declarations to the Council if a matter arises during the course of a meeting and no previous declarations have been made.
3. It is a Councillor's/Employee's responsibility to ensure the interest is brought to the attention of the Council when the Agenda item arises and to ensure that it is recorded in the minutes.
4. It remains the Councillor's responsibility to ensure that he/she does not vote on a matter in which a declaration has been made. The responsibility also includes the recording of particulars in the minutes to ensure they are correct when such minutes are confirmed.
5. It is recommended that when previewing Agenda, Councillors mark Agendas with items on which an interest is to be declared and complete the declaration form at the same time.
6. Councillors may be allowed to remain at meetings at which they have declared an interest and may also be allowed to preside (if applicable) and participate in discussions and the decision making process upon the declared matter subject to strict compliance with the enabling provisions of the Act and appropriately recorded resolutions of the Council. Where Councillors request consideration of such Council approval the affected Councillor must vacate the Council Chambers in the first instance whilst the Council discusses and decides upon the Councillor's application.

Remember: The responsibility to declare an interest rests with individual Councillors/Employees. If in any doubt seek legal opinion or, to be absolutely sure, make a declaration.

Office Use Only:

Date/Initials

1. Particulars of declaration given to meeting _____

2. Particulars recorded in the minutes _____

3. Signed by Chief Executive Officer _____

| | | |
|----|---|----|
| 1. | OPENING/ATTENDANCE/APOLOGIES | 2 |
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Agenda for the Special Meeting of the Collie Shire Council to be held in Council Chambers, 87 Throssell Street Collie, on Tuesday, 23 December 2025 commencing at 4:00pm.

1. OPENING/ATTENDANCE/APOLOGIES

2. PUBLIC QUESTION TIME

A 15-minute public question time is made available to allow members of the public the opportunity of questioning Council on matters which relate to the purpose of the meeting.

3. DISCLOSURE OF FINANCIAL INTEREST

Councillors in attendance at meetings must disclose to the meeting any Agenda items upon which they have a Financial Interest. Section 5.65 of the *Local Government Act 1995* requires Councillors to: a) give written notification of a financial Interest before the meeting; or b) at the meeting immediately before the particular matter is discussed (notification can be given verbally).

A Disclosure of Financial Interest Form is attached to this Agenda and can be used by Councillors for disclosure purposes - simply tear out and hand to the Chief Executive Officer. Additional forms will always be available at Council/Committee meetings.

Should Councillors be unsure on Disclosure of Financial Interest matters, further clarification can be obtained by reading Sections 5.53 to 5.59 inclusive of the Act.

4. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

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

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

Nil.

6. REPORTS

6.1 Acceptance of Annual Report and Annual Electors Meeting – 2024/25

| | |
|------------------------------|--|
| Reporting Department: | Chief Executive Office |
| 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: | GOV/049 |
| Appendices: | Appendix 6.1.A - Annual Report |
| Voting Requirement: | Absolute Majority |

Report Purpose

This report seeks Council's receipt and acceptance of the Shire of Collie Annual Report 2024/25 and to consider the proposed time and date for the 2024/25 Annual Electors Meeting.

Officer's Recommendation

That Council:

- 1. Receive and adopt the Shire of Collie Annual Report for the 2024/25 financial year [Appendix 6.1.A], inclusive of the annual audit report.*
- 2. Hold the Shire of Collie 2024/2025 Annual Electors Meeting on Tuesday, 10 February 2026 in the Council Chambers, commencing at 5:00pm.*

Background:

In accordance with the *Local Government Act 1995*, a local government is required to prepare an annual report for each financial year. The 2024/2025 Annual Report has been prepared in accordance with the legislative requirements.

In addition to the adoption of the Annual Report, it is also necessary to set the date for the Annual Electors Meeting.

Statutory and Policy Implications:

Local Government Act 1995.

Section 5.54 of the *Local Government Act 1995* (the Act), stipulates that the annual report is to be accepted no later than 31 December. Where the auditor's report is not available in time for the annual report to be accepted by 31 December, the annual report is to be accepted no later than 2 months after the auditor's report becomes available.

In accordance with Section 5.27 of the Act, a general meeting of the electors of a district is to be held once every financial year on a day selected by the local government but not more than 56 days after the local government accepts the annual report for the previous financial year.

