



SHIRE OF COOLGARDIE

MINUTES

OF THE

ORDINARY COUNCIL MEETING

25 June 2019

6.00pm

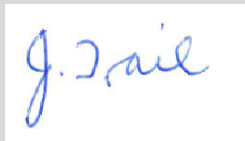
Coolgardie

SHIRE OF COOLGARDIE

NOTICE OF ORDINARY MEETING OF COUNCIL

Dear Elected Member

The next Ordinary Meeting of the Shire of Coolgardie will be held on Tuesday 25 June 2019 in the Council Chambers, Bayley Street, Coolgardie commencing at 6:00pm.

A handwritten signature in blue ink, appearing to read "J. Trail", is enclosed in a white rectangular box.

JAMES TRAIL
CHIEF EXECUTIVE OFFICER

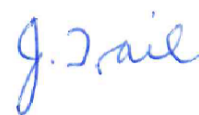
ORDINARY COUNCIL MEETING

25 June 2019

Welcome to the Ordinary Council Meeting of the Shire of Coolgardie.

The dates, times and locations of the Ordinary Council Meetings for 2019 are listed hereunder. This month's meeting is highlighted.

Tuesday	January 2019	6.00pm	No Meeting
Tuesday	26 February 2019	6.00pm	Coolgardie
Tuesday	26 March 2019	6.00pm	Kambalda
Tuesday	30 April 2019	6.00pm	Coolgardie
Tuesday	28 May 2019	6.00pm	Kambalda
Tuesday	25 June 2019	6.00pm	Coolgardie
Tuesday	23 July 2019	6.00pm	Kambalda
Tuesday	27 August 2019	6.00pm	Coolgardie
Tuesday	24 September 2019	6.00pm	Kambalda
Tuesday	22 October 2019	6.00pm	Coolgardie
Tuesday	26 November 2019	6.00pm	Kambalda
Tuesday	17 December 2019	6.00pm	Coolgardie



James Trail
Chief Executive Officer

DISCLAIMER

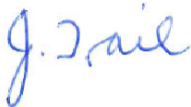
INFORMATION FOR PUBLIC ATTENDING COUNCIL MEETINGS

PLEASE NOTE:

THE RECOMMENDATIONS CONTAINED IN THIS AGENDA ARE OFFICERS RECOMMENDATIONS ONLY AND SHOULD NOT BE ACTED UPON UNTIL COUNCIL HAS RESOLVED TO ADOPT THOSE RECOMMENDATIONS.

THE RESOLUTIONS OF COUNCIL SHOULD BE CONFIRMED BY PERUSING THE MINUTES OF THE COUNCIL MEETING AT WHICH THESE RECOMMENDATIONS WERE CONSIDERED.

MEMBERS OF THE PUBLIC SHOULD ALSO NOTE THAT THEY ACT AT THEIR OWN RISK IF THEY ENACT ANY RESOLUTION PRIOR TO RECEIVING OFFICIAL WRITTEN NOTIFICATION OF COUNCILS DECISION.



James Trail
CHIEF EXECUTIVE OFFICER

COUNCIL MEETING INFORMATION NOTES

1. Your Council generally handles all business at Ordinary or Special Council Meetings.
2. From time to time Council may form a Committee to examine subjects and then report to Council.
3. Generally all meetings are open to the public; however, from time to time Council will be required to deal with personal, legal and other sensitive matters. On those occasions Council will generally close that part of the meeting to the public. Every endeavour will be made to do this as the last item of business of the meeting.
4. Public Question Time. It is a requirement of the Local Government Act 1995 to allow at least fifteen (15) minutes for public question time following the opening and announcements at the beginning of the meeting. Should there be a series of questions the period can be extended at the discretion of the Chairman.

Written notice of each question should be given to the Chief Executive Officer fifteen (15) minutes prior to the commencement of the meeting. A summary of each question and response is included in the Minutes.

When a question is not able to be answered at the Council Meeting a written answer will be provided after the necessary research has been carried out. Council staff will endeavour to provide the answers prior to the next meeting of Council.

5. **Councillors** may from time to time have a financial interest in a matter before Council. Councillors must declare an interest and the extent of the interest in the matter on the Agenda. However, the Councillor can request the meeting to declare the matter **trivial, insignificant or in common with a significant number of electors or ratepayers**. The Councillor must leave the meeting whilst the matter is discussed and cannot vote unless those present agree as above.

Members of staff, who have delegated authority from Council to act on certain matters, may from time to time have a financial interest in a matter on the Agenda. The member of staff must declare that interest and generally the Chairman of the meeting will advise the Officer if he/she is to leave the meeting.

6. Agendas including an Information Bulletin are delivered to Councillors within the requirements of the Local Government Act 1995, i.e. seventy-two (72) hours prior to the advertised commencement of the meeting. Whilst late items are generally not considered there is provision on the Agenda for items of an urgent nature to be considered.

Should an elector wish to have a matter placed on the Agenda the relevant information should be forwarded to the Chief Executive Officer in time to allow the matter to be fully researched by staff. An Agenda item including a recommendation will then be submitted to Council for consideration.

The Agenda closes the Monday week prior to the Council Meeting (i.e. ten (10) days prior to the meeting).

The Information Bulletin produced as part of the Agenda includes items of interest and information, which does not require a decision of Council.

7. Agendas for Ordinary Meetings are available in the Coolgardie and Kambalda Offices/Libraries seventy-two (72) hours prior to the meeting and the public are invited to secure a copy.
8. Agenda items submitted to Council will include a recommendation for Council consideration. Electors should not interpret and/or act on the recommendations until after they have been considered by Council. Please note the Disclaimer in the Agenda (page 3).
9. Public Question Time – Statutory Provisions – Local Government Act 1995

Time is to be allocated for questions to be raised by members of the public and responded to at:

- (a) Every ordinary meeting of a council; and
- (b) Such other meetings of councils or committees as may be prescribed

Procedures and the minimum time to be allocated for the asking of and responding to questions raised by members of the public at council or committee meetings are to be in accordance with regulations.

- 9A. Question Time for the Public at Certain Meetings – s5.24 (1) (b)

Local Government (Administration) Regulations 1996

Reg 5 For the purpose of section 5.24(1)(b), the meetings at which time is to be allocated for questions to be raised by members of the public and responded to are:

- (a) every special meeting of a council; and
- (b) every meeting of a committee to which the local government has delegated a power or duty.

Minimum Question Time for the Public – s5.24 (2)

Reg 6 (1) The minimum time to be allocated for the asking of and responding to questions raised by members of the public at ordinary meetings of councils and meetings referred to in regulation 5 is fifteen (15) minutes.

- (2) Once all the questions raised by members of the public have been asked and responded to at a meeting referred to in sub regulation (1), nothing in these regulations prevents the unused part of the minimum question time period from being used for other matters.

Procedures for Question Time for the Public – s5.24 (2)

Local Government (Administration) Regulations 1996

Reg 7 (1) Procedures for the asking of and responding to questions raised by members of the public at a meeting referred to in regulation 6 (1) are to be determined:

- (a) by the person presiding at the meeting; or
- (b) in the case where the majority of members of the council or committee present at the meeting disagree with the person presiding, by the majority of members,

having regard to the requirements of sub regulations (2) and (3).

- (2) The time allocated to the asking and responding to questions raised by members of the public at a meeting referred to in regulation 6(1) is to precede the discussion of any matter that requires a decision to be made by the council or the committee, as the case may be.
- (3) Each member of the public who wishes to ask a question at a meeting referred to in regulation 6(1) is to be given an equal and fair opportunity to ask the question and receive a response.
- (4) Nothing in sub regulation (3) requires:
 - (a) A council to answer a question that does not relate to a matter affecting the local government;
 - (b) A council at a special meeting to answer a question that does not relate to the purpose of the meeting; or
 - (c) A committee to answer a question that does not relate to a function of the committee.

10. Public Inspection of Unconfirmed Minutes (Reg 13)

A copy of the unconfirmed Minutes of Ordinary and Special Meetings will be available for public inspection in the Coolgardie and Kambalda Offices/Libraries within ten (10) working days after the Meeting.

NOTE:

10.3 Unopposed Business

- (1) Upon a motion being moved and seconded, the person presiding may ask the meeting if any member opposes it.
- (2) If no member signifies opposition to the motion the person presiding may declare the motion in sub clause (1) carried without debate and without taking a vote on it,
- (3) A motion carried under sub clause (2) is to be recorded in the minutes as a unanimous decision of the Council or committee.
- (4) If a member signifies opposition to a motion the motion is to be dealt with according to this Part.
- (5) This clause does not apply to any motion or decision to revoke or change a decision which has been made at a Council or committee meeting.

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Shire President, M Cullen declared the meeting open at 06:00 pm and welcome fellow Councillors, visitors and staff and thanked them for their attendance.

2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

PRESENT:

Shire President, Malcolm Cullen
Councillor, Tracey Rathbone
Councillor, Kathie Lindup
Councillor, Sherryl Botting
Councillor, Eugen Winter
Councillor, Betty Logan

MEMBERS OF STAFF:

Chief Executive Officer, James Trail
Executive Assistant, Bree Crawley
Executive Manager Administration Services, Rebecca Horan
Executive Manager Economic Services, Mia Hicks
Recreation and Community Development Team Leader, Leanne Shilton

MEMBERS OF THE PUBLIC:

Jan McLeod

APOLOGIES:

Nil

APPROVED LEAVE OF ABSENCE:

Councillor, Norm Karafilis

3 DECLARATIONS OF INTEREST

3.1 *Declarations of Financial Interests – Local Government Act Section 5.60A*

Councillor Kathy Lindup declared a financial interest in agenda item 14.1 (page 6 of Private and Confidential Items)

Chief Executive Officer James Trail declared a financial interest in agenda 14.1 (page 6 of Private and Confidential Items)

Executive Manager Economic Services, Mia Hicks declared a financial interest in agenda 14.2 (page 8 of Private and Confidential Items)

3.2 *Declarations of Proximity Interests – Local Government Act Section 5.60B*

Nil

3.3 Declarations of Impartiality Interests – Administration Regulation 34C

Nil

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Public Questions 28 May 2019 - Jan McLeod

1.How has Council promoted and pushed for a residential workforce in Kambalda?

During every discussion the Shire has engaged with various companies operating within the Region ,we have continually advocated for the use of a residential workforce within the SOC. The Shire has also lodged a submission with the Federal Government Senate Inquiry into FIFO practices, FBT implications, and the introduction of an Economic investment Zone to encourage governments to allow tax concessions for companies to house employees as well as upgrading housing stocks in the Goldfields. The funds being expended at the airport were residual reserve funds that remained from the previous use of the facility.

2. If the workforce was located in town, wouldn't that mean a shorter travel time to each mine site, rather than go through the rigours of FIFO. Duty of care was mentioned in a quote, front page, today's "Kalgoorlie Miner". Can Council please comment on why they think FIFO provides a better duty of care than a residential workforce.

Yes, If the workforce was located in town would definitely mean shorter travel times, however this question has taken the quote in the Kalgoorlie Mjner out of context in that the comparison was the extra distance workers travelling from the CKB to site, as against the use of Kambalda Airport.

3.Why can the Shire afford to fund the AIRPORT, yet not the swimming pool?\\

The Shire has utilised an unused amount of residual funding from the former Airport Reserve fund. Projected cost should all work proceed is approximately \$140k, against the \$3mil pool redevelopment of which the Shire did not have at its disposal until the loan funds were approved.

4.What is the justification for the Shire to approve a Specified Area Rate applied only to the ratepayers of Kambalda to fund the swimming pool, especially when they now can fund the AIRPORT?

The proposed SAR has been initiated to cover the following principles :

The public expectation to retain the 50m pool.

The extra cost to upgrade the 50m pool.

To replenish the gap in funding of \$900k being drawn from the Shires infrastructure Reserve.

5.Will projects in Coolgardie be funded by Coolgardie ratepayers only?

The implementation of any SAR in the Shire will never be taken on a Tit for Tat basis, as being insinuated by this question in that the Kambalda ratepayers will be footing the bill for the whole amount of the pool redevelopment. Coolgardie ratepayers in this instance will be contributing toward the repayment of the \$1.95mil loan. They have previously contributed to and continue to contribute to other major infrastructure projects in the Shire; such as the Kambalda Recreation Centre loan of

\$2mil. History has shown, Coolgardie Residents actually raised a significant portion of the funds to build the pool in Coolgardie at the time.

6. If not, why not?

As above any implementation of SAR will be assessed on as need basis, without bias upon either town.

7. Can you please clarify why the actual YTD Closing Balance for the period Ended 30 April 2019, of the infrastructure renewal reserve has only \$726,497 when council approved transfers to this account after the December Budget Review and it still does not show this.

One relates to actual figures and one relates to budget figures. Actual transfers to reserves are processed when all year end transactions are reconciled. This occurs during July to September. It is estimated that the final actual transfer to the infrastructure renewal reserve will be in accordance with the December budget review.

8. This \$1.5M was for the pool, as told to the community at the March meeting. Wouldn't this then alleviate the need for a Specified Area Rate as proposed and put forward to be passed at this meeting?

The proposed specified area rate is being advertised to seek submissions from the community. Council will consider whether to implement a specified area rate on receipt of submissions as part of the Budget Process. The proposed specified area rate would be needed annually to replenish the asset renewal reserve account to ensure future funds are available for renewal of community infrastructure.

Public Questions 28 May 2019 - Jason and Brenda Cleeland

1. Did the airport reopening proposal go to a Council Vote?

No Council has not endorsed the Airport reopening. Council has passed a resolution to a staged implementation of actions for the possible future use of the airport. The first of these is to ascertain recertification, and expressions of interest by other parties for that future use.

2. Which Councillors voted in favour of reopening the airport?

As Council has not voted to reopen the airport ; No Councillors have voted.

3. How is a duty of care pro action being taken by Shire of Coolgardie? ie Mining Camp in Coolgardie and re-opening Kambalda airport for the mining companies, showing the Council is promoting a residential environment?

The mining Accommodation Village in Coolgardie was supported by Council on the basis that was originally being considered to be relocated to a mine site. Council was of the opinion that the facility located within the townsite would bring considerable community and economic benefits to Coolgardie business as well as promoting growth in the Shire. Reopening the Kambalda Airport being part of this, is considered to benefit the community in ways by negotiating future flights to Perth for residents and investing future income from landing fees back into community projects. The use of Kambalda will shorten travel times currently experienced by the companies operating south of Kambalda, as against the current practice of busing their workers from the City of Kal/Boulder.

Public Questions 28 May 2019 - Cheryl Davis

1. In what way is reopening the Airport and encouraging FIFO good for Kambalda?

The Shire is currently investigating the options to reopen the Airport in a staged approach by firstly undertaking recertification. Once this has been assessed and staff have researched recent expressions of interest from companies looking to utilise the facility, further progress and decisions will be made by Council. The Shire is in no way encouraging FIFO, however feel there may be substantial benefit to the community should the amount of personnel currently landing in the City of Kal/Boulder be relocated to Kambalda in the way of landing fees being reinvested into Community projects.

2. How can council say they are all for residential workforces and then spend money to reopen the airport?

During every discussion the Shire has engaged with various companies operating within the Region, we have continually advocated for the use of a residential workforce within the SOC. The Shire has also lodged a submission with the Federal Government Senate Inquiry into FIFO practices, FBT implications, and the introduction of an Economic investment Zone to encourage governments to allow tax concessions for companies to house employees as well as upgrading housing stocks in the Goldfields. The funds being expended at the airport were residual reserve funds that remained from the previous use of the facility.

5 PUBLIC QUESTION TIME

Jan McLeod– 83 Kingswood Street, Widgiemooltha, WA, 6443

1.I query the response to my Q.7 from PQT, Council Meeting 28 May 2019.

“The proposed specified area rate would be needed annually to replenish the asset renewal reserve account to ensure future funds are available for renewal of community infrastructure”

As a specified area rate, the rates can only be used for that particular project and not in general as stated in your reply. Can this please be clarified?

This is correct ,in that a SAR can only be used for the particular project for which it is proposed.In this instance the SAR would be utilised to contribute to pay down the loan and / or part of the cost of the Kambalda pool refurbishment.

2.Despite my non-attendance at the May meeting, I believe that Council and those in the gallery would be interested in the replies to my questions. In future, can the questions be answered, as they have been in the past, when I have asked those present in the gallery what the answers were?

As there is no requirement to answer questions during the meeting ,this will depend upon the complexity of the questions, the preference would be to take questions on notice ,and respond in writing.

3.Why at the meeting 26 May 2019 was the Item 13.2.2 the downgrade of Kingswood St. North, considered URGENT business?

Item 13.2.2 was presented for Council to consider accepting as a late Item ,which they duly did. The Item was presented so that staff can prepare information to present to a community consultation to Widgiemooltha residents in conjunction with other proposed road works in the area.

4. Why has this particular 0.53km of road gone from being part of the State Road Network as RAV 7 as stated in Item 13.2.1 at the meeting 26 February 2019 and then a proposal to downgrade the same section 3 months later with no availability for any comment as the item was distributed at the meeting as urgent business?

In consultation with MRWA, it is proposed to consolidate all heavy vehicle access to the one intersection south of Widgiemooltha. There will be community consultation and availability for public submissions on all proposals within the townsite in the coming weeks.

5. Should the downgrade even be considered since Road 1015 will be re-instated as part of Mincor's Mine Closure Plan for their Widgiemooltha Gold Operation?

The reduction to a local road was proposed as a result of a previous suggestion from a community member. Council's decision to proceed with Cave Hill road realignment, depending upon granting of clearing permit will enable all heavy vehicle traffic to bypass the residential area of the town. Council has no guarantee road 1015 will be reinstated in the future.

6. Items such as Governance and Technical Services have been relegated to the Attachments whereas they used to be part of the Agenda. Since these reports are of interest to the public as they are updated monthly, could they be re-instated as part of the Agenda?

The CEO has been advised that these should be included on the agenda as information as the reports do not require action from the Council. Reports should not be presented to the Council with a recommendation to note or receive.

7. Earlier in the year a survey was conducted inviting community responses. What are the results of the Community Satisfaction Survey/Review?

The draft survey results have been discussed with the Council in a workshop. An executive report is being prepared for Council with recommendations and actions. The report will be presented to Council by the 31st August. Some of the suggestions and recommendations have been included in the Draft 2019/2020 Budget

8. Regarding "the Kambalda Waste Transfer Station on p.10 of the Corporate Plan and p.10 of the Strategic Plan support improved recycling and reduction of waste to landfill" yet at the meeting in Coolgardie last week (18th June) when I asked the questions -re the promise of recycling at the Kambalda Transfer Station, the CEO said that all waste will be going to landfill at the Coolgardie Tip. Will the Corporate Plan and Strategic Plan be amended?

Once the transfer station is operational, consideration will be given as to the amount of recycling that can be done if any. The Strategic Plan is reviewed every two years and the corporate plan every year. Draft survey results have been discussed with the Council in a workshop. The statement "*support improved recycling and reduction of waste to landfill*" will be reviewed when the documents are.

9. Since no recycling is proposed, can the recycle shed that was at the Kambalda tip be reinstated?

Recycling of waste proposal is being included in the draft waste management report for Council consideration.

10. The consultants at the meeting were working on the feasibility of the Coolgardie tip being used as a Regional Landfill Site. This certainly will mean an increase of waste to landfill if the plan goes ahead. It seems again, that the Shire promotes one thing to the community, yet the emphasis changes when the

Council thinks it can make money. Will the Council have a meeting with the Community to address this issue and the issue of the AIRPORT?

The need for a regional landfill, not necessarily the Coolgardie Tip, is part of the study being undertaken by Shire consultants. Council conducted a community waste workshop/meeting to inform all Shire residents on June 18th. Once further investigation regarding future use for the Airport has been completed, a community information session will be advertised.

11.Item 11.1.15 AUDIT COMMITTEE

P.63 "To achieve best practice, the revised structure of the Audit Committee would consist of 3 Council members and 2 members of the public -total 5"

However, the recommendation is that the 5 members to be appointed consists of the Shire President and 4 other Councillors. Why has best practice been ignored when no members of the public are involved?

