



AGENDA

Ordinary Council Meeting

19 December 2023

4:30pm

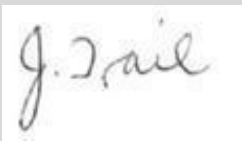
Council Chambers, Bayley Street, Coolgardie

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 19 December 2023 commencing at 4:30pm.

A rectangular box containing a handwritten signature in black ink that reads "J. Trail".

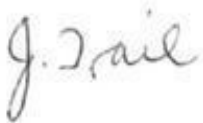
**JAMES TRAIL
CHIEF EXECUTIVE OFFICER**

ORDINARY COUNCIL MEETING**19 December 2023**

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

The dates, times and locations of the Ordinary Council Meetings for 2023 are listed hereunder.

<u>Day</u>	<u>Date</u>	<u>Time</u>	<u>Venue</u>
Tuesday	January 2023	N/A	-
Tuesday	28 February 2023	6.00pm	Coolgardie
Tuesday	28 March 2023	6.00pm	Kambalda
Wednesday	26 April 2023	2.00pm	Coolgardie
Tuesday	23 May 2023	2.30pm	Kambalda
Tuesday	27 June 2023	2.30pm	Coolgardie
Tuesday	25 July 2023	2.30pm	Kambalda
Tuesday	22 August 2023	2.30pm	Coolgardie
Tuesday	26 September 2023	2.30pm	Kambalda
Tuesday	24 October 2023	2.30pm	Coolgardie
Tuesday	28 November 2023	4.30pm	Kambalda
Tuesday	19 December 2023	4.30pm	Coolgardie



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 prior to 10:30am on the day 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.

2. 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**1.1 WELCOME TO COUNTRY ANNOUNCEMENT**

“The Shire of Coolgardie acknowledges the Traditional Owners of the land, on which we meet and pay our respects to Elders past, present and emerging”

2 DECLARATION OF COUNCIL MEMBERS

The Shire President to invite Council Members to declare that they have read the agenda and supporting documents and able to make informed decision on all matters accordingly.

3 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE**4 DECLARATIONS OF INTEREST****4.1 Declarations of Financial Interests – Local Government Act Section 5.60A****4.2 Declarations of Proximity Interests – Local Government Act Section 5.60B****4.3 Declarations of Impartiality Interests –Shire of Coolgardie Code of Conduct for Council Members, Committee Members and Candidates for Election, Code of Conduct for Employees****5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

6 PUBLIC QUESTION TIME**7 APPLICATIONS FOR LEAVE OF ABSENCE**

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 NOVEMBER 2023

Date: 12 December 2023

Author: Kasey Turner, Executive Assistant

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on 28 November 2023 be confirmed as a true and accurate record.

9 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**9.1 PRESIDENT'S REPORT - DECEMBER****Date:** 12 December 2023**Author:** Malcolm Cullen, President

The month of December is upon us and with the Christmas Festivities fast approaching and I ponder how quickly the past year has gone by.

Councillors have been actively engaged attending our School's Annual Book Awards and Graduation ceremonies over the past weeks and it is pleasing to witness the enthusiasm being shown by all the students performing to the absolute best of their ability both at their school endeavours and during the awards ceremonies.

Of particular interest when attending the CAPS Kurrawang School evening, was the large number of students currently enrolled at their school, with many travelling from Kalgoorlie and Coolgardie to attend the community school.

These children along with the teachers have been supporting the Shire through assisting and performing at Warden Finnerty's residence during the visitor tours and also at various Shire activities.

Our annual Seniors Christmas Luncheon was held in Kambalda this year with over 110 attendees travelling from Coolgardie, Norseman and Widgiemooltha.

This year's event included an array of entertainment including performances from the Kambalda School children, seniors residents from Kambalda, the Boot Scooters from Kalgoorlie and several songs from Chris Edmondson. It is great to see our senior residents come together each year to share their stories and catchup with friends and family that they may only see once or twice a year and enjoy a wonderful meal and have a great day out.

Prior to the Council Meeting in Kambalda last month, along with my fellow Councillors and Staff, it was my pleasure to conduct another Citizenship Ceremony to welcome two Kambalda residents who had achieved their Citizenship Status to become officially an Australian Citizen.

Over the past few years this has been quite a regular occurrence, and it is pleasing that people in our communities are willing to invest in their future living in our towns.

Coolgardie residents were treated to an evening of music and entertainment on the Coolgardie Railway Station platform recently, with the Barefoot Bands organising an event called the "Night of the Muses" with the members of the Bands playing several of their songs along with our local talent having the opportunity to perform for the 80 people who attended what was a very enjoyable evening.