Section 5.53 of the Act stipulates the requirements of the Annual Report including:

- (a) a report from the mayor or president;
- (b) a report from the CEO;
- (e) an overview of the plan for the future of the district made in accordance with section 5.56, including major initiatives that are proposed to commence or to continue in the next financial year;
- (f) the financial report for the financial year;
- (g) such information as may be prescribed in relation to the payments made to employees;
- (h) the auditor's report prepared under section 7.9(1) or 7.12AD(1) for the financial year;
- (ha) a matter on which a report must be made under section 29(2) of the Disability Services Act 1993;
- (hb) details of entries made under section 5.121 during the financial year in the register of complaints, including —
 - (i) the number of complaints recorded in the register of complaints; and
 - (ii) how the recorded complaints were dealt with; and
 - (iii) any other details that the regulations may require;
- and
- (i) such other information as may be prescribed.

Prescribed information identified in the *Local Government (Administration) Regulations 1996* includes the number of employees of the local government entitled to an annual salary of \$130,000 and within each \$10,000 band over \$130,000.

Annual reports also include information in relation to responsibilities relevant to *WA Freedom of Information Act 1992* and *State Records Act 2000*.

Budget Implications:

Nil.

Budget – Whole of Life Cost

As no new assets have been created, there are no direct whole of life or ongoing cost implications.

Communications Requirements: (Policy No. CS1.7)

In accordance with the Act, 14 days local notice shall be given of the date, time, place and purpose of the Annual Electors Meeting.

In accordance with Section 5.55 of the Act, Local Public Notice of the availability of the Annual Report shall be given and the Report published on the official website within 14 days of acceptance by the local government.

Strategic Community Plan/Corporate Business Plan Implications:

| STRATEGIC COMMUNITY PLAN AND CORPORATE BUSINESS PLAN | | |
|--|-----|--|
| GOAL: | 5 | Our Business |
| Objective: | 5.1 | Innovative leadership, forward planning and mutually beneficial partnerships |

Relevant Precedents:

The 2023/24 Annual Electors Meeting was held in the Council Chambers on Tuesday 8 July 2025.

Comment:

It is proposed to hold the Annual Electors Meeting on Tuesday 10 February 2026, commencing at 5:00pm in the Shire of Collie Council Chambers, prior to the February 2026 Ordinary Meeting of Council.

Council is requested to consider and accept the 2024/2025 Annual Report as included at Appendix 6.1.A and determine the date for the Annual Electors Meeting.

6.2 Financial Management Report – November 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 6.2.A – Financial Report – November 2025 |
| Voting Requirement | Simple Majority |

Report Purpose

To provide a summary of the financial position for the Shire of Collie for the month ending 30 November 2025.

Officer's Recommendation:

That Council receive the Financial Management Report for 30 November 2025 as presented in Appendix 6.2.A.

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 6.2.A.

As there is no Ordinary Meeting of Council scheduled for January, the report is presented herewith to comply with r.34(4) of the *Local Government (Financial Management) Regulations 1996*, which require presentation of the report to a Council Meeting within two months within 2 months after the end of the relevant month.

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 6.2.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 \$10,000, whichever is the greater.

For the period 1 July 2025 to 30 November 2025:

- Income is over budget by 2.53%; and
- Expenditure is under budget by 27.14%.

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 >\$10,000 under or over budget.

Description

Revenue from operating activities

Other revenue

Mainly relates to other sundry income, such as rent income and water reimbursements. Less than budgeted expectations. To be reviewed at mid year budget review.

Expenditure from operating activities

Employee costs

Timing variance. Salaries and wages are \$270k lower due to vacancies across the organisation. Expected be cleared by year end with ongoing recruitment. Less labour overheads than budget, will be reviewed as part of mid year budget review. Timing variance of \$120k re workers compensation insurance.

Materials and contracts

Mainly relates to operational maintenance. Timing delay. To be reviewed as part of mid year budget review.

Utility charges

Timing variance, mainly due to delay in Pool opening, there is a \$34k under spend year to date on Pool utility charges. \$60k less spent on parks and depot utility charges.