The use of the words " best practise "have been taken out of context. This recommendation is part of the Auditor General Report that Audit Committees do not comprise the whole of Council Members. It may comprise Councillors and Community members. Councillors and staff discussed this proposal, and agreed to reduce the Audit Committee to five members at present, then reviewing post the Council Elections in October ,with regard to including community members. Best Practise is not therefore being ignored by this Council.

12.Previously in financial statements, monies from Haulage Campaigns were itemised against the particular road for which the costs were incurred. Since all monies seem to be credited to Ac/Job# 1120750, how does the public know that the monies received from haulage on a particular road will be spent on that road and not shared around which is against Policy and fair management?

All monies received for haulage campaigns have to be recognised as revenue in the financial statements. Furthermore, the money received has to be used for maintenance or capital works on the road it is collected for in accordance with policy and regulations. Any money that is received during a financial year that is not related to a capital works road programme must be transferred to the road reserve at the end of the financial year

13.Item 11.1.21 p.81 Coolgardie Innovation and Community Hub Project. The recommendation is to "authorise for the funds to be included in the budget" What is the monetary value of these funds? Approximately \$148,000 for Project Management.

14.I have been continually told that the plans for the Cave Hill bypass road have not been finalised and are not available, yet in the last meetings attachments (May 2019) "plans have been submitted" Why are the plans not available when it seems that they have been finalised?

Should Council receive a positive outcome from the Objection to the clearing permit, without any further conditions, the Final Road design will be considered by staff ,then presented during the community information session in coming weeks.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 Ordinary Council Meeting 28 May 2019

OFFICER RECOMMENDATION:

That the minutes of the Ordinary Meeting of Council of 28 May 2019 be confirmed as a true and accurate record.

COUNCIL RESOLUTION: #085/19

**Moved: Councillor, T Rathbone
Seconded: Councillor, K Lindup**

That the minutes of the Ordinary Meeting of Council of 28 May 2019 be confirmed as a true and accurate record, with the amendment to wording in commentaries on page 48 "Contribution to Capital Works or Maintenance of Durkin Road".

CARRIED ABSOLUTE MAJORITY 6/0

7.2 Confirmation of Minutes of Special Meetings

OFFICER RECOMMENDATION:

That the minutes of the Special Meeting of Council of 11 June 2019 be confirmed as a true and accurate record.

COUNCIL RESOLUTION: #086/19

**Moved: Councillor, B Logan
Seconded: Councillor, T Rathbone**

That the minutes of the Special Meeting of Council of 11 June 2019 be confirmed as a true and accurate record.

CARRIED ABSOLUTE MAJORITY 6/0

8 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

8.1 President's Report

Kambalda residents would be noticing the flurry of activity in and around the swimming pool enclosure during the past few weeks. The contractors are making good progress with the works at the site with major excavation of the old pipe work and removal of tiles in the pool shell. The engagement of a project manager for the pool upgrade is making oversight of the pool work much more beneficial for Shire Staff, with regular updates on the progress of work, whilst enabling our staff to continue with their own tasks.

The recent announcement by State Sport and Recreation Minister Mick Murray, that the latest application from the Shire for state government funding for the pool refurbishment had been successful, is a massive boost in confidence for the community and the Shire. The amount of \$700,000 from the State now reduces the funding gap to only \$400,000, which will greatly reduce the amount of Shire own funding required.

Coolgardie residents may have noticed the installation of several new street bins along Bayley Street last week. The reason for these larger bins being the volume of waste received by residents and passing travellers depositing into the older style bins and the birds being able to access the open bin, pulling the rubbish out, which then blew around on the main street. The new bins fit in well with the amenity of Bayley Street, and hopefully we will have a much neater street.

With the resheeting work on the Kambalda Airport road now completed, the Shire Road Crew have commenced maintenance grading of our gravel road network. The first of these being Coolgardie North and Jaurdi Hills roads. With the increased mining and exploration activity in the Shire in recent times, this has meant large volumes of both light and heavy vehicle traffic on our road network, thereby increasing the cost of maintaining these roads. Shire contractors have replaced and widened several sections of the bitumen road to Bonnie Vale, where the road surface has broken up and suffered surface damage. As part of the Shire strategy to maintain and upgrade the road network, we are continually juggling Mining contributions, Regional Road Group funding along with Shire own funds in an endeavour to maintain and upgrade these roads into the future.

The Shire was privileged recently with a visit to Coolgardie by newly promoted Federal Minister for Families and Social Services, Anne Rushton. Shire Staff, CEO and myself hosted the Minister, Member for O'Connor Rick Wilson, Secretary to Department of Social Services Kathryn Campbell, Representatives of Local Governments from the City Kalgoorlie/Boulder, Menzies, Leonora and Laverton on a tour to learn and assess the implementation and positive impacts following the implementation of the CDC trial in the Goldfields Region.

The Minister and entourage also visited the Coolgardie IGO store and met with the new owners to discuss their experiences so far with the use of the CDC transactions in their store.

The message from the Minister was for all the Local Governments to continue to collect imperative evaluation data from throughout the region in an endeavour to continue and extend the use of the card into the future.

The St John, Shire of Coolgardie Primary Health Alliance continues to gain momentum, with the launch of the new community transport bus last Saturday. The service will officially commence in July, with volunteers currently undertaking basic training to be able safely transport residents to and from destinations in both Kambalda and into Kalgoorlie as well. This will be a really great initiative and benefit to many of our residents that require transport in the community.

The annual State Basketball event was held in Kambalda on Saturday June 15th. The basketball game was precluded by a Goldfields Football league match between the Kambalda Eagles and Mines Rovers. The Eagles were successful in winning both League and Reserves matches in front of a large parochial home crowd, who gave much encouragement to both teams in which the last quarter of the league match was a close hard fought win.

The basketball game between the Goldfields Giants and Perry lake Hawks was also a thrilling encounter, with the Giants holding off the fast finishing Hawks by five points at the final buzzer. This is the third time in as many years that the Giants have won this game in Kambalda by less than five points, and with such a close finish kept the big crowd of 400 people on their toes and fully entertained until the very end.

Being the first ever time the Shire has co-ordinated two such events simultaneously, was a tremendous achievement for both the Shire, the Clubs involvement (Kambalda Eagles and Goldfields Giants) and our hardworking Staff and Volunteers. Many thanks go to our Team Leaders Leesa and Leanne along with their staff and Steve Shaw and the Team from CPC who once again provided the stadium seating. Also, Thank you to the community groups who provided their time and services in the foyer during the evening. I feel sure that everyone who attended the events on Saturday would have enjoyed themselves and looking forward to next year.

Meetings - Workshops attended this period:

- * GTNA meeting Kalgoorlie.
- * May 20th GNRBA meeting re hudson pear and cactus growing in Townsites.
- * May 28th MRWA meeting Kalgoorlie road funding opportunities.
- * 30th May GEDC, GVROC, GNRBA meeting in Kalgoorlie re camel management programme and funding.
- * 31st May Masonic Homes, opening of Pringle Aged Accommodation Village in Kalgoorlie.
- * June 5th State Council meeting in Perth.
- * June 11th Council briefing forum in Coolgardie.
- * June 17th hosted Ministerial visit by Minister Rushton.
- * 18th June community waste strategy workshop in Coolgardie with Consultants Stategen and Australian Venture.

Malcolm Cullen
Shire President.

9 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

10 REPORTS OF COMMITTEES

Nil

11 REPORTS OF OFFICERS

11.1 Chief Executive Officer

11.1.1 Proposed Local Law - Cats

Location:	Shire of Coolgardie
Applicant:	Nil
File Reference:	
Disclosure of Interest:	Nil
Date:	12 th June 2019
Author:	Executive Manager Administration Services, Bec Horan

Summary:

The Shire is in the process of making a new set of local laws. Most issues relating to cats are now dealt with under the Cat Act 2011 and its associated Regulations.

A draft *Shire of Coolgardie Cats Local Law 2019* is attached. If Council agrees, the draft local law can be advertised for public comment; the results must then be returned to Council for consideration before the local law can be made.

Background:

Clause 64 of the Shire's Health Local Law 1996 deals with cats, and is limited to dealing with the number of cats that may be kept on premises:

Cats

64. (1) Subject to sub-section (5), a person shall not, without an exemption in writing from the Council, keep more than 3 cats over the ages of 3 months on premises on any land—

- a) within the residential zone of the Shire of Coolgardie, District Town Planning Scheme No4; or*
- b) used for residential purposes.*

(2) Any owner or occupier of premises may apply in writing to the Council for exemption from the requirements of sub-section (1).

(3) The Council shall not grant an exemption under this section unless it is satisfied that the number of cats to be kept will not be a nuisance or injurious or dangerous to health.

(4) An exemption granted under this section shall specify—

- a) the owner or occupier to whom the exemption applies;*
- b) the premises to which the exemption applies; and*
- c) the maximum number of cats which may be kept on the premises.*

(5) A person may keep more than 3 cats on premises used for veterinary purposes or as a pet shop.

There have been a significant number of changes in this area of activity, including the introduction of the *Cat Act 2011*, the *Cats Regulations 2012* and the *Cat (Uniform Local Provisions) Regulations 2013*.

Given the extent of the changes to other legislation it is proposed to make a new Cats Local Law that complies with these provisions.

Section 79 of the Cat Act sets out what can be regulated by local laws:

79. Local laws

- (1) ...*
- (2) ...*

- (3) *Without limiting subsection (1), a local law may be made as to one or more of the following —*
- (a) *the registration of cats;*
 - (b) *removing and impounding cats;*
 - (c) *keeping, transferring and disposing of cats kept at cat management facilities;*
 - (d) *the humane destruction of cats;*
 - (e) *cats creating a nuisance;*
 - (f) *specifying places where cats are prohibited absolutely;*
 - (g) *requiring that in specified areas a portion of the premises on which a cat is kept must be enclosed in a manner capable of confining cats;*
 - (h) *limiting the number of cats that may be kept at premises, or premises of a particular type;*
 - (i) *the establishment, maintenance, licensing, regulation, construction, use, record keeping and inspection of cat management facilities;*
 - (j) *the regulation of approved cat breeders, including record keeping and inspection;*
 - (k) *fees and charges payable in respect of any matter under this Act.*

Realistically, this means simply setting the number of cats that may be kept without a permit.

The Cat Regulations 2012 also apply. These deal fully with all issues relating to matters such as:

- Microchipping
- Registration and registration periods;
- Applications for approval to breed cats;
- Registration fees
- Application fees to obtain a permit to breed cats

Finally, the *Cat (Uniform Local Provisions) Regulations 2013* operate as if they are local laws. Amongst other things these Regulations provide for:

1. Local laws to determine what is the 'standard number' of cats that can be kept, excluding cats under the age of 6 months;
2. If a member of a 'cat organisation' is normally resident on the premises, then the number of cats that can be kept on premises to be 3 times the standard number; and
3. Applications to keep additional numbers of cats.

When making a new local law, it is considered that the Shire should simply to retain the provisions of clause 64 of the existing Health Local Law that relates to the number of cats that may be kept on premises (the 'standard number').

Comment:

A draft new *Shire of Coolgardie Cats Local Law* is attached. As noted above, its major provision is to set the 'standard number' of cats that may be kept at 3 in a residential zone. Note that this limit does not apply to a veterinary clinic, a cat management facility operated by the Shire (there are none at present), or to a cat management facility operated by a body prescribed as a cat management facility operator under the Cat Regulations 2012.

The process for a person to keep more than the standard number of cats is set out mainly in the Cat (Uniform Local Provisions) Regulations 2013, and clauses 2.3 – 2.6 of the proposed local law set out possible conditions that could be applied, and which must be considered on a case by case basis.

The remainder of the local law deals with appeal and enforcement provisions.

Attachments:

1. Cats LL Draft V 1 Mar 2019 [11.1.1.1 - 10 pages]

A draft *Shire of Coolgardie Cats Local Law 2019* is attached. Note that the draft contains text boxes which are for explanatory purposes only and will be deleted from the official version published in the Government Gazette.

Consultation:

Section 3(2) of the Cat Act 2011 provides that words and expressions defined in the Local Government Act 1995 have the same meaning in the Cat Act, unless the contrary intention appears.

This includes making local laws, and using the process set out in section 3.12(3) of the Local Government Act 1995. Amongst other things this requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

The purpose and effect of the local law is:

Purpose

To set a 'standard number' of cats that may be kept on premises, and areas where cats are prohibited.

Effect

Persons must not keep more than the standard number of cats unless provided for by the local law, the Cat Act, or its associated Regulations or permit a cat to be in a prohibited area.

The results of the community consultation and feedback from the Minister are to be considered by Council before it makes the local law.

Statutory Environment:

Section 3(2) of the Cat Act 2011 provides that a local government may make local laws about cats using the process set out in section 3.12 of the Local Government Act 1995.

Policy Implications:

Nil

Financial Implications:

There are costs associated with the drafting, advertisement, and eventual Gazettal of the local law.

Strategic Implications:**Accountable and Effective Leaders**

Demonstrating that decisions are developed through inclusive community engagement

Ensuring a well-informed Council makes good decisions for the community

High quality corporate governance, accountability and compliance

Maintain integrated strategic and operational plans

Voting Requirement: Simple Majority

Officer Recommendation:

That Council

1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State-wide and local public notice be given stating that:
 - a. It is proposed to make a Shire of Coolgardie Cats Local Law, and a summary of its purpose and effect;
 - b. Copies of the proposed local law may be inspected at the Shire offices;
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;
3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and
4. The results of the public consultation be presented to Council for consideration of any submissions received.

COUNCIL RESOLUTION: #087/19

Moved: Councillor, T Rathbone

Seconded: Councillor, E Winter

That Council

1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State-wide and local public notice be given stating that:
 - a. It is proposed to make a Shire of Coolgardie Cats Local Law, and a summary of its purpose and effect;
 - b. Copies of the proposed local law may be inspected at the Shire offices;
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;
3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and
4. The results of the public consultation be presented to Council for consideration of any submissions received.

CARRIED SIMPLE MAJORITY 6/0

11.1.2 Proposed Local Law - Cemetery

Location:	Shire of Coolgardie
Applicant:	Nil
File Reference:	
Disclosure of Interest:	Nil
Date:	12 th June 2019
Author:	Executive Manager Administration Services, Bec Horan

Summary:

The Shire is in the process of making a new set of local laws. The Coolgardie Cemeteries Board Bylaws were published in the Government Gazette on 24 August 1951, and amended on 24 December 1953, 25 November 1960, and last on 8 February 1972. They are well out of date, to the extent that it will be simpler and easier to make a new local law.

A draft *Shire of Coolgardie Cemeteries Local Law 2019* is attached. If Council agrees, the draft local law can be advertised for public comment; the results must then be returned to Council for consideration before the local law can be made.

Background:

Local governments may make local laws about cemeteries under Part VIII of the Cemeteries Act 1986.

Attached is a draft Shire of Coolgardie Cemeteries Local Law based on a model developed by the WA Local Government Association, modified slightly to suit the Shire and in particular:

- Clauses prohibiting the use of wooden crosses have been deleted;
- The WALGA model contains 13 forms have also been deleted as it is not necessary to prescribe them. Forms can be developed and maintained without inclusion in a local law, so I have cut and pasted them straight from the model local law and attached to this document for the Shire to decide if they are of any use, and if so to customise; and
- The Shire does not undertake cremations (pun intended) so provisions in the model relating to them have been removed.

While rarely used, the maximum modified penalty and fines for breaches of the local law are set by the Cemeteries Act and reflected in the draft local law.

Comment:

The WALGA model is widely used by local governments with cemeteries and is suitable for the Shire, subject to the changes described above.

Attachments:

1. Cemeteries LL V 1 21 Mar 2019 [**11.1.2.1 - 15 pages**]

A draft new *Shire of Coolgardie Cemeteries Local Law* is attached and is reasonably self-explanatory.

Consultation:

Section 54 of the Cemeteries Act 1986 provides that a local government may make local laws about cemeteries, using the process set out in section 3.12(3) of the Local Government Act 1995.

Amongst other things this requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears. The purpose and effect of the local law is:

Purpose

To provide for the orderly management of cemeteries under the care, control and management of the Shire and to create offences for inappropriate behaviour within cemetery

Effect

All persons in the administration of the cemeteries, burying deceased in the cemeteries, or otherwise providing services to or making use of the cemeteries, are to comply with the provisions of the local law.

The results of the community consultation and feedback from the Minister are to be considered by Council before it makes the local law.

Statutory Environment:

Section 54 of the Cemeteries Act 1986 provides that a local government may make local laws about cemeteries using the process set out in section 3.12 of the Local Government Act 1995.

Policy Implications:

Nil

Financial Implications:

There are costs associated with the drafting, advertisement, and eventual Gazettal of the local law.

Strategic Implications:**Accountable and Effective Leaders**

Demonstrating that decisions are developed through inclusive community engagement
Developing strategic partnerships with regional, State and Federal governments
Developing strong partnerships with stakeholders for the benefit of our community
Ensuring a well-informed Council makes good decisions for the community
High quality corporate governance, accountability and compliance

Voting Requirement: Simple Majority

Officer Recommendation:

That Council:

1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State-wide and local public notice be given stating that:
 - a. It is proposed to make a Shire of Coolgardie Cemeteries Local Law, and a summary of its purpose and effect;
 - b. Copies of the proposed local law may be inspected at the Shire offices;
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;

2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;
3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and
4. The results of the public consultation be presented to Council for consideration of any submissions received.

COUNCIL RESOLUTION: #088/19

Moved: Councillor, T Rathbone
Seconded: Councillor, S Botting

That Council:

1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State-wide and local public notice be given stating that:
 - a. It is proposed to make a Shire of Coolgardie Cemeteries Local Law, and a summary of its purpose and effect;
 - b. Copies of the proposed local law may be inspected at the Shire offices;
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;
3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and
4. The results of the public consultation be presented to Council for consideration of any submissions received.

CARRIED SIMPLE MAJORITY 6/0

11.1.3 Proposed Local Laws - Bush Fire Brigade

Location:	Shire of Coolgardie
Applicant:	Nil
File Reference:	<i>Create record in synergy and insert record number</i>
Disclosure of Interest:	Nil
Date:	12 th June 2019
Author:	Executive Manager Administration Services, Bec Horan

Summary:

The Shire is in the process of making a new set of local laws. It does not have a bush fire brigades local law.

A draft *Shire of Coolgardie Bush Fire Brigades 2019* is attached. If Council agrees, the draft local law can be advertised for public comment; the results must then be returned to Council for consideration before the local law can be made.

Background:

Local laws may be made by local governments under the Bush Fires Act 1953. In particular local governments may establish bush fire brigades under s41(1) of the Bush Fires Act 1953:

41. Bush fire brigades

(1) *For the purpose of carrying out normal brigade activities a local government may, in accordance with its local laws made for the purpose, establish and maintain one or more bush fire brigades and may, in accordance with those local laws, equip each bush fire brigade so established with appliances, equipment and apparatus.*

It decides to establish and maintain a bush fire brigade then a local government must have a local law in place under s41. There are some matters that shall be dealt with in local laws when a local government establishes a bush fire brigade, as set out in s43 of the Act:

43. Election and duties of officers of bush fire brigades

A local government which establishes a bush fire brigade shall by its local laws provide for the appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary as officers of the bush fire brigade, and prescribe their respective duties.

Other matters where a local government may make local laws are set out in s62 of the Act:

62. Local government may make local laws

(1) *A local government may make local laws in accordance with subdivision 2 of Division 2 of Part 3 of the Local Government Act 1995 for and in relation to —*

(a) *the appointment, employment, payment, dismissal and duties of bush fire control officers;*
and

- (b) *the organisation, establishment, maintenance and equipment with appliances and apparatus of bush fire brigades to be established and maintained by the local government; and*
- (c) *any other matters affecting the exercise of any powers or authorities conferred and the performance of any duties imposed upon the local government by this Act.*

Comment:

Where a local government wishes to regulate the matters set out in s62 then it can only do so by local law. That aside there is little point in seeking to regulate the matters set out in s62. All of the matters for which local governments may make bush fire local laws can be better dealt with by agreement.