Deputy CEO and I travelled into Kalgoorlie on November 21st to sign the MOU with the Vice-Chancellor of Curtin University, which was endorsed recently by Council.

This is a major step forward in partnership between the Shire and Curtin to facilitate undergraduate internship programmes along with placements for medical students to gain valuable work experiences within the Goldfields region.

The Goldfields Women's Healthcare Counselling Programme in partnership with the Shire will be expanded to include the town of Coolgardie early in the new year. This valuable programme is funded by the Shire as part of our level of service to our communities and complements the service that has been operating in Kambalda for the past twelve months.

The opening of two new businesses on Bayley Street has made a significant contribution to complementing the Shire's vision of revitalising Bayley Street.

With the moving of the Visitor Centre and expansion of the Museum and Exhibition, the Judumul Art and Printing Gallery and Desert Rain Designs all combining to attract local residents, tourists and visitors from both regional and interstate, over the past few weeks has seen a noticeable increase in people and vehicles moving on the Main street both weekdays and particularly on the weekends.

Following requests from community members, Shire staff have initiated new line marking along Sylvester Street and included a disabled parking bay at the front of the Coolgardie Recreation Centre to assist our elderly and disabled residents attending events at the centre.

It is with much relief and satisfaction that I am able to report the Department of Local Government has finally released the "Report of the Inquiry into the Shire of Coolgardie".

On April 01 2020 (approaching 4 years) the Director General of the DLGSC authorised an inquiry into the Shire, its operations and affairs from January 2016 to the present date.

The scope of the Inquiry included:

- a. The Shire's tendering processes.
- b. The adequacy and adherence to Council policies by elected members and staff.
- c. Declarations of interest by elected members.
- d. The financial viability of the Shire.
- e. The culture of the organisation.
- f. Any other matter that come to the investigator's attention.

During these years the Authorised Person interviewed all the Elected Members, CEO and DCEO plus 22 community members.

There were also a total of 13 Directions notices issued to the Shire for information and documents relating and relevant to this inquiry. The notices were all complied with and the information received.

The most significant Directions notice being SOC13 for Global 2020 to undertake a forensic audit of the Shire by the access of general ledger software data for the period 01 July 2016 to 30 June 2023 due to this data being captured in full financial years.

From this review, Global 2020 reported there was NO evidence of systematic fraud, corruption or collusion by Council or the CEO.

In the view of the Authorised Person, there is NO credible evidence that the Shire has acted inappropriately when dealing with tendering processes, assessments, approvals or payments.

In the view of the Authorised Person, the Shire is meeting its financial reporting obligations under the Local Government Act 1995.

In the view of the Authorised Person, the processes followed by the Shire for the workforce accommodation village, the Kambalda Airport and the rezoning of land at the Kambalda Cultural – Arts premises was consistent with the Act and the Shire's Strategic objectives.

The CONCLUSION by the Authorised Person, being of the view that the Councillors and employees who were spoken to during this long running Inquiry all supplied honest and credible information in response to the numerous allegations and misinformation made against them.

Accordingly, no further concerns about the Shire and its current operations could be established, nor was the Authorise Person able to obtain ANY Credible evidence of serious misconduct or breaches of the Local Government Act 1995 by any elected member or employees of the Shire.

I am very proud of the fact that Council, CEO and all of our staff have stood firm in the face of adversity, in the belief that we as a Team were always working towards the long term viability, sustainability and better outcomes for our communities for years into the future, and that the outcomes from this DLGSC Inquiry totally Vindicate,

Justify and Exonerate the actions taken over the past three years with the long term goals to improve and maintain services and facilities in our towns.

On behalf of the Council, I would like to wish you all a very Merry and safe Christmas and a Prosperous New Year.

Cr Malcolm Cullen
Shire President.

10 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

11 REPORTS OF COMMITTEES

Nil

12 REPORTS OF OFFICERS

12.1 Executive Services

12.1.1 BLUEBUSH VILLAGE: ROOM ALLOCATION POLICY

Location: Lot 562 Salmon Gum Road, Kambalda West

Applicant: N/A

Disclosure of Interest: Nil

Date: 12 December 2023

Author: James Trail, Chief Executive Officer

SUMMARY

A new Council Policy is proposed to provide guidance to both Shire staff and prospective tenants of Bluebush Accommodation Village on the allocation process and pricing for rooms at the Shire owned Bluebush Accommodation Village.

BACKGROUND

The Shire has constructed and is operating the Bluebush Workforce Accommodation Village (Bluebush) in Kambalda. Bluebush is proving to be popular/successful with good occupancy rates and high interest in bookings from mining companies and other businesses/organisation undertaking work in and around the Shire of Coolgardie.