Other expenditure

Timing variance, mainly relates to plant on costs and labour overheads. Will be cleared by year end.

Inflows from investing activities

Proceeds from disposal of assets

Timing variance as motor vehicle purchasing is to occur in the new calendar year. Currently only two motor vehicles have been traded in and replaced.

| Var. \$ | Var. % | |
|-----------|----------|---|
| \$ | % | |
| (98,931) | (90.47%) | ▼ |
| 1,214,356 | 30.92% | ▲ |
| 686,775 | 25.56% | ▲ |
| 140,025 | 39.19% | ▲ |
| 281,355 | 62.03% | ▲ |
| (166,600) | (89.28%) | ▼ |

Outflows from investing activities

Acquisition of property, plant and equipment

Timing variance between budget and purchase of assets

344,350 26.96% ▲

Acquisition of infrastructure

Timing variance between budget and completion of projects

328,925 69.44% ▲

Outflows from financing activities

Transfer to reserves

\$950k transferred from Municipal funds to unspent grants Reserve in relation to the heated swimming pool grant. Ongoing discussions being held in relation to the reallocation of these grant funds to other key projects.

(950,291) (222.51%) ▼

Surplus or deficit at the start of the financial year

Higher surplus than originally anticipated due to more grants income in 2025 than originally forecast. This figure is subject to change as the June 2025 financials have not yet been audited.

446,324 471.10% ▲

Surplus or deficit after imposition of general rates

2,682,490 62.89% ▲

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

The Financial Management Reports included in Appendix 6.2.A do not include end of year adjustments for the year ended 30 June 2025. The figures presented are unaudited and subject to change.

| 6.3 Fire Damage House Shire to Act in Default of Owner Lot 150 (26) Mary Street Collie | |
|---|---|
| Reporting Department: | Development Services |
| Reporting Officer: | Alex Wiese – Director of Development Services |
| Accountable Manager: | Alex Wiese – Director of Development Services |
| Legislation | <i>Health (Miscellaneous Provisions) Act 1911</i> <i>Local Government Act 1995</i> |
| File Number: | A2131 |
| Appendices: | Nil |
| Voting Requirement | Absolute Majority |

Report Purpose

For Council to consider acting in default of the owner to take down and remove the fire-damaged house at Lot 150 (26) Mary Street, Collie.

Officer's Recommendation:

That Council authorises:

- 1. The Shire to act in default of the owner to demolish the house and clean the land at Lot 150 (26) Mary Street Collie in accordance with section 140 of the Health (Miscellaneous Provisions) Act 1911.*
- 2. Pursuant to Section 6.8 (1) of the Local Government Act, approve amendments to the 2025/2026 Budget to fund the works, to the value of \$76,000, through Municipal funds and to recognise recoverable income, resulting in a nil impact on the budgeted surplus.*
- 3. The use of Cloud Payment Group to assist the Shire in recovering the costs against land.*

Background:

The house located at Lot 150 (26) Mary Street, Collie (the House) had been unoccupied for several years, resulting in complaints to the Shire about the property's run-down condition and squatting. On 28 June 2025, police and fire personnel attended two deliberately lit fires at the property, which destroyed the house and structures.

On 21 July 2025, the Shire of Collie issued a Notice under sections 137 of the *Health (Miscellaneous Provisions) Act 1911* (the Notice) to the owner of the House, declaring the house unfit for human habitation and requiring it to be taken down and removed due to severe fire damage and the presence of damaged asbestos-containing materials. The Notice had a compliance date of 20 October 2025.

At the Ordinary Meeting of Council held 9 December 2025, Council considered an item in relation to taking down and removing the damaged house at Lot 150 (26) Mary Street, Collie and resolved (Res 9704)

That Council:

1. *To enable consideration of acting in default of the owner, endorse seeking quotes to demolish the house and clean the land at Lot 150 (26) Mary Street Collie in accordance with section 140 of the Health (Miscellaneous Provisions) Act 1911.*
2. *Request a further report be provided to Council after quotes have been received for the demolition.*
3. *Request the results of those quotes to be provided to the 23 December 2025 Special Council Meeting.*

Following the December Ordinary Council Meeting, quotes were received for demolishing the house and cleaning the land. Based on the quotations received, the cost for the work is estimated to be \$76,000 plus GST. Subject to Council resolving to act in default of the owner, Shire staff will liaise and engage the submitter of the lowest complaint quote to complete the demolition of the house and to clean the land before the start of the 2026 school term.