Local laws are usually used to regulate activities in communities generally. They typically set out a set of requirements and include provisions for non-compliance such as notices, infringements or prosecution. Note that there is no penalty proposed for a breach of the draft local law and which would serve little purpose anyway.

A draft new Shire of Coolgardie Bush Fire Brigades Local Law is attached. It deals only with those matters required by sections 41 and 43 of the Bush Fires Act where a local government must make a local law.

It also contains a number of notes and text boxes to assist readers to interpret what clauses mean, and what other legislation might apply, but which do not form part of the local law and will be deleted from the official version to be Gazetted.

Other matters can be dealt with simply by agreement with a brigade. This could include matters such as:

- The make up of bush fire brigades (membership, structure, meetings, elections, etc);
- How funding, facilities and equipment provided by the Shire is to be dealt with and any associated requirements;
- Record, book keeping, asset management and accounting requirements;
- Office bearers such as a secretary, treasurer, training, and/or equipment officers;
- Grievance processes and membership issues;
- How and with whom liaison with the Shire is to occur (day to day, longer term);
- What reporting might be required in terms of brigade activities, membership lists, acquittal of funds provided, etc; and
- Operational matters or standards.

These can be drafted by the Shire but can only be implemented in agreement with the brigades. They are not intended to be punitive or overly complex – brigade members are volunteers and should not be tied up with unnecessary regulation.

In addition these matters can be more easily changed than a local law, by council resolution and/or by the CEO acting under delegated authority from Council.

In the unlikely event it became necessary for the Shire to take action in relation to a brigade, if all else fails it could:

- Withhold funding; and/ or
- Seek return of assets and/or equipment; and/ or
- Ultimately, deregister a brigade under s41(3) of the Bush Fires Act. This provision is wide ranging and is used mainly when a brigade merges with another or disbands, but can be applied for any reason a local government see fit.

Attachments:

1. Coolgardie BFB LL DRAFT V 3 June 2019 [11.1.3.1 - 12 pages]

A draft *Shire of Coolgardie Bush Fire Brigades Local Law 2019* is attached. Note that the draft contains text boxes which are for explanatory purposes only and will be deleted from the official version published in the Government Gazette.

Consultation:

Section 62 of the Bush Fires Act 1954 provides that a local government may make local laws using the process set out in section 3.12 of the Local Government Act 1995. Amongst other things this requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

The purpose and effect of the proposed Shire of Coolgardie Bush Fire Brigades Local Law is:

Purpose

To provide for the appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary as officers of bush fire brigades in the district, and prescribe their respective duties.

Effect

The appointment or election of a captain, a first lieutenant, a second lieutenant, and such additional lieutenants as may be necessary as officers of bush fire brigades in the district is prescribed, as are their respective duties.

As part of the process, local governments are also required to send a copy of the proposed local law to the Ministers for Local Government and Emergency Services.

The results of the community consultation and feedback from the Minister(s) are to be considered by Council before it makes the local law.

Statutory Environment:

Section 62 of the Bush Fires Act 1954 provides that a local government may make local laws using the process set out in section 3.12 of the Local Government Act 1995.

Policy Implications:

Nil

Financial Implications:

There are costs associated with the drafting, advertisement, and eventual Gazettal of the local law.

Strategic Implications:**Accountable and Effective Leaders**

Demonstrating that decisions are developed through inclusive community engagement

Developing strategic partnerships with regional, State and Federal governments

Developing strong partnerships with stakeholders for the benefit of our community

Ensuring a well-informed Council makes good decisions for the community

Ensuring the Shire of Coolgardie is well positioned to meet future needs

High quality corporate governance, accountability and compliance

Maintain integrated strategic and operational plans

Voting Requirement: Simple Majority

Officer Recommendation:

That Council,

1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State wide and local public notice be given stating that:
 - a. It is proposed to make a Shire of Coolgardie Bush Fire Brigades Local Law, and a summary of its purpose and effect;
 - b. Copies of the proposed local law may be inspected at the Shire offices;
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Ministers for Local Government and Emergency Services;
3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and
4. The results of the public consultation be presented to Council for consideration of any submissions received.

COUNCIL RESOLUTION: #089/19

Moved: Councillor, S Botting

Seconded: Councillor, E Winter

That Council,

1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State wide and local public notice be given stating that:
 - a. It is proposed to make a Shire of Coolgardie Bush Fire Brigades Local Law, and a summary of its purpose and effect;
 - b. Copies of the proposed local law may be inspected at the Shire offices;
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Ministers for Local Government and Emergency Services;
3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and
4. The results of the public consultation be presented to Council for consideration of any submissions received.

CARRIED SIMPLE MAJORITY 6/0

11.1.4 Proposed Local Laws - Fencing

Location:	Shire of Coolgardie
Applicant:	Nil
File Reference:	
Disclosure of Interest:	Nil
Date:	13 th June 2019
Author:	Executive Manager Administration Services, Bec Horan

Summary:

The Shire is in the process of making a new set of local laws. Some amendments are recommended to the Fencing local law as opposed to replacement altogether.

A draft *Shire of Coolgardie Fencing Amendment Local Law 2019* is attached. If Council agrees, the draft local law can be advertised for public comment; the results must then be returned to Council for consideration before the local law can be made.

Background:

The *Shire of Coolgardie Bylaws Relating to Fencing and Obstructions at Intersections* was published in the *Government Gazette* on 31 December 1996.

In general, fencing local laws tend to be stable over time, and unless new developments or changes in circumstances occur can be left alone or updated to reflect current terminology.

Most issues relating to dividing fences are dealt with by the *Dividing Fences Act 1961*. The Act provides for most issues relating to fencing between properties to be decided by agreement between owners.

Amongst other things:

- Owners are equally liable for the costs of erection and maintenance of a fence;
- The Act provides for a process to decide what is to be built or repaired in the event that owners cannot agree;
- A fence does not have to be built precisely on a boundary for it to be a dividing fence; and
- A local government may prescribe by a local law what constitutes a 'sufficient fence' in relation to a dividing fence or a boundary fence.

Local governments may deal with any issues about fencing between property and thoroughfares by using item 4(1) of Division 1, Schedule 3.1 of The Local Government Act 1995. This provides that a local government may serve a notice on an owner of a property to ensure that land that adjoins a public thoroughfare or other public place that is specified for the purposes of this item by a local law (and which could be done via clause 6.11 of the proposed new Local Government Property and Public Places Local Law) is suitably enclosed to separate it from the public place.

The primary purpose of a Fencing Local Law is to set out what constitutes a 'sufficient fence' and which is done via Schedules to the draft local law. These schedules have separate provisions for what

constitutes a 'sufficient fence' in certain locations, usually specified in a local planning scheme such as residential and special residential zones, commercial or industrial, and rural and special rural zones.

Generally, a 'sufficient fence' does not need a permit under the local law, and cases where a sufficient fence does need a permit are prescribed in the local law. In essence, if a dividing fence does not satisfy the requirements of the relevant Schedule (and, therefore, is not a 'sufficient fence'), and if it is not agreed to by the adjoining owners, it will require a permit to be lawful.

The *Shire of Coolgardie Bylaws Relating to Fencing and Obstructions at Intersections* deals with fencing in residential zones and Industrial and Commercial zones as defined under the local planning scheme. Some minor changes are required to

- Change 'council' to 'local government' – otherwise in all places where council is mentioned it means the council itself making a decision (not the CEO or an authorised person). Note that the council could then delegate authority to the CEO to administer the local law, deal with applications, etc.
- Change 'Building Surveyor' to an 'authorised person' to reflect current terminology.
- Replace 'town planning scheme' with 'local planning scheme' to reflect current terminology.
- Amend the maximum penalty if a person is prosecuted for an offence in clause 16(1) from \$200 to \$5,000 and from \$20 to \$500 in clause 16(b) to reflect the passage of time.

Comment:

A draft *Shire of Coolgardie Fencing Amendment Local Law* is attached. The proposed amendments are shown 'marked' on the attached copy of the main local law and are self-explanatory.

The Local Government Act requires the person presiding at a Council meeting to give notice of the purpose and effect of the proposed local law by ensuring that the purpose and effect is included in the agenda for the meeting, and that the minutes of the meeting include the purpose and effect of the proposed local law:

Purpose:

The purpose of this local law is to amend the *Shire of Coolgardie Bylaws Relating to Fencing and Obstructions at Intersections 1996* to reflect more up to date terminology and legislative references, and to increase penalties for some offences.

Effect:

The *Shire of Coolgardie Bylaws Relating to Fencing and Obstructions at Intersections 1996* is amended.

Attachments:

1. So C Fencing Amendment LL 20 Mar 2019 [11.1.4.1 - 1 page]

A draft *Shire of Coolgardie Fencing Amendment Local Law 2019* is attached. Note that the draft contains text boxes which are for explanatory purposes only and will be deleted from the official version published in the Government Gazette.

Consultation:

Section 3.12(3) of the Local Government Act 1995 requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

In addition, as part of the process, local governments are required to send a copy of proposed local laws to the Minister for Local Government, and in relation to this local law to the Minister for Commerce as well, being the Minister responsible for the Dividing Fences Act.

Statutory Environment:

A local government may make local laws about fencing using the process set out in section 3.12 of the Local Government Act 1995.

Policy Implications:

Nil

Financial Implications:

There are costs associated with the drafting, advertisement, and eventual Gazettal of the local law.

Strategic Implications:

Accountable and Effective Leaders

Developing strong partnerships with stakeholders for the benefit of our community
Ensuring a well-informed Council makes good decisions for the community
Ensuring the Shire of Coolgardie is well positioned to meet future needs
High quality corporate governance, accountability and compliance
Maintain integrated strategic and operational plans

Voting Requirement: Simple Majority

Officer Recommendation:

That Council

1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State-wide and local public notice be given stating that:
 - a. It is proposed to make a Shire of Coolgardie Fencing Amendment Local Law, and a summary of its purpose and effect;
 - b. Copies of the proposed local law may be inspected at the Shire offices;
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Ministers for Local Government and Commerce;
3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and
4. The results of the public consultation be presented to Council for consideration of any submissions received.

COUNCIL RESOLUTION: #090/19

Moved: Councillor, T Rathbone

Seconded: Councillor, S Botting

That Council

1. **In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State-wide and local public notice be given stating that:**

- a. It is proposed to make a Shire of Coolgardie Fencing Amendment Local Law, and a summary of its purpose and effect;
 - b. Copies of the proposed local law may be inspected at the Shire offices;
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Ministers for Local Government and Commerce;
3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and
4. The results of the public consultation be presented to Council for consideration of any submissions received.

CARRIED SIMPLE MAJORITY 6/0

11.1.5 Proposed Local Laws - Property and Public Places

Location:	Shire of Coolgardie
Applicant:	Nil
File Reference:	<i>Create record in synergy and insert record number</i>
Disclosure of Interest:	Nil
Date:	13 th June 2019
Author:	Executive Manager Administration Services, Bec Horan

Summary:

The Shire is in the process of making a new set of local laws. The Shire has a number of old local laws that regulate activities on reserves, but nothing with respect to thoroughfares (basically roads and verges).

A draft *Shire of Coolgardie Local Government Property and Public Places Local Law 2019* is attached. If Council agrees, the draft local law can be advertised for public comment; the results must then be returned to Council for consideration before the local law can be made.

Background:

The Shire has a number of old local laws that regulate activities on reserves, but nothing with respect to thoroughfares (basically roads and verges). It is proposed to make a local law that regulates all reserves, buildings and roads under the Shire's care, control and management, except cemeteries where local laws are made under the Cemeteries Act.

Comment:

A draft local law is attached. It is based on a version made by the City of Wanneroo in 2016, which in turn comes from a WA Local Government Association model local law and is in use by a number of local governments and amended to suit Coolgardie.

Essentially, rather than devising a set of rules for each type of property, its provisions apply across all areas with specific provisions about particular locations that might be unique such as swimming pools and/or golf courses.

Definitions, modified penalties, notices and enforcement provisions apply to all areas of the local law, regardless of where a matter might physically be located, or the subject dealt with. It dispenses with matters not required to be in a local law. For example:

Forms are not prescribed in the local law (application, permits, information required and the like) and which can be developed to suit the Shire's needs and changed as circumstances arise;

Fees are to be set via the annual budget, not the local law;

Information to be supplied when applying for a permit (licence) is not set out in the local law, the Shire can do this administratively; and

While examples of licence conditions are listed in clause 8.5 of the draft local law, additional conditions can be added depending on the circumstances of each case.

The salient features of the proposed new local law are summarised below:

Part 1 – contains definitions of terms used throughout the local law.

Part 2 – continues the power for Council to make ‘Determinations’ with respect to particular types of local government property and their use. This area is intended to apply where the full process to amend a local law is inappropriate, but where some formalised means of regulating use is needed.

Note that the subjects about which Determinations can be made is limited to those listed in clauses 2.7 and 2.8, and that the procedure to make or amend determinations is in clause 2.2 and 2.6. The scope of subjects has been limited by the views taken by the WA Parliamentary Joint Standing Committee on Delegated Legislation, which reviews local laws on behalf of Parliament, and which has the power to recommend disallowance of a local law.

An initial suggested list of determinations is shown in Schedule 1 of the proposed new local law.

Part 3 relates to activities on Shire property that require a licence (note that ‘licence’, ‘approvals’ and ‘permits’ are the same thing). Under this Part, ‘Shire property’ is in essence all the property under the Shire’s care, control and management except streets (and cemeteries), which are dealt with in Part 6.

Clause 3.1 contains a list of those activities where a licence is needed.

Part 4 deals with behaviour on Shire property. In particular, clauses 4.1 and 4.2 deal with behaviour that interferes with the enjoyment of others using Shire property, or damage to property.

Part 5 deals with those properties under the Shire’s control that need specific rules, like premises such as where a function may be being held, fenced areas, golf courses and the use of toilet and shower facilities by those of male and female gender.

Part 6 deals with activities in streets (note though that vehicles can be dealt with under a Parking Local Law). Clause 6.1 lists general prohibitions in relation to streets and verges and relates to sight distance hazards, damage to streets and obstructions.

Clause 6.2 lists those things that can be done only with a licence (permit). Clause 6.3 deals with verge treatments. Note that materials that may be used can be listed of a ‘list of acceptable materials’ maintained by the Shire under clause 6.4(3).

Does the Shire have a list of acceptable materials that it would like to see used?

Clause 6.8 relates to the removal of redundant crossovers; 6.10 allows the Shire to assign property numbers and clauses 6.15 and 6.16 give the Shire power to require adjoining property owners to redirect water sprinklers, remove dangerous plants or remove something that may have been placed unlawfully on a street.

Part 7 regulates particular activities in public places. Clause 7.1 deals with animals and vehicles in public places.

Are shopping trolleys an issue for the Shire? If so, clauses 7.3 to 7.6 deal dumped shopping trolleys, which (amongst other things) must be marked with the retailer’s details. If left in a public place the Shire can ask the retailer to collect and can impound the trolley and/or fine the retailer if not collected. Clause

7.4 also makes it an offence for a person to leave a shopping trolley in a public place other than an area set aside for the storage of shopping trolleys.

If not, these clauses can be deleted.

Part 8 deals with all types of licences regulated by the local law such as hire of property, alfresco dining, entertainment, markets, goods on footpaths, and so on. Clauses 8.2 to 8.4 deal with licences generally, and clauses 8.5 and 8.6 contain a list of typical conditions that might apply to a licence.

Clauses 8.8 to 8.16 deal with the duration, renewals, transfer, suspension, cancellation of licences, and 8.17 to 8.22 miscellaneous issues.

Note that licence fees are set using the Shire's annual budget not under the local law.

Part 9 deals with objections and reviews as required by Part 9 of the Local Government Act, which provides that a person may appeal a decision made in relation to the granting, renewal, transfer, amendment, suspension or cancellation of a licence.

Part 10 gives the Shire a wide range of options with respect to enforcement of the local law if necessary. It's unlikely they'll be required but there is little point having a local law without them.

Specifically, this can be issuing notices to reinstate damage to Shire property, rectify a licence breach, prosecution or the application of a modified penalty. Note that under clause 10.4 the Shire can undertake work required by a notice if its requirements are not complied with and recover the cost of doing so from the responsible person.

Finally, Schedule 1 contains a list of suggested initial Determinations made under Part 2 of the proposed local law, and Schedule 2 a list of modified penalties.

Attachments:

1. Public Places and LG Property LL Draft V 1 20 Mar 2019 **[11.1.5.1 - 47 pages]**

A draft *Shire of Coolgardie Local Government Property and Public Places Local Law 2019* is attached. Note that the draft contains text boxes which are for explanatory purposes only and will be deleted from the official version published in the Government Gazette.

Consultation:

A local government may make local laws using the process set out in section 3.12 of the Local Government Act 1995. Amongst other things this requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears:

The purpose and effect of the proposed *Shire of Coolgardie Public Places and Local Government Property Local Law* is:

Purpose

The purpose of this local law is to regulate the care, control and management of property of and under the care, control and management of the Shire including thoroughfares.

Effect

Some Shire property is set aside for uses, some activities are allowed only under a permit or under a determination, and others are restricted or prohibited. The local law also establishes offences for inappropriate behavior in or on Shire property.

As part of the process, local governments are also required to send a copy of the proposed local law to the Minister for Local Government. The results of the community consultation and feedback from the Minister are to be considered by Council before it makes the local law.

Statutory Environment:

A local government may make local laws using the process set out in section 3.12 of the *Local Government Act 1995*.

Policy Implications:

Nil

Financial Implications:

There are costs associated with the drafting, advertisement, and eventual Gazettal of the local law.

Strategic Implications:

Accountable and Effective Leaders

Demonstrating that decisions are developed through inclusive community engagement

Developing strategic partnerships with regional, State and Federal governments

Developing strong partnerships with stakeholders for the benefit of our community

Ensuring a well-informed Council makes good decisions for the community

Ensuring the Shire of Coolgardie is well positioned to meet future needs

High quality corporate governance, accountability and compliance

Maintain integrated strategic and operational plans

Voting Requirement: Simple Majority

Officer Recommendation:

That Council

1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State-wide and local public notice be given stating that:
 - a. It is proposed to make a Shire of Coolgardie Local Government Property and Public Places Local Law, and a summary of its purpose and effect;
 - b. Copies of the proposed local law may be inspected at the Shire offices;
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;
3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and
4. The results of the public consultation be presented to Council for consideration of any submissions received.

COUNCIL RESOLUTION: #091/19

Moved: Councillor, B Logan

Seconded: Councillor, E Winter

That Council

1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State-wide and local public notice be given stating that:
 - a. It is proposed to make a Shire of Coolgardie Local Government Property and Public Places Local Law, and a summary of its purpose and effect;
 - b. Copies of the proposed local law may be inspected at the Shire offices;
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;
3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and
4. The results of the public consultation be presented to Council for consideration of any submissions received.

CARRIED SIMPLE MAJORITY 6/0

11.1.6 Proposed Local Laws - Meeting Procedures

Location:	Shire of Coolgardie
Applicant:	Nil
File Reference:	
Disclosure of Interest:	Nil
Date:	13 th June 2019
Author:	Executive Manager Administration Services, Bec Horan

Summary:

The Shire is in the process of making a new set of local laws. A draft *Shire of Coolgardie Meeting Procedures Law 2019* is attached. If Council agrees, the draft local law can be advertised for public comment; the results must then be returned to Council for consideration before the local law can be made.

Background:

The Shire of Coolgardie Standing Orders Local Law was published in the Government Gazette on 6 November 2000 and amended on 8 June 2001.

Since then, there have been a number of changes to the Act and the associated Local Government (Administration) Regulations 1996 to the extent that it will be easier to make a new local law than to amend the current one.

Comment:

A draft new *Shire of Coolgardie Meeting Procedures Local Law* is attached. It is based on a model developed by the WA Local Government Association, modified to suit the Shire.