Several companies have approached the Shire's Administration seeking to "block book" rooms at Bluebush for an extended period. These proposed bookings are a positive for the Shire as they provide financial certainty for the organisation due to the fact that they provided guaranteed revenue streams, but they do create some challenges such as: -

- Room rate: Long term hirers are seeking to negotiate lower room rates for use of Bluebush rooms.
- Room allocations: High demand for rooms is leading to a situation where Bluebush potentially fully subscribed in the future and Council's objectives for the facility are potentially compromised if all rooms are utilised and limited flexibility is available re allocation of room.

The Draft Bluebush Village: Room Allocation Policy has been developed to provide guidance to Shire staff on how they should allocate rooms at Bluebush and at what rate those rooms shall be charged at.

COMMENT

When it elected to develop the Bluebush Facility the Shire was trying to fulfill a range of strategic objectives/outcomes. These objectives included: -

- Economic Growth: The Shire was eager to support businesses that grow the economy of the District.
- Local Business Development/diversification: The Shire wanted to ensure that the Bluebush Village helped grow existing Shire of Coolgardie businesses and enabled the development of new businesses within the community.
- Community: The Council was eager to ensure that the Village was accessible/available for community groups wishing to access accommodation for regional sporting competitions/events.

- Environmental: The Council wanted to be a local government leader in environmental sustainability. It was envisaged that the accommodation available at Bluebush Village would be used a “lever” to support environmental initiatives and excellence within the District.
- Government Engagement: Access to affordable accommodation can be a barrier to the delivery of government services within the Shire. It was proposed to use Bluebush Village as a lever to attract government services and government engagement with the Coolgardie Shire/community.
- Financial Return: The Shire has a stated objective of growing its ‘own source revenue’ and is actively seeking a strong financial return from its investment in the Bluebush Village. This, in turn, reduces reliance on rate income to fund local services and infrastructure.

Council has set out the fees payable to hire rooms at Bluebush in the Annual Plan and Budget. These fees set the rate for rooms and do provide some discretion to the CEO re setting room rates, but they do not currently provide guidance on how/when that discretionary power should be used. Additionally, the current fees do not provide guidance on how rooms should be allocated. The current Council adopted rates for room hire at Bluebush are: -

- | | |
|-----------------------------------------------------------------------|-----------------------|
| • Single Village Room – per contract (per night) | \$165 (GST inclusive) |
| • Single Village Room – casual (per night) | \$175 (GST inclusive) |
| • Single Village Room – as negotiated with the CEO (per night) | POA |
| • Executive Village Room – (per night) | \$225 (GST Inclusive) |

The Proposed Policy aims to provide guidance on how the CEO can utilise the discretion that has been provided within the adopted fees and charges. The Policy seeks to provide guidance on matters such as: -

- Maximum occupancy levels by one company/hirer at Bluebush.
- Discount levels that are potentially available under CEO discretion and under what circumstances these discounts may be applied.
- How companies/businesses/individuals can request consideration for discount levels that exceed the policy limit.
- Reporting/recording of discounts that have been applied by the CEO.

The policy seeks to link the application of room hire rates and allocations to the original objectives/outcomes that the Council had/has for the facility.

CONSULTATION

Shire staff

Accommodation Management Contractor

STATUTORY ENVIRONMENT

Section 6.2 (4)(c) of the Local Government Act 1995 states that the Annual Budget *is to incorporate the fees and charges to be imposed by the Local Government.*

Section 6.16(2)(a) states that a *fee or charge may be imposed for the following providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*

Section 6.17 states that: -

- (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 services 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.*

The hire of rooms at Bluebush is being undertaken through a fee setting arrangement by the Council in accordance with these legislative provisions.

POLICY IMPLICATIONS

N/A: This report seeks to introduce a new Policy.

FINANCIAL IMPLICATIONS

The financial performance of Bluebush Village is a significant for the Shire of Coolgardie. Forecast revenue from Bluebush in the 2023/24 Financial Year is \$11.02M. This represents approximately 30% of all revenues that are expected to be received by the Shire for the financial year.

The proposed policy does not materially impact on expected budget performance as it simply provides guidance to the Shire's administration on how existing, approved arrangements should be managed.