Statutory and Policy Implications:

The following sections of the *Health (Miscellaneous Provisions) Act 1911* and *Local Government Act 1995* relate to this report.

Health (Miscellaneous Provisions) Act 1911

137. *Condemned building to be amended or removed*

A notice may be served by the local government upon the owner of such house directing him, within a time limited by such notice, either to amend the same in some specified manner or take down and remove the same.

Provided that -

- i) *the notice may direct the owner to take down and remove the house, without giving him the alternative of amending the same; and*
- ii) *any person aggrieved by any notice under this section may apply to the State Administrative Tribunal for a review of the decision.*

138. *Land to be cleaned up after removal of house or building therefrom*

Any person who dismantles any house, building, or other structure, whether in pursuance of a notice from the local government or not, shall forthwith clean the land to the satisfaction of the local government, and remove all rubbish to a place appointed by the local government

140. *Local government may act in default of owner*

- (1) *Whenever any owner fails to comply with a notice served upon him under any of the foregoing provisions of this Part, within a time therein specified, he commits an offence, and the local government may carry out the terms of the notice and recover all expenses from the owner:*

Provided that the local government may sell or dispose of the material taken from a demolished or amended building, but the proceeds of sale shall be applied towards the expense of carrying out the terms of the notice — the surplus (if any) to be paid to the owner.

- (2) *Where, pursuant to subsection (1), a local government is empowered and has resolved to take down and remove a house, any person or authority that supplies electricity, gas or water to the house may, and shall if so requested by the local government, take such action as is necessary to ensure that all equipment, fixtures and fittings on or about the house for the purposes of the supply thereto of electricity, gas or water, as the case may be, are removed or are left in such a state as will not interfere with the taking down and removal of the house.*

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) *s 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:

To allow the demolition of the house and cleaning of the land, it is proposed that budget amendments be considered to recognise the anticipated cost of \$76,000 (ex GST) and the corresponding income from recoverable expenses, resulting in a nil impact on the budgeted 2025/26 surplus.

In accordance with section 140 of the *Health (Miscellaneous Provisions) Act 1911*, the costs mentioned above can be charged against the property.

Council also authorised the sale of the property, at its Ordinary Council Meeting on 9 December 2026, for non-payment of rates. Depending on the property's sale price, some demolition costs and/or rates debt may not be recovered. The Shire has a doubtful-debt provision of \$51,558, which may mitigate some of the risk.

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, planning, and mutually beneficial partnerships |
| Strategic Priority: | 5.1.5 | To imbed our strategic priorities throughout the organisation |

Relevant Precedents:

Not applicable.

Comment:

The Shire values and promotes the provision of a safe, attractive, and liveable environment for the benefit of all persons residing, working, recreating within, or visiting Collie. To support this objective, the Shire responds to concerns and where appropriate, takes action to address negative impacts arising from neglect, dilapidation, untidiness, disrepair, and derelict buildings and property.

After the fires at 26 Mary Street on 28 June 2025, the Shire received complaints about the condition and safety of the property. In response, the Shire's Environmental Health Officer inspected the property, and a notice was served on the owner under section 137 of the *Health (Miscellaneous Provisions) Act 1911*, requiring the demolition of the House and clearing of the land by 20 October 2025. To date, the owner has not complied with the Notice, and subsequent efforts by Shire to contact the owner have been unsuccessful.

The Shire is legally entitled to act in default for non-compliance with the terms of the notice and, under Part V of the *Health (Miscellaneous Provisions) Act 1911*, may carry out the terms of the notice and recover all expenses from the owner. Quotes from contractors holding the appropriate asbestos removal licences have been obtained.

Given the owner's failure to comply with the Notice, and complaints from nearby residents and St. Brigid's School, it is recommended that Council authorise the Shire to act in default of the owner to demolish the House and clean the land in accordance with section 140 of the *Health (Miscellaneous Provisions) Act 1911*, as set out in the Officer's recommendation

7. CLOSE

There being no further business the Presiding Officer to declare the meeting closed.