Note that it contains extensive references to the Act and Regulations. While this makes for a longer document, given the degree of matter regulated by these pieces of legislation placing as much as possible in one location may help to demystify what can be a confusing array of rules for councillors and the public.

The draft local law is divided into Parts, summarised as follows:

- Part 1 – Deals with preliminary matters such as definitions
- Part 2 – Relates to the establishment and membership of committees
- Part 3 - Calling and convening meetings
- Part 4 – Presiding Member and quorum
- Part 5 - The business of a meeting; in particular clause 5.2 sets out the order of business at meetings
- Part 6 - Public participation in meetings
- Part 7 - Questions by Members
- Part 8 – Conduct of Members – note clause 8.4 contains a requirement for councillors to stand when addressing the meeting unless prevented by illness or disability
- Part 9 - Preserving order
- Part 10 - Debate of substantive motions
- Part 11 - Procedural motions

- Part 12 - Disclosure of interests
- Part 13 - Voting
- Part 14 – Minutes of meetings
- Part 15 - Adjournment of meeting
- Part 16 – Revoking or changing decisions
- Part 17 - Suspension of Local Laws
- Part 18 - Meetings of electors
- Part 19 - Enforcement

Attachments:

1. Meeting Procedures LL V 2 7 Jun 2019 [11.1.6.1 - 45 pages]

A draft *Shire of Coolgardie Meeting Procedures Local Law 2019* is attached. Note that the draft contains text boxes which are for explanatory purposes only and will be deleted from the official version published in the Government Gazette.

Consultation:

Local laws are made using the process set out in section 3.12(3) of the Local Government Act 1995. Amongst other things this requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

Purpose

The purpose of this local law is to regulate the conduct of council, committee and electors meeting.

Effect

Meetings of council, committees and electors are to be conducted in accordance with the local law.

The results of the community consultation and feedback from the Minister are to be considered by Council before it makes the local law.

Statutory Environment:

A local government may make local laws about meeting procedures using the process set out in section 3.12 of the Local Government Act 1995. A number of issues relating to meetings are also set out in the Local Government Act and its associated regulations.

Policy Implications:

Nil

Financial Implications:

There are costs associated with the drafting, advertisement, and eventual Gazettal of the local law.

Strategic Implications:

Accountable and Effective Leaders

- Demonstrating that decisions are developed through inclusive community engagement
- Developing strategic partnerships with regional, State and Federal governments
- Developing strong partnerships with stakeholders for the benefit of our community
- Ensuring a well-informed Council makes good decisions for the community
- Ensuring the Shire of Coolgardie is well positioned to meet future needs
- High quality corporate governance, accountability and compliance

Maintain integrated strategic and operational plans

Voting Requirement: Simple Majority

Officer Recommendation:

That Council

1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State-wide and local public notice be given stating that:
 - a. It is proposed to make a Shire of Coolgardie Meeting Procedures Local Law, and a summary of its purpose and effect;
 - b. Copies of the proposed local law may be inspected at the Shire offices;
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;
3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and
4. The results of the public consultation be presented to Council for consideration of any submissions received.

COUNCIL RESOLUTION: #092/19

Moved: Councillor, B Logan

Seconded: Councillor, T Rathbone

That Council

1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State-wide and local public notice be given stating that:
 - a. It is proposed to make a Shire of Coolgardie Meeting Procedures Local Law, and a summary of its purpose and effect;
 - b. Copies of the proposed local law may be inspected at the Shire offices;
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;
3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and
4. The results of the public consultation be presented to Council for consideration of any submissions received.

CARRIED SIMPLE MAJORITY 6/0

11.1.7 Proposed Local Laws - Parking

Location:	Shire of Coolgardie
Applicant:	Nil
File Reference:	
Disclosure of Interest:	Nil
Date:	17th June 2019
Author:	Executive Manager Administration Services, Bec Horan

Summary:

The Shire is in the process of making a new set of local laws.

A draft *Shire of Coolgardie Parking Local Law 2019* is attached. Note that while it contains provisions that are unlikely to be used in the Shire relating to fee parking and the like which are unlikely to be used (if ever), given that it is based on a model local law, it is simpler and cheaper to leave them 'as is' rather than extensive customisation to suit.

If Council agrees, the draft local law can be advertised for public comment; the results must then be returned to Council for consideration before the local law can be made.

Background:

The Shire of Coolgardie Parking Angle By-Law 1953 was published in the Government Gazette on 10 January 1953 and is well out of date.

Parking issues are not generally a major issue in the Shire, although complaints about large or heavy vehicles being parked in residential areas are of concern.

Comment:

A draft new *Shire of Coolgardie Parking Local Law* is attached. It is based on one made by the City of Rockingham in January 2019 which in turn comes from a model developed by the WA Local Government Association.

The local law draws heavily on the provisions of the Road Traffic Code, particular with respect to how certain matters are defined and applied in thoroughfares (roads).

In relation to large vehicles in residential areas, clause 7.12 of the draft local law provides that:

7.5 Stopping on a carriageway – heavy and long vehicles

(1) A person shall not park a vehicle or any combination of vehicles, that, together with any projection on, or load carried by, the vehicle or combination of vehicles, is 7.5 metres or more in length or exceeds a GVM of 4.5 tonnes:

- (a) on a carriageway in a built-up area, for any period exceeding one hour, unless engaged in the picking up or setting down of goods; or
- (b) on a carriageway outside a built-up area, except on the shoulder of the carriageway, or in a truck bay or other area set aside for the parking of goods vehicles.

In addition, clause 7.9 provides that:

7.9 Stopping on verge

(1) A person shall not:

...

(b) stop a commercial vehicle or bus, or a trailer or caravan unattached to a motor vehicle; ... so that any portion of it is on a verge.

...

(3) Subject to clause 9.6, subclause (1)(b) does not apply to a commercial vehicle when it is being loaded or unloaded with reasonable expedition with goods, merchandise or materials collected from or delivered to the premises adjacent to the portion of the verge on which the commercial vehicle is parked, provided no obstruction is caused to the passage of any vehicle or person using a carriageway or a path.

If all else fails, clause 9.5 provides a catch-all that requires a vehicle to be moved if left in a thoroughfare for more than 24 hours:

9.6 Vehicles not to obstruct a public place

1. A person shall not leave a vehicle, or any part of a vehicle, in a public place so that it obstructs the use of any part of that public place without the permission of the local government or unless authorised under any written law.
2. A person will not contravene subclause (1) where the vehicle is left for a period not exceeding 24 hours.

In summary, the draft local law has sufficient scope to deal with most parking issues that may arise in the Shire.

Attachments:

1. Coolgardie Parking LL Draft 10 Jun 2019 [**11.1.7.1 - 46 pages**]

A draft *Shire of Coolgardie Parking Local Law 2019* is attached. Note that the draft contains text boxes which are for explanatory purposes only and will be deleted from the official version published in the Government Gazette.

Consultation:

Local laws are made using the process set out in section 3.12(3) of the Local Government Act 1995. Amongst other things this requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

The purpose and effect of the local law is:

Purpose

To enable the Shire to regulate the parking of vehicles within the district and provide for the management and operation of parking facilities under the Shire's care, control and management.

Effect:

A person parking a vehicle within the parking region is to comply with the provisions of the local law.

The results of the community consultation and feedback from the Minister are to be considered by Council before it makes the local law.

Statutory Environment:

Local laws are made using the process set out in section 3.12 of the Local Government Act 1995.

Policy Implications:

Nil

Financial Implications:

There are costs associated with the drafting, advertisement, and eventual Gazettal of the local law.

Strategic Implications:**Accountable and Effective Leaders**

Demonstrating that decisions are developed through inclusive community engagement

Developing strategic partnerships with regional, State and Federal governments

Developing strong partnerships with stakeholders for the benefit of our community

Ensuring a well-informed Council makes good decisions for the community

Ensuring the Shire of Coolgardie is well positioned to meet future needs

High quality corporate governance, accountability and compliance

Maintain integrated strategic and operational plans

Voting Requirement: Simple Majority

Officer Recommendation:

That Council

1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State-wide and local public notice be given stating that:
 - a. It is proposed to make a Shire of Coolgardie Parking Local Law, and a summary of its purpose and effect;
 - b. Copies of the proposed local law may be inspected at the Shire offices;
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;
3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and
4. The results of the public consultation be presented to Council for consideration of any submissions received.

COUNCIL RESOLUTION: #093/19

Moved: Councillor, K Lindup

Seconded: Councillor, T Rathbone

That Council

1. **In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State-wide and local public notice be given stating that:**
 - a. **It is proposed to make a Shire of Coolgardie Parking Local Law, and a summary of its purpose and effect;**

- b. Copies of the proposed local law may be inspected at the Shire offices;
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
- 2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;
- 3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and
- 4. The results of the public consultation be presented to Council for consideration of any submissions received.

CARRIED SIMPLE MAJORITY 6/0

11.1.8 Proposed Local Laws - Repeal

Location:	Shire of Coolgardie
Applicant:	Nil
File Reference:	
Disclosure of Interest:	Nil
Date:	17 th June 2019
Author:	Executive Manager Administration Services, Bec Horan

Summary:

The Shire is in the process of making a new set of local laws. Some are simply no longer required and can be repealed.

A draft *Shire of Coolgardie Repeal Local Law 2019* is attached. If Council agrees, the draft local law can be advertised for public comment; the results must then be returned to Council for consideration before the local law can be made.

Background:

As noted above, there are a number of local laws that will be repealed in the process to make a replacement. Others are simply no longer required, as noted below.

Signs, Hoarding and Bill Posting

The *Shire of Coolgardie Adoption of amendments to Model Local Laws relating to Signs Hoardings and Bill Posting No. 13* bylaw was published in the Government Gazette on 3 June 1997. The *Shire of Coolgardie Adoption of Draft Model By-laws Relating to Signs, Hoardings and Billposting* was published in the Government Gazette on 21 November 1967 and amended on 15 March 1996.

The Shire's Local Planning Scheme No 5 deals adequately with signs. In summary, the *Planning and Development (Local Planning Scheme) Regulations 2015* provides that signs and advertisements require a planning approval unless exempt.

Clause 61 of Schedule 2 of the Regulations lists those matters where development approval is not required, including:

- (h) *the erection or installation of a sign of a class specified in a local planning policy or local development plan that applies in respect of the sign unless the sign is to be erected or installed —*
- (i) *on a place included on a heritage list prepared in accordance with this Scheme; or*
 - (ii) *on land located within an area designated under this Scheme as a heritage area;*

Schedule 1 of the Shire's LPS 5 lists those signs where a DA is not required. As such, the Shire of Coolgardie local laws that relate to signs can be repealed.

Note that:

- Some signs may also require a permit under the Building Act 2011 in relation to their structure; and

- The draft *Shire of Coolgardie Local Government and Public Places Local Law* will also require a permit for any sign on local government property (which includes road reserves, verges, sporting ovals, fencing on property under the Shire's care, control and management), clubrooms and the like unless exempt under the local law. Exemptions include street nameplates, signs drawing attention to conditions of use of a reserve, roadworks, or otherwise permitted a written law.

The Shire can also permit sponsorship signs via a lease or hire agreement for clubrooms, ovals and the like.

TV Masts and Antennae

The *Shire of Coolgardie adoption of Uniform Bylaws for the Construction of TV Masts and Antennae* was published in the Government Gazette on 6 May 1960.

All issues relating to this topic are dealt with under the LPS and Building Act. The local law can be repealed.

Bees

The *Shire of Coolgardie By-laws Relating to Bees Kept on Residential Zoned Land* was published in the Government Gazette on 16 June 1989. Its provisions are based on the Bee Keeping Act 1963, which was repealed and replaced in 2013.

Clauses 103 – 106 of the *Shire of Coolgardie Health Local Laws 1999* published in the Government Gazette on 31 March 1999 also deals with bees.

The major legislative provisions governing bee keeping are now in –

1. The *Biosecurity and Agriculture Management (Identification and Movement of Stock and Apiaries) Regulations 2013* – including:
 - a. Part 2, Divisions 3 and 4 (dealing with the registration of beekeepers),
 - b. Part 9 (regulations 202-210), dealing with the identification and movement of apiaries, and
 - c. The definitions in regulation 3 of the term's 'apiary', 'beekeeper' and 'registered beekeeper'.
2. The *Biosecurity and Agriculture Management Regulations 2013* – including regulations 19 and 86-90 and the definitions in regulation 3 of the term's 'apiary', 'beekeeper' and 'hive product'.
3. Insofar as local governments are concerned section 3.25 and item 11 of Schedule 3.1 of the Local Government Act 1995 provides that a local government may serve a notice on an owner or occupier of property to:
 11. *Remove bees that are likely to endanger the safety of any person or create a serious public nuisance.*

The Biosecurity Act and Regulations are administered by the Department of Agriculture. Beekeepers are required to be registered with the Department. The Shire's role is secondary.

Many issues associated with bees relate to water, or a lack of it. Regulation 90 of the *Biosecurity and Agriculture Management Regulations 2013* imposes an obligation for every beekeeper to provide a good and sufficient supply of water on every apiary site in a way that is readily accessible to the bees on that site, a breach of which attracts a maximum penalty of \$10,000. As a result, the Shire cannot impose a similar notice to be issued requiring an owner or occupier (or other person) to take action; in particular the list of items contained in Schedule 3.1.

As a result of the JSCDL's views, local laws have been disallowed where notice provisions purport to go beyond the matters listed in Schedule 3.1 of the Local Government Act (such as issuing modified penalties or infringements - in the JSC's view, Parliament intended for local governments to have the power to deal quickly with the issues listed, and to do the work itself if notices were not complied with). obligation either directly or by way of a condition of a permit.

In addition, based on previous decisions the WA Parliamentary Joint Standing Committee on Delegated Legislation has effectively limited the range of matters in respect of which a local law can provide for a As such the Bees local law and those parts of the Health local law dealing with bees can be repealed. Any issues that occur can be dealt with under the Local Government Act.

Comment:

There is no need for the local laws listed.

Attachments:

1. Repeal LL V 2 7 Jun 2019 [11.1.8.1 - 1 page]

A draft *Shire of Coolgardie Repeal Local Law* is attached.

Consultation:

Local laws (including repeal and amendment local laws) are made using the process set out in section 3.12(3) of the Local Government Act 1995. Amongst other things this requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

The purpose and effect of the local law is:

Purpose

To repeal local laws relating to signs, TV antennae and masts, and bee keeping.

Effect

The local laws are repealed.

The results of the community consultation and feedback from the Minister are to be considered by Council before it makes the local law.

Statutory Environment:

A local government may make local laws using the process set out in section 3.12 of the Local Government Act 1995.

Policy Implications:

Nil

Financial Implications:

There are costs associated with the drafting, advertisement, and eventual Gazettal of the local law.

Strategic Implications:

Accountable and Effective Leaders

Demonstrating that decisions are developed through inclusive community engagement

Developing strategic partnerships with regional, State and Federal governments

Developing strong partnerships with stakeholders for the benefit of our community

Ensuring a well-informed Council makes good decisions for the community
Ensuring the Shire of Coolgardie is well positioned to meet future needs
High quality corporate governance, accountability and compliance
Maintain integrated strategic and operational plans

Voting Requirement: Simple Majority

Officer Recommendation:

That Council

1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State-wide and local public notice be given stating that:
 - a. It is proposed to make a Shire of Coolgardie Repeal Local Law, and a summary of its purpose and effect;
 - b. Copies of the proposed local law may be inspected at the Shire offices;
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;
3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and
4. The results of the public consultation be presented to Council for consideration of any submissions received.

COUNCIL RESOLUTION: #094/19

Moved: Councillor, T Rathbone
Seconded: Councillor, E Winter

That Council

1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State-wide and local public notice be given stating that:
 - a. It is proposed to make a Shire of Coolgardie Repeal Local Law, and a summary of its purpose and effect;
 - b. Copies of the proposed local law may be inspected at the Shire offices;
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;
3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and
4. The results of the public consultation be presented to Council for consideration of any submissions received.

CARRIED SIMPLE MAJORITY 6/0

11.1.9 Proposed Local Laws - Waste

Location:	Shire of Coolgardie
Applicant:	Nil
File Reference:	
Disclosure of Interest:	Nil
Date:	17 th June 2019
Author:	Executive Manager Administration Services, Bec Horan

Summary:

The Shire is in the process of making a new set of local laws.

A draft *Shire of Coolgardie Waste Local Law 2019* is attached. If Council agrees, the draft local law can be advertised for public comment; the results must then be returned to Council for consideration before the local law can be made.

Background:

Clauses 39-48 of the Shire's Health Local Law 1999 deal with refuse.

Health local laws were made under the Health Act 1911. This Act was substantially replaced with the Public Health Act 2016, which repealed various provisions of the Health Act that dealt with the powers of local governments in relation to the collection and removal of rubbish, and had the effect of transferring the powers of a local government to make local laws about waste to the Waste Avoidance and Resource Recovery Act 2006.

Comment:

A proposed new Shire of Coolgardie Waste Local Law is attached. It is based on a WALGA model local law, updated to suit the Shire. The draft local law is divided into 5 Parts:

1. Definitions.
2. Disposal of refuse – this Part deals with rubbish receptacles, placement on streets for collection, the use of receptacles and what may be placed in them, and other provisions to ensure that waste is able to be removed efficiently.
3. General duties of owners and occupiers in relation to waste.
4. Operation of Waste facilities; and
5. Enforcement provisions – including a Schedule of modified penalties that may be imposed. These provisions are a significant improvement on the provisions allowable under the existing Health Local Law.

In summary, there are few practical differences between how current provisions relating to waste are dealt with; the proposed new local law simply puts them into a more up to date legislative framework.

Attachments:

1. Waste LL Draft V 1 Jun 2019 [11.1.9.1 - 19 pages]

A draft *Shire of Coolgardie Waste Local Law 2019* is attached. Note that the draft contains text boxes which are for explanatory purposes only and will be deleted from the official version published in the Government Gazette.

Consultation:

Section 61 of the Waste Avoidance and Resource Recovery specifies that waste local laws are to be made in accordance with the process set out by sections 3.11 to 3.17 of the Local Government Act 1995.

The Act requires the person presiding at a Council meeting to give notice of the purpose and effect of the proposed local law by ensuring that the purpose and effect is included in the agenda for the meeting and that the minutes of the meeting include the purpose and effect of the proposed local law:

Purpose:

The objective of this local law is to regulate the storage, collection and disposal of waste and refuse from premises and on waste facilities in the Shire.

Effect:

Unless otherwise authorized, the storage, collection and disposal of waste and refuse within the Shire must be carried out in accordance with the provisions of the local law.

As part of the process, local governments are required to send a copy of the proposed Amendment local law to the Ministers for Local Government and the Environment. The results of the community consultation and feedback from the Minister are to be considered by Council before it makes the local law.

The Shire is also required to obtain the consent of the CEO of the Waste Authority before finally making the local law under s3.12(4) of the Local Government Act.

Statutory Environment:

A local government may make local laws about waste using the process set out in section 3.12 of the Local Government Act 1995.

Policy Implications:

Nil

Financial Implications:

There are costs associated with the drafting, advertisement, and eventual Gazettal of the local law.

Strategic Implications:

Accountable and Effective Leaders

Demonstrating that decisions are developed through inclusive community engagement

Developing strategic partnerships with regional, State and Federal governments

Developing strong partnerships with stakeholders for the benefit of our community

Ensuring a well-informed Council makes good decisions for the community

Ensuring the Shire of Coolgardie is well positioned to meet future needs

High quality corporate governance, accountability and compliance

Maintain integrated strategic and operational plans

Voting Requirement: Simple Majority

Officer Recommendation:

That Council

1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State-wide and local public notice be given stating that:
 - a. It is proposed to make a Shire of Coolgardie Waste Local Law, and a summary of its purpose and effect;
 - b. Copies of the proposed local law may be inspected at the Shire offices;
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Ministers for Local Government, and the Environment;
3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and
4. The results of the public consultation be presented to Council for consideration of any submissions received.

COUNCIL RESOLUTION: #095/19

Moved: Councillor, T Rathbone

Seconded: Councillor, B Logan

That Council

1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State-wide and local public notice be given stating that:
 - a. It is proposed to make a Shire of Coolgardie Waste Local Law, and a summary of its purpose and effect;
 - b. Copies of the proposed local law may be inspected at the Shire offices;
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Ministers for Local Government, and the Environment;
3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and
4. The results of the public consultation be presented to Council for consideration of any submissions received.

CARRIED SIMPLE MAJORITY 6/0

11.1.10 Proposed Local Laws - Dogs

Location:	Shire of Coolgardie
Applicant:	Nil
File Reference:	
Disclosure of Interest:	Nil
Date:	13 th June 2019
Author:	Executive Manager Administration Services, Bec Horan

Summary:

The Shire is in the process of making a new set of local laws. Most issues relating to dogs are now dealt with under the Dog Act 1976 and its associated Regulations.

A draft new *Shire of Coolgardie Dogs Local Law 2019* is attached. If Council agrees, the draft local law can be advertised for public comment; the results must then be returned to Council for consideration before the local law can be made.

Background:

The *Shire of Coolgardie Dogs Local Law* was made in 1985 and last amended in 1997. A number of activities dealt with by this local law have been affected by changes to other legislation, and in particular changes to the Dog Act 1976 and the Dogs Regulations 2013.

This includes changes relating to:

- Registration of dogs;
- The concept of 'dangerous dogs' as defined by the Act;
- Operation of dog management facilities (pounds), including:
 - Issues in relation to the impounding of dogs;
 - Attendance of a pound keeper at the pound; and
 - The release of impounded dogs is now dealt with by the Dog Act 1976, and in particular section 29.
- Registration fees (although fees for the seizure and impounding of a dog are set by a local government in its annual budget under section 6.16 of the Local Government Act 1995);
- How off leash dog exercise areas are established;
- Dogs wandering at large;
- Dogs not under control;
- Dog attacks;
- Provisions about assistance animals such as guide dogs; and
- Modified penalties applicable for minor offences.

The only matters that a local government may now make local laws about are listed in section 51 of the Dog Act:

51. Local law-making powers

A local government may so make local laws —

(a) providing for the registration of dogs;

[(b) deleted]

- (c) specifying areas within which it shall be an offence (unless the excreta are removed) for any person liable for the control of a dog to permit that dog to excrete on any street or public place or on any land without the consent of the occupier;*
- (d) requiring that in specified areas a portion of the premises where a dog is kept must be fenced in a manner capable of confining the dog;*
- (e) providing for the establishment and maintenance of dog management facilities and other services and facilities necessary or expedient for the purposes of this Act;*
- (f) providing for the detention, maintenance, care and release or disposal of dogs seized;*
- (g) as to the destruction of dogs pursuant to the powers hereinbefore conferred;*
- [(h) deleted]*
- (i) providing for the licensing, regulating, construction, use, and inspection of approved kennel establishments.*

In reality it is now only necessary to make a local law that deals with dog confinement and the requirement to pick up dog excreta. There are no dog kennels in the Shire, and while unlikely that any will be established, applications received can be dealt with under the Local Planning Scheme.

In addition, areas where dogs are prohibited and where dogs may be exercised off leash are set by Council resolution and by the giving of local public notice under s31(3A) of the Dog Act 1976. The following are dog exercise areas:

- Kambalda - East Oval, Harry Steinhäuser Reserve – Serpentine Road, Kambalda
- Coolgardie - Dog Exercise Area – end of Hunt Street, Coolgardie

It is not clear if the notice process required by s31(3A) has been previously undertaken and as such is included in the recommendation below.

Comment:

It will be less expensive and easier to simply replace the 1997 local law with a new version.

The required Council resolution to establish areas where dogs are prohibited absolutely and where dogs may be exercised off lease under s 31(3A) of the Dog Act is reflected in the recommendation below.

Attachments:

1. Dogs LL Draft V 2 May 2019 [11.1.10.1 - 8 pages]
2. Prohibited and Dog Exercise Areas Shire of Coolgardie May 2019 [11.1.10.2 - 1 page]

A draft *Shire of Coolgardie Dogs Local Law 2019* is attached. Note that the draft contains text boxes which are for explanatory purposes only and will be deleted from the official version published in the Government Gazette.

Also attached is a proposed list of places where dogs are prohibited absolutely, and where dogs may be exercised off leash.

Consultation:

Section 51 of the Dog Act 1976 provides that a local government may make local laws about dogs using the process set out in section 3.12 of the Local Government Act 1995.

Amongst other things this requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears. A copy is also to be sent to the Minister for Local Government.

The purpose and effect of the proposed *Shire of Coolgardie Dogs Local Law* is:

Purpose

To make provisions about the confinement of dogs, control the number of dogs that can be kept on premises in the district, and to require removal of dog excreta.

Effect

To extend the controls over dogs which exist under the Dog Act 1976 and Regulations.

The results of the community consultation and feedback from the Minister are to be considered by Council before it makes the local law.

In addition, as noted above local public notice is required of areas where dogs are prohibited and where they may be exercised off leash under s 31(3A) of the Dog Act is also required. There is no requirement to receive feedback, simply the giving of notice. A list that reflects the current provisions in the Shire is attached to this report.

Statutory Environment:

Section 51 of the Dog Act 1976 provides that a local government may make local laws about dogs using the process set out in section 3.12 of the Local Government Act 1995.

Policy Implications:

Nil

Financial Implications:

There are costs associated with the drafting, advertisement, and eventual Gazettal of the local law.

Strategic Implications:

Accountable and Effective Leaders

Demonstrating that decisions are developed through inclusive community engagement

Ensuring a well-informed Council makes good decisions for the community

Ensuring the Shire of Coolgardie is well positioned to meet future needs

High quality corporate governance, accountability and compliance

Maintain integrated strategic and operational plans

Voting Requirement: Simple Majority

Officer Recommendation:

That Council

1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State-wide and local public notice be given stating that:
 - a. It is proposed to make a Shire of Coolgardie Dogs Local Law, and a summary of its purpose and effect;
 - b. Copies of the proposed local law may be inspected at the Shire offices;
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;
3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it;

4. The results of the public consultation be presented to Council for consideration of any submissions received; and
5. Local public notice under s31(3A) of the Dog Act 1976 of the areas where dogs are prohibited and where dogs may be exercised off leash as attached to the report of the CEO be given.

COUNCIL RESOLUTION: #096/19

Moved: Councillor, K Lindup

Seconded: Councillor, B Logan

That Council

1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State-wide and local public notice be given stating that:
 - a. It is proposed to make a Shire of Coolgardie Dogs Local Law, and a summary of its purpose and effect;
 - b. Copies of the proposed local law may be inspected at the Shire offices;
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;
3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it;
4. The results of the public consultation be presented to Council for consideration of any submissions received; and
5. Local public notice under s31(3A) of the Dog Act 1976 of the areas where dogs are prohibited and where dogs may be exercised off leash as attached to the report of the CEO be given.

CARRIED SIMPLE MAJORITY 6/0

11.1.11 Delegation Register

Location:	Nil
Applicant:	Nil
File Reference:	
Disclosure of Interest:	Nil
Date:	17 th June 2019
Author:	Executive Manager Administration Services, Bec Horan

Summary:

That Council adopt the Shire of Coolgardie Register of Delegations, Sub-delegations, Appointments and Authorisations.

Background:

The CEO determined to commission a peer review of the Register of Delegations, which highlighted multiple matters that needed extensive rewriting to produce a contemporary Register of Delegations. Consultant Steven Tweedie has been reviewing the Shire's delegations register over the past few months with several workshops with both Management and Councillors.

Delegations are a complex issue with different heads of power in different Acts, different ways of delegating, different requirements regarding what can be delegated, and to whom (some Acts only permit delegations to employees, other Acts to anyone - thus contractors or consultants).

In addition, there are requirements for employees holding delegated authority under the Local Government Act, which results in them being required to make Primary and Annual Returns and be bound by additional gift disclosure requirements. This is on the basis that, elected members who would otherwise make the decisions are bound by these requirements, and therefore others making such decisions "on their behalf" should be similarly bound.

However, the same requirements do not attach to delegations under any other Act, which means some employees exercising delegated authority have additional requirements and responsibilities, that other employees with delegated authority under other Acts, do not.

The CEO has taken the decision that all employees exercising delegated authority should be bound by the same requirements and therefore it is a standard condition on all delegated authorities that the employees responsible must comply with the requirements of the Local Government Act 1995, as designated employees. Following adoption of the Register of Delegations the CEO will move to formalise this decision and if necessary further training will be provided in July 2019.

Comment:

s5.46 of the Local Government Act 1995 requires all delegations made under the Act to be reviewed at least once in every financial year. Other Acts have different similar or no such provisions.

The Register now addresses all delegations relevant to the Shire of Coolgardie in an easy to read format.

Council has had several briefings on the approach, the principles and the content to ensure a full understanding.

Council will note that it is a condition of every delegation and sub delegation that Policy be complied with, to ensure consistency of approach and guide the delegate in exercising delegated authority.

The Register also adopts several principles:

- The CEO should hold every delegation from Council, wherever possible, and in addition to any other employee so designated
- The CEO is the only employee authorised to commence legal action on behalf of the local government
- Where rights of appeal or objection exist, or related avenues such as withdrawal of a Notice or delaying the due date, only the CEO will be able to make such determinations. Thus, another employee will be delegated authority to make the initial decision, with the CEO, as their superior, making subsequent decisions. If it were the other way around, then one of the CEO's subordinates would be making decisions to overrule the CEO or vary his decisions and that is inappropriate.

The Register includes delegations and sub delegations by the CEO, authorisations by the Council and CEO and appointments, to provide a complete record of related matters. Council need only confirm the delegations and authorisations made by it to the CEO (and others).

Subsequent to the commission of the development of the new Register it was recognised that the Policy Manual needed a significant rewrite, and this has been commissioned and will be available for Council to consider during June 2019, for adoption in July 2019. The Policy Manual will be split into Council Policies and Operational Policies.

Attachments:

1. Delegations Register Final - 17 th June **[11.1.11.1 - 228 pages]**

Consultation:

Consultant, Steven Tweedie
Councillors
Management

Statutory Environment:

Local Government Act 1995

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.

Policy Implications:

As described above the Policy Manual is being rewritten, in part to support the Register of Delegations but also to provide a contemporary Policy Manual split into Council Policy and Operational Policy.

Financial Implications:

Nil

Strategic Implications:

Accountable and Effective Leaders

Ensuring a well-informed Council makes good decisions for the community
High quality corporate governance, accountability and compliance

Voting Requirement: Absolute Majority

Absolute Majority for all delegations under Local Government Act 1995, and some other Acts.

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.

Officer Recommendation:

That Council

1. Adopts, by Absolute Majority, the Register of Delegations 2018 - 2019, describing delegations and authorisations by the Council, as the local government.
2. Notes the Sub Delegations by the CEO to other employees, and others.
3. Notes the Authorisations by the CEO.
4. Notes the Appointments.

COUNCIL RESOLUTION: #097/19

Moved: Councillor, E Winter

Seconded: Councillor, S Botting

That Council

1. **Adopts, by Absolute Majority, the Register of Delegations 2018 - 2019, describing delegations and authorisations by the Council, as the local government.**
2. **Notes the Sub Delegations by the CEO to other employees, and others.**
3. **Notes the Authorisations by the CEO.**
4. **Notes the Appointments.**

CARRIED ABSOLUTE MAJORITY 6/0

11.1.12 Website and Intranet Design and Development

Location: Shire of Coolgardie

Applicant: Shire of Coolgardie

File Reference:

Disclosure of Interest: The Author has no interest in this matter

Date: 18 June 2019

Author: Mia Hicks, Executive Manager, Economic Development and Projects

Summary:

The purpose of the report is to recommend to Council to accept the quotations from Market Creations for Website re-development, intranet design and development, creation of a new brand, and PR Consultancy.

Background:

At the June briefing meeting, the proposals from Market Creations were presented for discussion with Council.

It was acknowledged that the Shire of Coolgardie last undertook a website redevelopment in 2013 which included adding several modules to the existing website. It is now recommended that the website is refreshed and include new modules including mobile website design.

Comment:

In addition to the website refresh, Market Creation will develop an intranet to improve internal communication and workplace productivity. It is also recommended that the Council considers a new branding strategy. A marketing and public relations consultancy contract will provide staff with support to ensure effective communication with the community. This will include a public relations audit, the development of a marketing strategy, and implementation of the strategy.

Attachments:

Nil

Consultation:

James Trail, CEO

Bec Horan, Manager Administration Services

Mia Hicks, Executive Manager of Economic Development and Projects

Amy Grazziadelli, Economic Development Officer

Sharon Watson, General Manager, Market Creations

Alice Jeffcott, Marketing Consultant, Market Creations

Statutory Environment:

Nil

Policy Implications:

Nil

Financial Implications:

A budget request of \$72,000 has been included in the 2019/2020 Annual Budget towards marketing activities, website re-design, rebranding and intranet development.

Strategic Implications:

Accountable and Effective Leaders

High quality corporate governance, accountability and compliance

Voting Requirement: Absolute Majority

Officer Recommendation:

That Council,

1. Endorse the quotations from Market Creations for website re-development, intranet design and development, creation of a new brand, and public relations consultancy.
2. Endorse the required funding of \$72,000 to be included in the 2019/2020 Annual Budget

COUNCIL RESOLUTION: #098/19

Moved: Councillor, T Rathbone

Seconded: Councillor, B Logan

That Council,

1. Endorse the quotations from Market Creations for website re-development, intranet design and development, creation of a new brand, and public relations consultancy.
2. Endorse the required funding of \$72,000 to be included in the 2019/2020 Annual Budget

CARRIED ABSOLUTE MAJORITY 6/0

11.1.13 Ben Prior's Park

Location:	Coolgardie
Applicant:	Shire of Coolgardie
File Reference:	
Disclosure of Interest:	The Author has no interest in this matter
Date:	18 June 2019
Author:	Mia Hicks, Executive Manager, Economic Development and Projects

Summary:

The purpose of the report is to recommend to Council that the Shire of Coolgardie commence the restoration of Ben Prior Park as a shared value project with Evolution Mining.

Background:

At the December 18, 2018 Council meeting, Council resolved (Resolution #258/18) to -

1. Support the development of a project proposal to Evolution Mining outlining the works required and costings to revitalise Ben Prior's Park as a tourist attraction.
2. Ben Prior Park Proposal be submitted at the February Council Meeting 2019

Due to delays in obtaining quotations, Evolution Mining required that the Ben Prior Park Business Case was submitted as soon as practical. In March 2019, the Business Case was submitted with the proviso that it was still pending Council approval. A contribution of \$30,000 towards the project was proposed, also pending Council approval.

In May 2019, the Shire of Coolgardie was advised that Evolution Mining would fund \$177,170 towards the project budget of \$207,170.

Comment:

The aim of this project is to reinstate the oldest open-air mining museum in the Goldfields region – Ben Prior Park. The Park contains extremely rare mining items dating back to 1894 during the goldrush when Coolgardie was the third largest town in Western Australia (after Perth and Fremantle).

Over the last 30 years, the Park has become dilapidated and no longer meets modern tourists' expectations. Local community members have reported a decreased attendance at the Park despite the uniqueness of the asset. Visitors and Goldfields residents have also commented on the degradation of the Park over the years.

The Ben Prior collection is considered by local historians as eccentric and quirky with unique items from the gold rush era. It fails, however, to tell the stories of the mining industry and early settlers to the Goldfields region. Stakeholders engaged in the project concept phase have expressed that, with an ageing population in the region, it is imminent that local and historical stories are captured for future generations.

Significant consultation with numerous stakeholders has been undertaken including local historians. On Saturday, 22 June 2019, the project will be presented to the community as an update.

Attachments:

1. MOU - Evolution and SOC - Final [11.1.13.1 - 13 pages]

Consultation:

Cr Malcolm Cullen, Shire President
Mia Hicks, Executive Manager of Economic Development and Projects
Leanne Shilton - Team Leader, Recreation and Community Development
Katherine Fox – Team Leader, Recreation and Community Development
Dianne Newell (People, Culture and Community Manager) Evolution Mining
Matt Jones (Senior Surveyor) Evolution Mining
Peter Green, historical mining advisor
Victor Dale, historical mining advisor
Gorrie Williams, Coolgardie Men's Shed
Brendan Shilton, community member
Max King, community member
Anthony Sherlock – Goldfields Land and Sea Council

Statutory Environment:

Nil

Policy Implications:

Nil

Financial Implications:

A budget request of \$30,000 has been included in the 2019/2020 Annual Budget towards tourism asset renewal. The project cost of \$207,000 will be included in the 2019/2020 Annual Budget

Strategic Implications:

Accountable and Effective Leaders

Developing strong partnerships with stakeholders for the benefit of our community

An inclusive, safe and vibrant community

Continuing to support the children and youth of our community

Voting Requirement: Absolute Majority

Officer Recommendation:

That Council,

1. Agree to commence the restoration of Ben Prior Park as a shared value project with Evolution Mining
2. Endorse the inclusion of \$207,000 for the Ben Prior Park project in the 2019/2020 Annual Budget
3. Endorse the inclusion of a contribution from the Shire of \$30,000 towards the project in the 2019/2020 Annual Budget

COUNCIL RESOLUTION: #099/19

**Moved: Councillor, S Botting
Seconded: Councillor, T Rathbone**

That Council,

- 1. Agree to commence the restoration of Ben Prior Park as a shared value project with Evolution Mining**
- 2. Endorse the inclusion of \$207,000 for the Ben Prior Park project in the 2019/2020 Annual Budget**
- 3. Endorse the inclusion of a contribution from the Shire of \$30,000 towards the project in the 2019/2020 Annual Budget**

CARRIED ABSOLUTE MAJORITY 6/0

11.1.14 Overaward Policy

Location:	Shire of Coolgardie
Applicant:	Nil
File Reference:	
Disclosure of Interest:	Nil
Date:	17 th June 2019
Author:	Executive Manager Administration Services, Bec Horan

Summary:

To be considered an employer of choice the Shire of Coolgardie provides various incentives to attract and retain suitably skilled and experienced staff. The Council on 24th January 2017 adopted an Over-award Payment Policy to complement its other attraction and retention incentives.

The unintended consequence of this Policy is that there is an element of “double dipping” where the over-award is paid on top of annual salary increases, thereby providing the employee with an unintended double benefit.

This Report and the revised Policy removes the possibility of the unintended “double dipping” by making the over-award payment a fixed amount.

Comment:

The scheduled Award rates of pay are adjusted annually to keep up with the cost of living increases, and the over-award is applied to the new rates of pay.

This results in the employee receiving--

- an annual increase in their base salary (Award Rate); and
- an over award payment on top of the new rate of pay,

which can be described as “double dipping” – a salary increase on top of a salary increase thereby providing the employee with an unintended double benefit.

To put an end to “double dipping” it is possible for the employee’s base salary to be frozen/fixed for the purposes of applying/calculating the over-award payment, while having regard for the no-worse-off test.

No-worse-of-test

The no-worse-of-test is applied by various IR tribunals to ensure the employee is not going backwards as a result of any proposed changes to employment terms and conditions including salary. What’s being proposed here is that the employee is --

- paid their scheduled Award rate, which includes any annual adjustments; PLUS
- paid the over-award component on their frozen salary, which would be --
 - the value of the employee’s salary at the time of adoption of this Policy, for current employees; and

- the value of the employee's starting salary for employees commencing their employment following the adoption of this Policy.

The value of the over-award payment would be frozen/fixed and would not change overtime. Only the employee's scheduled Award rate of pay would continue to increase over time. The only way the employee's over-award payment could increase would be if the CEO increases the percentage of the over award payment.

While some would argue the employee is worse off as a result of the proposed changes the reality is that the employee will continue to receive salary increases - just not at the same rate, as we remove the element of double dipping.

Over-award payment

The over-award payment is whatever the Council chooses it to be. Therefore, the Council can set the rules on how the over-award payment is applied.

Conclusion

The Shire would like to adopt a new policy that continues to provide employees with at least 20% over-award payment without the element of double dipping.

Background:

The Shire of Coolgardie appoints non-contracted employees pursuant to the terms and conditions outlined in the Local Government Industry Award (2010). The Shire pays its employees in accordance with the scheduled rates of pay contained in the Industry Award and makes an over-award payment. The Shire's CEO has the authority to apply the over award payments between 20% and 60%.

Shire staff were provided with a copy of the new policy and had the opportunity to provide feedback on the proposed changes. No feedback was received.

Attachments:

1. New Policy 019 Over Award Payment v 2 [11.1.14.1 - 2 pages]

Consultation:

Shire staff
John Ravlic
James Trail

Statutory Environment:

Nil

Policy Implications:

019 – Overaward Payment

Financial Implications:

The increase of 2.75% to the minimum wage enforced by the WA Industrial Relations Commission has been accounted for in the 2019/2020 budget.

Strategic Implications:

A thriving local economy

Encouraging and attracting new investment and advocating for local employment

Voting Requirement: Simple Majority

Officer Recommendation:

That Council adopts the revised Over-award Payment Policy noting that the possibility of double dipping has been removed.

COUNCIL RESOLUTION: #100/19

Moved: Councillor, K Lindup

Seconded: Councillor, S Botting

That Council adopts the revised Over-award Payment Policy noting that the possibility of double dipping has been removed.

CARRIED SIMPLE MAJORITY 6/0

11.1.15 Audit Committee

Location:	Audit Committee
Applicant:	Nil
File Reference:	
Disclosure of Interest:	Nil
Date:	12 th June 2019
Author:	Martin Whitely, Consultant

Summary:

This report recommends that Council consider the restructure of the Audit Committee.

Background:

It is a requirement of the Local Government Act 1995 (the "Act") for a local government to establish an Audit Committee. The purpose of the Audit Committee is to oversee the allocation of the local government's finances and resources including, but not limited to, such functions as the appointment of the auditor, receiving the annual report and the reviewing the auditor's report.

Where Council elect to have Committees of Council, each Committee must consist of 3 or more persons as per section 5.8 of the Act. Section 5.9 of the Act specifies the structure of the Committee with some examples below;

- Council members only
- Council members and employees
- Council members, employees and other persons
- Council members and other persons

Section 7.1A of the Act requires local governments to appoint an Audit Committee of 3 or more persons. The majority of these persons are to be council members and the CEO is not permitted to be a member of the Audit Committee.

Comment:

It is common practice for many regional local authorities to appoint the full council as the representatives of the Audit Committee and this has historically been the case for the Shire of Coolgardie.

In the recent Western Australian Auditor General's Report released in March 2019 under the section "Observations that may improve audit outcomes" on pages 17-18 of the report, a total of 5 recommendations were made pertaining to audit related functions. These recommendations are summarised below;

1. In addition to compliance with legislation, management should promote a culture of applying better practice and complying with internal policies.
2. An in-depth audit exit meeting should be held with the audit committee, in advance of the council meeting. As far as is practicable, the audit committee should include a few council members, rather than the entire council.
3. An audit entrance meeting should be held with the audit committee.

4. Audit exit meetings should provide the auditor the opportunity to highlight the key audit issues, in a structured manner, and the CEO adequate opportunity to comment.
5. LGs should not make interim audit findings public until they are received as part of our Audit Report on completion of the audit, unless specific urgent needs warrant earlier release

Of particular interest is the 2nd recommendation, stating that where “as far as is practicable, the Audit Committee should include a few council members, rather than the entire council.”

While the report acknowledged the potential challenges for regional entities in appointing members with the specialist skills to their audit committees, the observation was made that in 27 of the 42 local governments surveyed the Audit Committee consisted of 5 or more council members. This was not considered best practice to allow effective communication between the auditor and the Audit Committee.

Considering the recommendations made in the Western Australian Auditor General’s Report, it is proposed that Council review the current structure of the Shire’s Audit Committee. As such, as a means of achieving best practice, it is proposed that the revised structure would include a total of 5 members, consisting of 3 council members and 2 members appointed from the public.

If Council were to agree to the revised structure, then Council could appoint the 3 council members and would advertise for the other 2 publicly filled positions. This would allow the revised structure of the Audit Committee to be filled by the end of June 2019, allowing the Audit Committee to have an involvement in the 2019/20 Annual Budget and the 2018/19 Annual Financial Statements.

As the Audit Committee is a Committee of Council, this would mean that other provisions of the Act would apply inclusive of taking minutes, so additional administrative resources will need to be allocated. It is also important to understand that other regulations such as Standing Orders that apply to Council would also apply to Committees of Council.

Attachments:

1. Audit Committee Terms of Reference [11.1.15.1 - 3 pages]

Consultation:

James Trail, Chief Executive Officer

Statutory Environment:

Local Government Act 1995

5.8. Establishment of committees

A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

** Absolute majority required.*

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. Committee members, appointment of

- (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 local government.
- (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 his or her 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 his or her 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.

5.11. 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.

Division 1A — Audit committee

7.1A. Audit committee

- (1) A local government is to establish an audit committee of 3 or more persons to exercise the powers and discharge the duties conferred on it.
- (2) The members of the audit committee of a local government are to be appointed* by the local government and at least 3 of the members, and the majority of the members, are to be council members.

* *Absolute majority required.*

- (3) A CEO is not to be a member of an audit committee and may not nominate a person to be a member of an audit committee or have a person to represent the CEO as a member of an audit committee.
- (4) An employee is not to be a member of an audit committee.

[Section 7.1A inserted: No. 49 of 2004 s. 5; amended: No. 5 of 2017 s. 11.]

7.1B. Delegation of some powers and duties to audit committees

- (1) Despite section 5.16, the only powers and duties that a local government may delegate* to its audit committee are any of its powers and duties under this Part other than this power of delegation.

* *Absolute majority required.*

- (2) A delegation to an audit committee is not subject to section 5.17.

[Section 7.1B inserted: No. 49 of 2004 s. 5.]

7.1C. Decisions of audit committees

Despite section 5.20, a decision of an audit committee is to be made by a simple majority.

[Section 7.1C inserted: No. 49 of 2004 s. 5.]

Policy Implications:

Nil

Financial Implications:

Additional resources will need to be allocated in the 2019/20 Budget to allow for the administration and other costs of the Audit Committee. Other costs allocated would include meeting costs and sitting fees. These additional costs would be reviewed as part of the normal process in adopting the annual budget.

Strategic Implications:

Accountable and Effective Leaders

Demonstrating sound financial management and plans for the Shire's long-term financial sustainability

Ensuring a well-informed Council makes good decisions for the community

Ensuring the Shire of Coolgardie is well positioned to meet future needs

High quality corporate governance, accountability and compliance

Voting Requirement: Absolute Majority

Officer Recommendation:

That Council: -

1. Endorse the establishment of a new structure for the Audit Committee, and
2. That the Audit Committee consists of five (5) members, being the President and 4 other elected members.
3. That the Council appoint the following members of Council to the Audit Committee;

- President, Malcolm Cullen
- Cr _____
- Cr _____
- Cr _____
- Cr _____

COUNCIL RESOLUTION: #101/19

Moved: Councillor, T Rathbone

Seconded: Councillor, E Winter

That Council: -

1. **Endorse the establishment of a new structure for the Audit Committee, and**
2. **That the Audit Committee consists of five (5) members, being the President and 4 other elected members.**
3. **That the Council appoint the following members of Council to the Audit Committee;**
 - **President, Malcolm Cullen**
 - **Cr Rathbone**
 - **Cr Karafilis**
 - **Cr Botting**
 - **Cr Winter**

CARRIED ABSOLUTE MAJORITY 6/0

11.1.16 Haulage Campaign Northern Star

Location: Coolgardie North Road

Applicant:

File Reference:

Disclosure of Interest: None

Date: 20th June 2019

Author: Chief Executive Officer, James Trail

Summary:

For Council to consider an application by Northern Star Resources Limited, the Principle, for their haulage contractor (MLG OZ Pty Ltd) to cart 120,000 tonnes from Kundana Mine Site along Coolgardie North Road and Carins Roads utilising 10.6kms of Coolgardie North Road and 3.0kms of Carins Road for a period of 3 months.

Background:

As per Council's Policy #034 (Haulage Campaigns) - Long Term Campaign: where a cartage campaign exceeds 25,000 tonnes or 100 return trips in any annual period, or more than six return trips in any week or part thereof; the Principle Goldfields St Ives needs to apply to the Shire of Coolgardie for use of the Shire of Coolgardie road network.

Council resolved in December 2018;

COUNCIL RESOLUTION: #264/18

Moved: Councillor, N Karafilis
Seconded: Councillor, B Logan

That Council In accordance with Policy 034 Haulage Campaigns, endorse the proposal from Northern Star Limited Resources to utilise 13.6kms of Coolgardie Shire Road Network (10.6kms Coolgardie North Road, 3kms Carins Road) for a haulage campaign from 01/01/2019 to 30/06/2019 comprising of 150,000 tonnes for the following contribution on the provision the haulage route will continue to be maintained consisting of ongoing watering to ensure dust is suppressed and the road surface is maintained in a sealed state;

1. Maintenance Contribution at \$0.04 per tonne per km at 150,000 tonnes over 13.6km \$81,600 ex GST to Account/Job #11202750 (Limited Cartage Campaign).

CARRIED ABSOLUTE MAJORITY 7/0

All haulage activities undertaken will be in accordance with Council Policy #034 (Haulage Campaigns) which applies to haulage campaigns within the Shire of Coolgardie. All haulage campaigns should be read in conjunction with the Shire's Policy #035 (Heavy Vehicles Conditions for use of Shire Roads). The purpose of both policies aims to ensure safe use on Shire roads by long term haulage campaign users.

Comment:

A map of the route is included.

Northern Star Resources Limited have advised they wish to extend the campaign during 2019/2020 on a quarter by quarter basis.

Based on actual deterioration cost, the following contribution would be applicable –

MLG have requested use of Coolgardie North Road and Carins Road. Based on actual deterioration cost, the following annual contribution would be applicable –

Capital Contribution of \$0.07 per tonne per km at 120,000 tonnes over 13.6km \$114,240 ex GST
Maintenance Contribution at \$0.04 per tonne per km at 120,000 tonnes over 13.6km \$65,280 ex GST

Norther Star Resources Limited have advised that MLG will continue to maintain the proposed haulage route consisting of ongoing watering to ensure dust is suppressed and the road surface is maintained in a sealed stated. Grading will be carried out on an ongoing basis to ensure a smooth-running surface.

Attachments:

Nil

Consultation:

MLG OZ Pty Ltd
Northern Star Resources

Statutory Environment:

Road Traffic Act 1974 Section 85
Local Government Act 1995, Section 3.5

Policy Implications:

Policy #034 – Haulage Campaigns
Policy #035 – Heavy Vehicles Conditions for use on Shire Roads

Financial Implications:

Any contribution received will be placed in the road construction reserve account for use on the relevant road infrastructure.

Strategic Implications:**Accountable and Effective Leaders**

Demonstrating sound financial management and plans for the Shire's long-term financial sustainability
Developing strong partnerships with stakeholders for the benefit of our community

Effective management of infrastructure, heritage and environment

Maintaining and renewing infrastructure and building assets

Voting Requirement: Simple Majority

Officer Recommendation:

That Council, In accordance with Policy 034 Haulage Campaigns, endorse the proposal from Northern Star Limited Resources to utilise 13.6kms of Coolgardie Shire Road Network (10.6kms Coolgardie North Road, 3kms Carins Road) for a haulage campaign from 01/07/2019 to 30/09/2019 comprising of 120,000 tonnes for the following contribution on the provision the haulage route will continue to be maintained consisting of ongoing watering to ensure dust is suppressed and the road surface is maintained in a sealed state;

1. Maintenance Contribution at \$0.04 per tonne per km at 120,000 tonnes over 13.6km \$65,280 ex GST to Account/Job #11202750 (Limited Cartage Campaign).

COUNCIL RESOLUTION: #102/19

Moved: Councillor, E Winter

Seconded: Councillor, S Botting

That Council, In accordance with Policy 034 Haulage Campaigns, endorse the proposal from Northern Star Limited Resources to utilise 13.6kms of Coolgardie Shire Road Network (10.6kms Coolgardie North Road, 3kms Carins Road) for a haulage campaign from 01/07/2019 to 30/09/2019 comprising of 120,000 tonnes for the following contribution on the provision the haulage route will continue to be maintained consisting of ongoing watering to ensure dust is suppressed and the road surface is maintained in a sealed state;

- 1. Maintenance Contribution at \$0.04 per tonne per km at 120,000 tonnes over 13.6km \$65,280 ex GST to Account/Job #11202750 (Limited Cartage Campaign).Â**

CARRIED SIMPLE MAJORITY 6/0

11.1.17 Management Orders – R2446

Location: Lots 580, 581 & 582 (56) Bayley Street, Coolgardie

Applicant: NA

File Reference:

Disclosure of Interest: Nil

Date: 13 June 2019

Author: Francesca Lefante, Consultant Town Planner

Summary:

To consider a request from Department of Finance to include Lot 580 as part of the proposed management order transfer of a portion of Reserve R2446 to the Shire of Coolgardie.

The modification is the inclusion of Lot 580 which contains the rear laneway into management order over Lot 581 (Park) & 582 (portion Coolgardie Post Office).

Background:

In April 2019 Shire representatives met with the Department of Finance and were proposing Reserve R2446 be separated into various management orders.

In May 2019 the Council supported the transfer of reserve management order subject to the following:

- a. For the purpose of community, recreation and tourism purposes,
- b. With the power to lease for a period of 21 years.

The subject reserve is currently vested in the Department of Finance, with the proposed transfer including the addition of the rear lane (Lot 580), as well as Post Office building (Lot 582) local park (Lot 581) shown in the plan below.





Comment:

This minor change to the proposed reserve management order will result in the inclusion of the rear laneway which was upgrade and is currently maintained by the Shire and provides access to the rear of the park, community recreation centre and post office.

The Shire is currently pursuing works to activate the building and improve the structure of the Coolgardie Post Office for many years. The adjoining Tommy Talbot Park is currently maintained by the Shire.

In addition, the Shire has for many years been pursuing changes to the reserve vesting to reflect the use and management of the site and overcome unnecessary approval and authorisation processes created by the current tenure arrangements.

The current proposal is to include Lot 580 into the Management Order transfer to the Shire resulting in the following landuses being under the care and control of the Shire: -

- Lot 582 - Coolgardie Post Office
- Lot 581 – Park – Tommy Talbot
- Lot 580 – rear laneway

The Department of Planning has advised that the instructions to facilitate the transfer have been drafted and the document preparation of the reserve amendment will commence on resolution of the aspect.

To ensure the project progresses without delay the Shire has sought consent of the Minister for Works through the Department of Finance prior to the change in Management Orders.

Options

Option 1: Support and accept the additional lot into the transfer of management order to Shire of Coolgardie.

Option 2: - Decline to accept the management order.

Attachments:

1. 2 Attachment 1 - report [11.1.17.1 - 1 page]

Consultation:

Department of Finance
Department of Planning, Lands and Heritage

Statutory Environment:

Local Government Act 3.54 Reserves under control of a Local Government
Land Administration Act 1997

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Accountable and Effective Leaders

High quality corporate governance, accountability and compliance

Voting Requirement: Simple Majority

Officer Recommendation:

That Council SUPPORTS the transfer of the management order over 'Portion' Reserve 2446 being Lots 580, 581 and 582 on DP67244 - Coolgardie Post Office and adjoining park to the Shire of Coolgardie: -

1. For the purpose of community, recreation and tourism purposes,
2. With the power to lease for a period of 21 years.

COUNCIL RESOLUTION: #103/19

Moved: Councillor, K Lindup

Seconded: Councillor, T Rathbone

That Council SUPPORTS the transfer of the management order over 'Portion' Reserve 2446 being Lots 580, 581 and 582 on DP67244 - Coolgardie Post Office and adjoining park to the Shire of Coolgardie: -

1. For the purpose of community, recreation and tourism purposes,
2. With the power to lease for a period of 21 years.

CARRIED SIMPLE MAJORITY 6/0

11.1.18 Office and accommodation

Location: 36 Bayley Street, Coolgardie

Applicant: NA

File Reference:

Disclosure of Interest: The Author has none to disclose

Date: 12 June 2019

Author: Francesca Lefante, Consultant Town Planner

Summary:

To advise council of the proposal to operate community service program from the subject site in Coolgardie.

Background:

The site is located within the Coolgardie townsite and zoned commercial under Local Planning Scheme No 5 and has area of 1012 square metres. The map below shows the aerial and zoning of the subject site.





MEEDAC (Midwest Employment and Economic Development Aboriginal Corporation) was incorporated in May 2017 by community members of Mullewa to support training and employment opportunities. Previous projects include

- Horticulturalist programs to train participants and build self-confidence.
- Commercial production of vegetables and eggs for sale through Perth markets
- Building and maintenance skills and training.

Comment:

The subject site is zoned commercial under the Scheme and office uses are permitted.

In support of the proposal the applicant has advised the following:

- (c) The premises are to be used to deliver community development program for the Federal Government
- (d) The building uses include office for case manager and administration areas for delivery of the programs, art activities and gallery.
- (e) The rear of the site is to be used as a garden and horticulture programs as well as garaging vehicles at night and weekends.
- (f) The following addition information on 13 June 2019 has been provided: -
 - (g) All activities from the building, generally Monday to Friday.
 - (h) Office, art activities to operate from within the building.
 - (i) Garden and parking to occur at the rear of the site.
 - (j) Entry to the building and services by all participants is via the side of the building.
 - (k) Signage on building.
 - (l) Longer term looking at potentially opening an art gallery fronting Bayley Street.
 - (m) No change to exterior appearance of building, maintain the heritage.

Site is listed on the Shire Municipal Inventory (Site No 16, HCWA No 567) Category 2, which recommends *High level of protection appropriate: provide maximum encouragement to the owner under the town planning scheme to conserve the significance of the place.*

The range of uses proposed from the site fall within the Scheme definition of office which is defined as *“Premises used for administration, clerical, technical, professional or similar business activities.”*

The proposed uses comply with the provisions of the scheme, with no changes to the exterior of the building. All activities associated with the proposal are to be contained within the existing dwelling accessed via the side entrance from Ford Street.

Attachments:

Nil

Consultation:

Nil

Statutory Environment:

Local Planning Scheme No 5

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

A thriving local economy

Supporting local businesses in the Shire

Accountable and Effective Leaders

High quality corporate governance, accountability and compliance

Voting Requirement: Simple Majority

Officer Recommendation:

That Council APPROVES the use of the existing building at Lot No 36 Bayley Street, Coolgardie for Office purposes as contained in the application dated 22 May 2019 subject to the following conditions:

- Building permit being obtained for any modifications to the existing building require prior to the commencement of development.
- All activities associated with the use to be contained within the site.

Signage application being made for any external signed

COUNCIL RESOLUTION: #104/19

Moved: Councillor, B Logan

Seconded: Councillor, T Rathbone

That Council APPROVES the use of the existing building at Lot No 36 Bayley Street, Coolgardie for Office purposes as contained in the application dated 22 May 2019 subject to the following conditions:

- Building permit being obtained for any modifications to the existing building require prior to the commencement of development.
- All activities associated with the use to be contained within the site.

Signage application being made for any external signed

CARRIED SIMPLE MAJORITY 6/0

11.1.19 Financial Activity Statement For The Period Ended 31 May 2019

Location:	Nil
Applicant:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	20 June 2019
Author:	Martin Whitely, Consultant

Summary:

This report recommends that the Monthly Statement of Financial Activity report for the period ending 31 May 2019 is presented to Council for adoption.

Background:

In accordance with regulation 34 of the *Local Government (Financial Management) Regulations*, the Shire is to prepare a monthly Financial Statement for approval by Council.

The format for monthly reporting was introduced by the Department of Local Government from 1 July 2005; the change was implemented to provide elected members with a better idea of operating and capital revenues and expenditures. The requirement is for a Statement of Financial Activity with a report detailing material variances. The Financial Report presented includes this as well as other statements and supplementary information.

Section 6.4 of the Local Government Act 1995 requires that financial reports be prepared and presented in the manner and form prescribed in the *Local Government (Financial Management) Regulations*. Regulation 34 has been amended to require that Councils report on the sources and applications of funds on a monthly basis and that the report be noted by Council.

Comment:

Attached for consideration is the completed Monthly Financial Report.

The document attached includes Statements of Financial Activity by Program, and Nature and Type, Notes to the financial statements, an explanation of material variance as well as a summary of bank account balances at 31 March 2019, loan repayments, and reserve account status.

In accordance with the *Local Government (Financial Management) Regulations*, a report must be compiled on variances greater than the percentage agreed by Council which is currently 10% or \$10,000. With the report prepared at program level, comments have been made regarding variances. A nil variance is equal to 100%, meaning that the year to date actual is identical to the year to date budget. Comments are therefore provided where variance values are <90% or >100% and the dollar variance exceeds \$10,000.

Attachments:

1. Monthly Financials - May 2019 [11.1.19.1 - 28 pages]

2. Management Report - May 2019 [11.1.19.2 - 4 pages]

Consultation:

James Trail, Chief Executive Officer
Jade Tarasinski, Senior Finance Officer

Statutory Environment:

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

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.
- (2) Each statement of financial activity is to be accompanied by documents containing —
 - (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
 - (b) an explanation of each of the material variances referred to in sub regulation (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 —
 - (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
 - (a) Presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) Recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

Policy Implications:

Nil

Financial Implications:

There are no financial implications relating to this item. The Financial Report is information only.

Strategic Implications:

Nil

Voting Requirement: Simple Majority

Officer Recommendation:

That Council receive the Financial Activity Statement for the period 1 July 2018 to 31 May 2019.

COUNCIL RESOLUTION: #105/19

Moved: Councillor, T Rathbone

Seconded: Councillor, B Logan

That Council receive the Financial Activity Statement for the period 1 July 2018 to 31 May 2019.

CARRIED SIMPLE MAJORITY 6/0

11.1.20 Monthly List of Municipal and Trust Fund Payments May 2019

Location:	Nil
Applicant:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	20 June 2019
Author:	Senior Finance Officer, Jade Tarasinski

Summary:

For council to receive the list of accounts for May 2019.

Background:

The Local Government (Financial Management) Regulations 1996, Regulation 13(3)(b) requires that Council receive a list of accounts paid in the month, and that this be recorded in the minutes. Council has delegated to the Chief Executive Officer that authority to make these payments from Municipal and Trust Funds.

Comment:

Presented in this item is a table of accounts (invoices) and includes that cheque (or EFT) identifier for the transaction, the entity, date and amount paid, description of the goods, service, or other that relates to the payment. Extra details of invoices relating to payments are included for the information of Councillors.

The schedule of payment made under delegated authority as summarised below and recommended to be received by Council, has been checked and is supported by vouchers and invoices which have been duly certified as to the receipt of goods and provision of services, and verification of prices and costings.

Attachments:

1. May 2019 List of Payments.xlsx [11.1.20.1 - 9 pages]

Consultation:

Nil

Statutory Environment:

Local Government (Financial Management) Regulations 1996, Regulation 13 – Lists of Accounts.

Policy Implications:

CS-PROCUREMENTS POLICY. Policy CS-11 sets the guides with regards to the purchase of goods or services provided.

Financial Implications:

Nil

Strategic Implications:

Effective management of infrastructure, heritage and the environment

Develop and maintain Shire buildings, facilities and infrastructure assets

Solutions focussed and customer-oriented organisation

High quality corporate governance, accountability and compliance.

Voting Requirement: Absolute Majority

Officer Recommendation:

That Council receive listing (attached) of accounts paid during the month of May 2019 by the Chief Executive Officer under delegated authority of Council.

1. Municipal accounts totalling \$1,472,847.31 on Municipal vouchers EFT16674 – EFT16856, cheques 52207 - 52213, and direct payments made during the month of May 2019.
2. Trust payments totalling \$4,854.51 on cheques 2224 - 2226 for the month of May 2019.
3. Credit card payments totalling \$19,917.08 for the month of May 2019

COUNCIL RESOLUTION: #106/19

Moved: Councillor, T Rathbone

Seconded: Councillor, B Logan

That Council receive listing (attached) of accounts paid during the month of May 2019 by the Chief Executive Officer under delegated authority of Council.Â

1. **Municipal accounts totalling \$1,472,847.31 on Municipal vouchers EFT16674 â€“ EFT16856, cheques 52207 - 52213, and direct payments made during the month of May 2019.**
2. **Trust payments totalling \$4,854.51 on cheques 2224 - 2226 for the month of May 2019.**
3. **Credit card payments totalling \$19,917.08 for the month of May 2019**

CARRIED ABSOLUTE MAJORITY 6/0

11.1.21 Coolgardie Innovation and Community Hub Project Management

Location:	Coolgardie
Applicant:	N/A
File Reference:	
Disclosure of Interest:	None to disclose
Date:	21 st June 2019
Author:	Chief Executive Officer, James Trail

Summary:

That Council,

1. Endorse the proposal from Core Business Australia
2. Authorise for the funds be included in the 2019/2020 Annual Budget

Background:

The Shire intends to refurbish repurpose the Coolgardie post office building using the principals of sound adaptive re-use, to create the "Coolgardie Innovation and Economic Development Centre".

The scope of the project includes internal re development of the building to include;

- Work areas for an indigenous training organisation;
- Visitor and community spaces;
- Coolgardie Cultural and Community Hub;
- Business Incubator; and
- Relocated Visitor Centre and Retail Bays.
-

The current project budget is \$1,674,000. Funding is \$233,500 from Lotterywest, \$916,100 from BBRF and up to \$524,400 from the Shire.

As listed in the Shire's Cost-Benefit Analysis, benefits created through the repurposing activities associated with the building include:

- Contribution to the development and sustainability of the local and regional tourism industry;
- Provision of an inter-regional tourism asset encouraging residents of neighbouring local governments (such as City of Kalgoorlie-Boulder residents) to undertake day-trips to Coolgardie;
- Increased volunteerism when new community services, functions and programs are developed;
- Facilitation of a liveable town to create a renewed sense of community pride from the completed historical asset;
- A revitalised environment for family activities and provision of new opportunities for social engagement and interaction – functions, community events, social and cultural service provision; and
- The reuse of heritage buildings as an environmentally and financially sustainable solution as opposed to creating new buildings.

Comment:

As with the Kambalda Aquatic Facility it is proposed to engage a project manager. There are some issues with current documentation and a pre-project review process is required to ensure that tender documentation and the entire project development process is appropriately specified in order to minimise risk and deliver a project the community desires.

Project Methodology

To assist the Shire with delivery of this project Core Business propose the following methodology;

Task 1 -Project Establishment & Management

The project will commence with a site visit and kick-off meeting to achieve project familiarisation. The kick-off meeting will be for the purpose of formalising introductions, confirmation of project scope, identification of key stakeholders, confirmation of project timeframes and deliverables.

Bruce Lorimer will be the Project Director for the project and Mark Weller will be the Project Manager. Bruce and Mark will travel to Coolgardie to meet with the Shire's project team for the kick-off meeting and then will gather key project documentation, undertake an inspection of the subject building and meet with identified key stakeholders in Coolgardie. Task 1 also includes 1 week for project familiarisation, establishing the project, literature / contract review.

Task 2 -Project Procurement

This task will consist of CORE will preparing and running a public tender to undertake the works associated with repurposing the building. We propose using either an AS2124-1992 or AS4000- 1997 as the basis for the General Condition of Contract to control the works under contract The procurement exercise would involve the following activities;

- Prepare Tender documentation including compilation of the Work Specification. Please note that this would not include development of specialist aspects of the specification such as Architectural Services, Structural Engineering, Geotechnical Engineering, Electrical, Mechanical and Plumbing specifications. The preparation of the Technical Specifications and Drawing will be the responsibility of the Architect appointed to the project or CORE can utilise the services (at additional cost) of one of our experienced Associate Architects. Whichever option is selected, we will liaise with appointed Architect to compile the technical specification for the project. This may simply include modification or augmentation to the existing specification.
- Post the tender as a State-wide public tender using our secure Tenderlink Portal at www.tendelink.com/corebusiness .
- Run a tender forum to respond to any questions from tenderers and prepare and issue any necessary tender forum responses and / or issue tender addendums. Where necessary we will liaise with the Architect to seek responses to technical questions.
- We will run a public tender closing and opening of received tenders process on behalf of the Shire at CORE's office in Busselton.
- We will run the tender assessment process utilising a tender assessment panel comprising members nominated by the Shire (we would recommend that the Tender Assessment Panel consist of a Representative from the Shire, the appointed Architect, CORE's Project Manager and chaired by CORE's Project Director).
- We will then prepare a Confidential Tender Assessment report and recommendation to Council of the Tender Assessment Panel.
- We will prepare the Contract documentation and Letter of Award to the successful tenderer.
- We will prepare letters to unsuccessful tenders.

Task 3 – Ongoing Project Management

Once the contract is awarded, CORE will provide ongoing project management through the role of Superintendent's Representative (similar to the Kambalda Swimming Pool refurbishment project). This work will be undertaken on a Schedule of Rates basis however will generally include the following;

- One site visit per month (ideally timed to align with the Kambalda Swimming Pool project visits). In order to keep the project cost effective and efficient, we've allowed for all site visits to be via Private Aircraft direct from Albany to Coolgardie (or Kalgoorlie) with the Shire providing transport when on site in Coolgardie (or via hire car if flying into Kalgoorlie). In circumstances where there may be adverse weather or other unforeseen circumstances that inhibit attendance on site via light aircraft, there may be additional cost associated with alternative travel via commercial / RPT aircraft.
- Following each site visit, it is envisaged that an average of 3 days per month will be utilised to attend to any issues that emanate from the site visit. Another 4hrs per month will be dedicated to project reporting to provide a written project update suitable for presentation to Council and 1 day per month for technical input / peer review etc.
- If required, CORE can also attend to grant reporting and acquittal requirements
- CORE can also provide Occupational Safety and Health site induction for the project.
- Once again, to keep the project cost effective, we propose that the builder will be providing the majority of information and reporting (e.g. Gantt Charts etc, progress reporting, contract issues etc) to CORE and CORE will simply be collating and reviewing this information prior to presentation to the CEO along with recommendations to address any issues.

Task 4 – Project Management Training

As part of this project, CORE will prepare and deliver a customised project management course for Shire staff. The course will be aligned with PMBOK and 'Agile' project management and aimed at being highly practical. Staff will have the opportunity to work on their own project. Local government appropriate templates will be provided at each step. On conclusion, staff will be able to implement learning as a whole of Shire PM system.

Attachments:

Nil

Consultation:

Shire Staff
Core Business
Council

Statutory Environment:

N/a

Policy Implications:

Procurement Policy 041 - Three (3) itemised written quotes from a suitable supplier are required Purchase directly from a supplier using a purchasing order; or obtain at least one (1) oral or written quotation from a suitable supplier – Council can vary policy.

Financial Implications:

Allocation has been made in the 2019/2020 annual Budget for external contractors.

Strategic Implications:

A thriving local economy

Advocating for training and employment opportunities delivered in the Shire
Encouraging and attracting new investment and advocating for local employment
Encouraging the development of local business education and support
Supporting local businesses in the Shire

Accountable and Effective Leaders

High quality corporate governance, accountability and compliance

An inclusive, safe and vibrant community

Continuing to promote the local Aboriginal culture and history
Facilitating events and active programs for seniors, youth and the Aboriginal community

Effective management of infrastructure, heritage and environment

Encouraging cultural and historical community projects and activities
Facilitating urban and rural planning and development
Maintaining and renewing infrastructure and building assets

Voting Requirement: Absolute Majority

Officer Recommendation:

That Council,

1. Endorse the proposal from Core Business Australia
2. Authorise for the funds be included in the 2019/2020 Annual Budget

COUNCIL RESOLUTION: #107/19

Moved: Councillor, B Logan

Seconded: Councillor, E Winter

That Council,

1. **Endorse the proposal from Core Business Australia**
2. **Authorise for the funds be included in the 2019/2020 Annual Budget**

CARRIED ABSOLUTE MAJORITY 5/0

Councillor, T Rathbone left the meeting at 07:04 pm

Councillor, T Rathbone returned to meeting at 07:06 pm.

11.1.22 Amendment to 2018/19 Fees & Charges

Location:	Nil
Applicant:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	20 June 2019
Author:	Martin Whitely, Consultant

Summary:

This report recommends that Council adopt the proposed increase in prescribed fees in Schedule 2 of the Building Regulations 2012 effective from 1 July 2019.

Background:

The minimum fees prescribed in Schedule 2 of the Building Regulations 2012 will increase by 7 per cent on 1 July 2019. The increase in fees is the result of a review undertaken by the Department of Mines, Industry Regulation and Safety at the request of the State Parliament's Joint Standing Committee on Delegated Legislation.

Comment:

The new minimum fees prescribed in Schedule 2 of the Building Regulations 2012 represents a 7% increase, with minimums increasing from \$97.70 to \$105.00 as of 1 July 2019. These fees are statutory charges which Council have no control over and are simply enforced when the relevant building applications are submitted to the Shire.

It should be noted that the Officer's recommendation is to only amend the adopted 2018/19 Schedule of Fees and Charges to include the legislated changes to fees and charges under the Building Regulations 2012 coming into effect as of 1 July 2019. It will still be necessary for Council to adopt a new Schedule of Fees & Charges for the 2019/20 financial year in conjunction with the adoption of the annual budget.

In accordance with section 6.19 of the Local Government Act 1995 Council are required to give local public notice for any new charges or amendments to fees and charges after the annual budget has been adopted.

Attachments:

1. Building Regulations 2012 - Fees & Charges [11.1.22.1 - 1 page]
2. Fees and Charges Attachment [11.1.22.2 - 18 pages]

Consultation:

Nil

Statutory Environment:

Local Government Act 1995

1.7. Local public notice

- (1) Where under this Act local public notice of a matter is required to be given, a notice of the matter is to be —
 - (a) published in a newspaper circulating generally throughout the district; and

- (b) exhibited to the public on a notice board at the local government's offices; and
 - (c) exhibited to the public on a notice board at every local government library in the district.
- (2) Unless expressly stated otherwise it is sufficient if the notice is —
- (a) published under subsection (1)(a) on at least one occasion; and
 - (b) exhibited under subsection (1)(b) and (c) for a reasonable time, being not less than —
 - (i) the time prescribed for the purposes of this paragraph; or
 - (ii) if no time is prescribed, 7 days.

Subdivision 2 — Fees and charges

6.16. Imposition of fees and charges

- (1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

** Absolute majority required.*

- (2) A fee or charge may be imposed for the following —
- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
 - (b) supplying a service or carrying out work at the request of a person;
 - (c) subject to section 5.94, providing information from local government records;
 - (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
 - (e) supplying goods;
 - (f) such other service as may be prescribed.
- (3) Fees and charges are to be imposed when adopting the annual budget but may be —
- (a) imposed* during a financial year; and
 - (b) amended* from time to time during a financial year.

** Absolute majority required.*

6.17. Setting level of fees and charges

- (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —
- (a) the cost to the local government of providing the service or goods; and
 - (b) the importance of the service or goods to the community; and
 - (c) the price at which the service or goods could be provided by an alternative provider.
- (2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.
- (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —
- (a) under section 5.96; or
 - (b) under section 6.16(2)(d); or
 - (c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.
- (4) Regulations may —
- (a) prohibit the imposition of a fee or charge in prescribed circumstances; or
 - (b) limit the amount of a fee or charge in prescribed circumstances.

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) its intention to do so; and

- (b) the date from which it is proposed the fees or charges will be imposed.

Policy Implications:

Nil

Financial Implications:

The amended Schedule of Fees and Charges, if adopted by Council, will not come into effect until 1 July 2019. There will be no impact on the current 2018/19 budget. Any increases in fees and charges resulting from the amendment will be recognised in the 2019/20 Annual Budget.

The new minimum fees prescribed in Schedule 2 of the Building Regulations 2012 represent a 7% increase, with minimums increasing from \$97.70 to \$105.00 as of 1 July 2019. While only minimal, if Council do not pass on the new prescribed fees, they will be required to foot the shortfall of \$7.30 for every building application submitted.

Strategic Implications:

Accountable and Effective Leaders

Effective Communication and engagement processes

High quality corporate governance, accountability and compliance

Voting Requirement:

Absolute Majority

Officer Recommendation:

That Council,

1. Adopts the amended minimum fees as per the attached Building Regulations 2012 Extract
2. Gives local public notice advising of the amended fees & charges
 - Adopt a new Schedule of Fees & Charges for the 2019/20 financial year in conjunction with adoption of the annual budget

COUNCIL RESOLUTION: #108/19

Moved: Councillor, S Botting

Seconded: Councillor, K Lindup

That Council,

1. Adopts the amended minimum fees as per the attached Building Regulations 2012 Extract
2. Gives local public notice advising of the amended fees & charges
3. Adopt a new Schedule of Fees & Charges for the 2019/20 financial year in conjunction with adoption of the annual budget

CARRIED ABSOLUTE MAJORITY 6/0

11.1.23 Proposal for RAP for Kambalda Tip Site

Location:	Coolgardie
Applicant:	N/A
File Reference:	
Disclosure of Interest:	None Required
Date:	21 st June 2019
Author:	Chief Executive Officer, James Trail

Summary:

That Council,

1. Endorse the proposal from Strategen Environmental
2. Authorise for the funds be included in the 2019/2020 Annual Budget
3. Authorise the Chief Executive Officer to issue a purchase order for \$27,000 ex GST to Strategen Environmental

Background:

The Shire of Coolgardie's Kambalda Landfill Facility is licensed (licence number L7970/1997/6) by DWER under Part V of the Environmental Protection Act 1986 as a Class II Putrescible Landfill site. The site has been the subject of a recent Detailed Site Investigation (Strategen 2019a) to delineate impacts to soil and groundwater associated with the historical importation of soils containing lead cupels. The DSI (Strategen 2019a) was submitted for review to the following government agencies including:

- DWER Contaminated Sites
- DWER Environmental Compliance
- Department of Health - Environmental Health Directorate
- WorkSafe Service Industries and Specialists

Based on their review, three of the government agencies have provided recommendations for actions to be completed at the Kambalda Landfill. DWER Contaminated Sites is yet to provide comments on their review of the DSI. Those recommendations have been addressed within an Interim Remediation Action Plan (Strategen 2019) and has been submitted for review and finalisation. This will close out Part 4 – Stage One of DWER, 2019.

The Shire of Coolgardie's requires a RAP to address Part 4 – Stage Two of the instruction given in May 2019 - Kambalda Landfill Requirements and RAP final amendments (DWER, 2019) to fulfil the following objectives:

- fully address the issues of non-compliant hydrocarbon, lead and cupel impacted soils at the Kambalda Landfill to the satisfaction of all stakeholders involved
- is cognisant of the costs involved in its implementation and the resources and time available to the Shire of Coolgardie
- is developed in consultation with key stakeholders at DWER's contaminated sites, licensing and compliance teams and meets legislative requirements under the Contaminated Sites Act 2003 CSA 2003) and Environmental Protection Act 1986 (EPA 1986) where required

- is developed in consultation with key stakeholders at Department of Health and WorkSafe teams and meets legislative requirements under the Occupational Health & Safety Act 1984 (OHSA 1984) to minimise / remove risk to human health
- is developed under the guidance of Principle 16 of the National Environment Protection (Assessment of Site Contamination) Measure', National Environment Protection Council, December 1999, as amended 2013 (NEPM 2013) —Hierarchy of options for remediation:

Comment:

The scope of work and fee estimate to undertake Stage 1 is detailed in Table 1 below.

Table 1: Scope of work

Task 1: Develop Remediation Options Assessment (ROA)

The following initial actions will be completed in the delivery of Task 1:

- liaison with the Shire of Coolgardie throughout the development of the RAP
- confirmation of what resources, materials and contractors are readily available to the Shire of Coolgardie and should be prioritised in relation to their inclusion.

Following this the ROA will be developed based on Principle 16 of the NEPM 2013, to ensure the RAP meets with the stated objectives (and best interests) of the Shire of Coolgardie and associated stakeholders. The development of the ROA will follow the preferred hierarchy of options for site clean-up and/or management:

1. on-site treatment of the contamination so that it is destroyed, or the associated risk is reduced to an acceptable level
2. off-site treatment of excavated soil, so that the contamination is destroyed, or the associated risk is reduced to an acceptable level, after which soil is returned to the site If the above options are not practicable:
3. consolidation and isolation of the soil on site by containment with a properly designed barrier
4. removal of contaminated material to an approved site or facility, followed, where necessary, by replacement with appropriate material
5. where the assessment indicates remediation would have no net environmental benefit or would have a net adverse environmental effect, implementation of an appropriate management strategy
6. when deciding which option to choose, the sustainability (environmental, economic and social) of each option will be considered, in terms of achieving an appropriate balance between the benefits and effects of undertaking the option
7. in cases where no readily available or economically feasible method is available for remediation, it may be possible to adopt appropriate regulatory controls or develop other forms of remediation

A matrix tool will be used as part of the ROA to score each option and allow a balanced decision to be reached in the final selection.

To complete this task will be \$7,000

Task 2: Consultation with Regulators and Finalise RAP

The following actions will be completed in the delivery of Task 2:

- the draft ROA results are to be discussed in conjunction with the relevant stakeholders at DWER, Department of Health and WorkSafe to confirm the draft proposal meets the specific requirements of the NEPM 2013, CSA 2003, EPA 1986 and OHS 1984
- following consultation with stakeholders the RAP will be drafted in full and be presented to the DWER CEO prior to the 4 November 2019 for review and approval
- the RAP will be drafted in general accord with the NEPM 2013.

To complete this task will be \$20,000

Task 3: Next steps

The following next steps can be verified and costed after the completion of Task 1 and Task 2:

- obtain detailed working designs for the final RAP with technical sub consultants
- prepare / assist in tender documentation to allow selection of contractor to implement RAP
- finalise contractor costs to implement the RAP
- prepare a Construction Environmental Management Plan to address human health, dust, transportation, stormwater management during the implementation of the RAP.

To complete this task will be determines once Task 1 and 2 are completed \$TBC

Attachments:

Nil

Consultation:

Shire Staff
Strategen
State and Federal Government

Statutory Environment:

N/a

Policy Implications:

Procurement Policy 041 - Three (3) itemised written quotes from a suitable supplier are required Purchase directly from a supplier using a purchasing order; or obtain at least one (1) oral or written quotation from a suitable supplier – Council can vary policy.

Financial Implications:

Allocation has been made in the 2019/2020 annual Budget for external contractors for the Coolgardie Tip to undertake feasibility studies. Staff are of the opinion that a transfer should be made though from the Waste Reserve specifically for this piece of work.

Strategic Implications:

Accountable and Effective Leaders

Demonstrating sound financial management and plans for the Shire's long-term financial sustainability
High quality corporate governance, accountability and compliance
Maintain integrated strategic and operational plans

Effective management of infrastructure, heritage and environment

Ensuring that waste management practices are compliant

Voting Requirement: Absolute Majority

Officer Recommendation:

That Council,

1. Endorse the proposal from Strategen Environmental
2. Authorise for the funds be included in the 2019/2020 Annual Budget
3. Authorise the Chief Executive Officer to issue a purchase order for \$27,000 ex GST to Strategen Environmental

COUNCIL RESOLUTION: #109/19

Moved: Councillor, T Rathbone

Seconded: Councillor, E Winter

That Council,

1. Endorse the proposal from Strategen Environmental
2. Authorise for the funds be included in the 2019/2020 Annual Budget
3. Authorise the Chief Executive Officer to issue a purchase order for \$27,000 ex GST to Strategen Environmental

CARRIED ABSOLUTE MAJORITY 6/0

11.1.24 Council Resolution / Outstanding Items

Outstanding Council Resolutions Register is attached for information.

11.2 Technical Services

Nil

11.2.1 Works & Services Progress Report May/June 2019

Works and Services Report May /June 2019 attached for information.

11.2.2 Waste & Emergency Services Report May 2019

Waste & Emergency Services Report May 2019 attached for information.

11.2.3 Management Report to Council - Extension to Sewerage Services Contract

Location:	Coolgardie
Applicant:	Shire of Coolgardie
File Reference:	NAM7304
Disclosure of Interest:	The Author has no financial interest in this item
Date:	17 June 2019
Author:	Waste & Emergency Services Manager - Rod Franklin

Summary:

The purpose of this report is to request Council approval to continue the services of TAPS Industries Pty Ltd, in providing sewer maintenance, repair and inspection of Council's sewer mains in the Coolgardie Townsite until the 31 October 2019; being that Tender 06/16 has now expired.

Background:

The Shire of Coolgardie previously called for Tender 06/16 – *“Provision of Sewer Maintenance, Repair and Inspection of Council's Sewer Mains in the Coolgardie Townsite”*. The tender closed on Monday 12 December 2016 and was actioned in accordance with the *Local Government Act 1995 (Functions and General) Regulations 1996 Part 4 (Tenders for Providing Goods and Services)*. The tender was subsequently awarded to TAPS Industries Pty Ltd.

COUNCIL RESOLUTION: #332/16

MOVED: COUNCILLOR, N KARAFILIS
SECONDED: COUNCILLOR, S BOTTING

That Council

- 1. Authorise the Acting Chief Executive Officer to award Tender 06/16 to TAPS Industries Pty Ltd (Tender A), 37 Hopbush Road, Kambalda 6442.WA 6430.**
- 2. Authorise a contract to TAPS Industries Pty Ltd, 37 Hopbush Road, Kambalda 6442.WA 6430. for the *Provision of Sewer Maintenance, Repair and Inspection of Council's Sewer Mains in the Coolgardie Townsite for a period of 2 years, commencing on 1 February 2017 and terminating on 31 January 2019.***
- 3. Authorise the Shire President and the Acting Chief Executive Officer to sign and affix the Common Seal in accordance with Part 19.1(2) of the Standing Orders Local Law to any required documentation.**

CARRIED ABSOLUTE MAJORITY 7/0

Comment:

Consultation has occurred between all parties and it was agreed that there would be no change to TAPS's current schedule of rates. Shire staff intend to call tenders for the Provision of Sewer Maintenance, Repair and Inspection of Council's Sewer Mains in the Coolgardie Townsite in July 2019. The renewal of this tender is intended to be presented to Council in September 2019. An external

independent source will be used to run the tender process and present the final report and assessment for consideration.

Attachments:

Nil

Consultation:

Rod Franklin – Waste & Emergency Services Manager

Statutory Environment:

Nil

Policy Implications:

Policy 041 – Procurement Policy
Policy 043 – Regional Price Policy

Financial Implications:

The cost of providing the Sewer Maintenance, Repair and Inspection of Council's Sewer Mains in the Coolgardie Townsite contract is stipulated within the Shire's Budget 2019-20.

Strategic Implications:

Accountable and Effective Leaders

High quality corporate governance, accountability and compliance

Effective management of infrastructure, heritage and environment

Maintaining and renewing infrastructure and building assets

Voting Requirement: Absolute Majority

Officer Recommendation:

That Council,

Approve to continue the services of TAPS Industries Pty Ltd, in providing sewer maintenance, repair and inspection of Council's sewer mains in the Coolgardie Townsite under the same schedule of rates as awarded under Tender 06/16 until the 31 October 2019.

COUNCIL RESOLUTION: #110/19

Moved: Councillor, K Lindup

Seconded: Councillor, T Rathbone

That Council,

Approve to continue the services of TAPS Industries Pty Ltd, in providing sewer maintenance, repair and inspection of Council's sewer mains in the Coolgardie Townsite under the same schedule of rates as awarded under Tender 06/16 until the 31 October 2019.

CARRIED ABSOLUTE MAJORITY 6/0

11.2.4 Little Industries - Request to Renew Annual Haulage Campaign

Location:	Coolgardie
Applicant:	Little Industries
File Reference:	NAM7299
Disclosure of Interest:	The author has no financial interest in this item
Date:	17 June 2019
Author:	Engineering Administration Officer, Mel Nowlan

Summary:

For Council to consider a renewal application by Little Industries (IRD29070) for an approximate annual figure of 83,500 tonnes covering 1.5km Durkin Road, between Silver Lake Road and the intersection of Goldfields Highway and Durkin Road. Council endorsement is requested for nine (9) RAV approvals and the annual campaign will be valid from 01 July 2019 to 30 June 2020.

Background:

As per Council's Policy #034 (Haulage Campaigns) - Long Term Campaign: where a cartage campaign exceeds 25,000 tonnes or 100 return trips in any annual period, or more than six return trips in any week or part thereof; the principle (Little Industries) needs to apply to the Shire of Coolgardie for use of the Shire of Coolgardie road network.

Little Industries have approached the Shire seeking extension of their annual haulage campaign transporting approximately 83,500 tonnes (annually) of product utilising 1.5km of Durkin Road, Kambalda. Little Industries have previously received Council approval for their haulage campaign 2017-2018 (refer to Council Resolution #209/18).

COUNCIL RESOLUTION: # 209/18

Moved: Councillor, T Rathbone

Seconded: Councillor, N Karafilis

That Council,

- 1. Endorse the proposal from Little Industries to use 1.5km of Durkin Road as part of their annual campaign comprising of 46,900 tonnes from 01 December 2018 to 30 June 2019.**
- 2. Request a capital Contribution at \$0.07 per tonne per km at 46,900 tonnes over 1.5km = \$4924 ex GST. Contribution to Account 11202750 - 170 (Limited Cartage Campaign).**

CARRIED ABSOLUTE MAJORITY 6/0

All haulage activities undertaken will be in accordance with Council Policy 034 (Haulage Campaigns) which applies to haulage campaigns within the Shire of Coolgardie. All haulage campaigns should be read in conjunction with the Shire's Policy #035 (Heavy Vehicles Conditions for use of Shire Roads). The purpose of both policies aims to ensure safe use on Shire roads by long term haulage campaign users.

Comment:

Little Industries have requested use of Durkin Road, Kambalda, and renewal of their existing approvals for a hauling period of 01 July 2019 to 30 June 2020. The annual haulage tonnage is approximately 83,500 tonnes.

A map of the route as attached.

Based on actual deterioration cost, the following contribution would be applicable –

Durkin Road

Capital Contribution of \$0.07 per tonne per km at 83,500 tonnes over 1.5km \$8767.50 ex GST or
Maintenance Contribution at \$0.04 per tonne per km at 83,500 tonnes over 1.5km \$5010 ex GST

*The cost recovery unit shall apply to all vehicle movements over the full term of the carting campaign as listed on the application and be issued and reviewed annually.

Alternatively, the principle of the campaign may wish to enter into an alternate agreement with the Shire, providing satisfaction of Austroad construction guidelines and appropriate consideration by the Council. This agreement could include the provision of capital and/or maintenance of the road during the period of the haulage campaign.

Attachments:

1. 685 - Shire of Coolgardie Durkin Rd 200519 [11.2.4.1 - 1 page]
2. 685 - Durkin Rd Haulage Map [11.2.4.2 - 1 page]

Consultation:

Gerald (Joe) Little – Little Industries; Director

Statutory Environment:

Road Traffic Act 1974 Section 85

Local Government Act 1995, Section 3.5

Policy Implications:

Policy #034 – Haulage Campaigns

Policy #035 – Heavy Vehicles Conditions for use on Shire Roads

Financial Implications:

Contribution to Capital Works or Maintenance on Durkin Road, Kambalda

Strategic Implications:**A thriving local economy**

Supporting and encouraging mining and processing industries

Accountable and Effective Leaders

Collaborating with industries to stimulate and support economic development for the community

High quality corporate governance, accountability and compliance

Voting Requirement: Simple Majority

Officer Recommendation:

That Council,

1. Endorse the proposal from Little Industries to use 1.5km of Durkin Road as part of their annual campaign comprising of 83,500 tonnes from 01 July 2019 to 30 June 2020.
2. Request a capital Contribution at \$0.07 per tonne per km at 83,500 tonnes over 1.5km = \$8767.50 ex GST. Contribution to Account 11202750 - 170 (Limited Cartage Campaign).

COUNCIL RESOLUTION: #111/19

Moved: Councillor, S Botting

Seconded: Councillor, T Rathbone

That Council,

1. Endorse the proposal from Little Industries to use 1.5km of Durkin Road as part of their annual campaign comprising of 83,500 tonnes from 01 July 2019 to 30 June 2020.
2. Request a capital Contribution at {resolution}.07 per tonne per km at 83,500 tonnes over 1.5km = \$8767.50 ex GST. Contribution to Account 11202750 - 170 (Limited Cartage Campaign).

CARRIED SIMPLE MAJORITY 6/0

11.3 Recreation and Community Services

Nil

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

13.1 Elected Members

13.2 Council Officers

COUNCIL RESOLUTION: #0112/19

That Council, Introduce business of urgent nature to meeting:

13.2.1 Management of Council Owned Properties in Coolgardie

Moved: Councillor, T Rathbone

Seconded: Councillor, S Botting

CARRIED ABSOLUTE MAJORITY 6/0

13.2.1 Management of Council Owned Properties in Coolgardie

Location:	Shire of Coolgardie
Applicant:	NIL
File Reference:	
Disclosure of Interest:	NIL
Date:	12 th June 2019
Author:	Executive Manager Administration Services, Bec Horan

Summary:

For Council to consider the management agreement from Zion Real Estate for the management of Council owned properties in Coolgardie.

Background:

Council at its June 2018 Ordinary Council Meeting resolved the following:-

Council Resolution: #101/18

Moved: Councillor, T Rathbone

Seconded: Councillor, B Logan

That Council approves the management agreement with Zion Real Estate for a 1 Year period commencing 1 July 2018 for the following properties:-

*56 King Street
4/33 Sylvester Street
56 Bayley Street – Post Office
56a Bayley Street - Markets
56b Bayley Street – Arts Building
58c Bayley Street – Pharmacy
Drill Hall
Sargent Quarters
Lawn Bowling Club
Old Coolgardie Fire Station
Coolgardie Railway Station and caretakers flat
Road Board Building
Town Hall
11 Taylor Street – Montana homes
9 Taylor Street – Montana Homes
7 Taylor Street – Montana Homes
5 Taylor Street – Montana Homes
3 Taylor Street – Montana Homes
1 Taylor Street – Montana Homes*

Comment:

Shire staff are also in discussions with Kambalda Real Estate Agencies to take on the property management of our Kambalda Properties. Outsourcing this function allows staff to focus on other tasks and ensures that correct processes are followed.

Attachments:

{attachment-list-do-not-remove}

Consultation:

Zion Real Estate
Noeline Poke, Administration Coordinator

Statutory Environment:

Nil

Policy Implications:

Nil

Financial Implications:

The costs of the management agreement will be budgeted for annually.

Strategic Implications:**A thriving local economy**

Supporting local businesses in the Shire

Effective management of infrastructure, heritage and environment

Maintaining and renewing infrastructure and building assets

Voting Requirement: {voting-requirement}**Officer Recommendation:**

That Council approves the management agreement with Zion Real Estate for a 1 Year Period commencing 1 July 2019 for the following properties:-

56 King Street

4/33 Sylvester Street

56 Bayley Street – Post Office

56a Bayley Street - Markets

56b Bayley Street – Arts Building

58c Bayley Street – Pharmacy

Drill Hall

Sargent Quarters

Lawn Bowling Club

Old Coolgardie Fire Station

Coolgardie Railway Station and caretakers flat

Road Board Building

Town Hall

11 Taylor Street – Montana homes

9 Taylor Street – Montana Homes

7 Taylor Street – Montana Homes
5 Taylor Street – Montana Homes
3 Taylor Street – Montana Homes
1 Taylor Street – Montana Homes

COUNCIL RESOLUTION: #113/19

Moved: Councillor, T Rathbone
Seconded: Councillor, S Botting

That Council approves the management agreement with Zion Real Estate for a 1 Year Period commencing 1 July 2019 for the following properties:-

56 King Street
4/33 Sylvester Street
56 Bayley Street -Post Office
56a Bayley Street - Markets
56b Bayley Street -Arts Building
58c Bayley Street - Pharmacy
Drill Hall
Sargent Quarters
Lawn Bowling Club
Old Coolgardie Fire Station
Coolgardie Railway Station and caretakers flat
Road Board Building
Town Hall
11 Taylor Street - Montana homes
9 Taylor Street -Montana Homes
7 Taylor Street -Montana Homes
5 Taylor Street -Montana Homes
3 Taylor Street -Montana Homes
1 Taylor Street -Montana Homes

CARRIED ABSOLUTE MAJORITY 6/0

Cr Lindup, James Trail and Mia Hicks declared interests in the Private and Confidential items and left the room at 7.20pm

14 CONFIDENTIAL ITEMS

Councillor, K Lindup left the meeting at 07:20 pm
Councillor, K Lindup returned to meeting at 07:27 pm.

COUNCIL RESOLUTION: #114/19

Moved: Councillor, T Rathbone
Seconded: Councillor, S Botting

That council close the meeting to the public at 07.18pm

CARRIED ABSOLUTE MAJORITY 6/0

Councillor, K Lindup left the meeting at 07.20pm.
Councillor, K Lindup returned to meeting at 07:27 pm.

Staff that left meeting at 7.20pm:
Chief Executive Officer James Trail
Executive Manager Economic Services, Mia Hicks
Team Leader Coolgardie Community Services, Leanne Shilton
Returned to meeting at 07.27pm

14.1 Reimbursement Pool Cafe

Officer Recommendation:

That Council approve reimbursement of \$8,000 for loss of stock to the leasee of the Kambalda Swimming Pool Kiosk.

COUNCIL RESOLUTION: #115/19

Moved: Councillor, T Rathbone
Seconded: Councillor, B Logan

That Council approve reimbursement of \$8,000 for loss of stock to the leasee of the Kambalda Swimming Pool Kiosk.

CARRIED ABSOLUTE MAJORITY 5/0

14.2 Mia Hicks Consulting - Payment of Invoice

Officer Recommendation:

That Council approve the payment of invoice 00000137 from Mia Hicks Consulting for the amount of \$40,308.40 inclusive of GST being payment for success fee on the Building Better Regions Fund (BBRF) Grant for the Coolgardie Post Office Precinct.

COUNCIL RESOLUTION: #116/19

**Moved: Councillor, T Rathbone
Seconded: Councillor, S Botting**

That Council approve the payment of invoice 00000137 from Mia Hicks Consulting for the amount of \$40,308.40 inclusive of GST being payment for success fee on the Building Better Regions Fund (BBRF) Grant for the Coolgardie Post Office Precinct.

CARRIED ABSOLUTE MAJORITY 5/0

14.3 Vetting of employees - Audit

Officer Recommendation:

That Council accept the Management Report - Focus Audit – Verifying Employee Identity and Credentials.

COUNCIL RESOLUTION: #117/19

**Moved: Councillor, T Rathbone
Seconded: Councillor, E Winter**

That Council accept the Management Report - Focus Audit -Verifying Employee Identity and Credentials.

CARRIED SIMPLE MAJORITY 5/0

COUNCIL RESOLUTION: # 118/19

**Moved: Councillor, B Logan
Seconded: Councillor, T Rathbone**

That Council reopen the meeting to the public at 07.27pm

CARRIED ABSOLUTE MAJORITY 5/0

15 CLOSURE OF MEETING

Shire President, M Cullen declared the meeting closed at 07.29pm and thanked all for their attendance.