STRATEGIC IMPLICATIONS

A thriving local economy

Supporting and encouraging mining and processing industries

ATTACHMENTS

1. **Draft Policy: Bluebush Village - Room Allocation Policy**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council: -

1. **ADOPT Policy 3.34 Bluebush Village: Room Allocation Policy to the Shire of Coolgardie Policy Manual in accordance with the attached draft.**
2. **NOTES that the Bluebush Village Room Allocation Policy continues to provide authorisation to the CEO to have some discretion on room hire rates (within new prescribed policy limits) and that any request for room allocation and or room hire rates outside of the policy limits will be brought to Council for consideration.**

12.1.2 PROPOSED LEASE OF LAND AT COOLGARDIE TIP; REFORME GROUP

Location: Crown Reserve R3497; Coolgardie Tip Site

Applicant: Reforme Group Pty Ltd

Disclosure of Interest: Nil

Date: 11th December 2023

Author: James Trail, Chief Executive Officer

SUMMARY

For Council to acknowledge the public comments received from Jan McLeod of Widgiemooltha on the proposed lease of land at Coolgardie Tip and to continue with the implementation of Council Resolution 224/2023.

BACKGROUND

Council at its October meeting resolved the following: -

COUNCIL RESOLUTION #1/2023

Moved: Cr Tracey Rathbone

Seconded: Cr Corey Matthews

That:

1. In accordance with S3.58(3) of the Local Government Act, that Council PROVIDE PUBLIC NOTICE of a proposed lease agreement with Reforme Group Pty Ltd with the following key terms:
 -
 - Names of proposed parties: Reforme Group Pty Ltd and the Shire of Coolgardie
 - Consideration to be received:
 - Yr 1: Market Value as determined by independent valuation.
 - Yr 2-7: Market Value as determined by independent valuation or 2% of income received from all commercial business activities conducted within the leased area, whichever is the greater.
 - Market Value of the disposition: \$60,000
2. Subject to no material adverse public comments being received by the Shire during the advertising period, AUTHORISE the CEO to seek Ministerial approval for the lease and (subject to such approval being granted) execute a lease with Reforme Group.

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Rose Mitchell, Daphne Simmons and Corey Matthews

Against: Nil

CARRIED 6/0

COMMENT

At its October 2023 meeting, Council considered and approved a recommendation that in accordance with S3.58(3) of the Local Government Act, provide public notice seeking public comment of the proposed lease with Reforme Group Pty Ltd.

The public notice was advertised in the Kalgoorlie Miner and West Australian on Thursday 16th November 2023 with submissions closing on Monday 4th December 2023 at 12pm.

One submission was received from Jan McLeod of Widgiemooltha.

CONSULTATION

NIL

STATUTORY ENVIRONMENT

The lease is proposed to be undertaken as a 'disposal of property' under the provisions of Section 3.58(3) of the Local Government Act 1995. This provision requires the following information to be disclosed/advertised publicly prior to the disposition occurring: -

- (a) The names of all other parties concerned;
- (b) The consideration to be received by the local government for the disposition; and
- (c) The market value of the disposition.

Local Government (Functions & General) Reg 9A(1)(b) requires a Local Government Act compliant business plan to be developed and advertised for a minimum of six (6) weeks if the consideration of the land transaction is to exceed \$2M. The total proposed rent payable by Reforme under the lease falls under this threshold.

The Land is under a Management Order under the Land Administration Act 1997. Any lease of the land is subject to the lease being approved by the Minister for Land (or their Delegate) under Sections 18 and 19 of that Act.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

A thriving local economy

Supporting and encouraging mining and processing industries

Accountable and effective leaders

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. Jan McLeod Submission
2. Local Public Notice - Copy of advertisement

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council, in accordance with s3.59(3)(b) of the Local Government Act 1995.

1. Acknowledge the submission received by Jan McLeod
2. having considered the submission by Jan McLeod, determines to proceed with the intention to lease, on the basis that none of the issues raised are considered substantial enough to warrant further consideration (or are being addressed, where raised as prior Questions), and
3. Authorise the CEO to seek Ministerial approval for the lease and (subject to such approval being granted) execute a lease with Reforme Group.

12.1.3 PROPOSED LEASE OF LAND COOLGARDIE CAMP SERVICES PTY LTD

Location: Site 2 Lot 2435 on Plan 107089 Gnarlbine Road Coolgardie

Applicant: Coolgardie Camp Services Pty Ltd

Disclosure of Interest: Nil

Date: 11th December 2023

Author: James Trail, Chief Executive Officer

SUMMARY

1. That Council By ABSOLUTE MAJORITY, delegate authority to the CEO to advertise the Disposition by Local Public Notice for public comment in accordance with s3.58(3) of the Local Government Act 1995 and to bring any public comments, and a recommendation to Council for consideration under s3.58(3) (b) of the Act.
2. That the following Terms and Conditions/Particulars for the proposed Lease of a portion of Lot 2435 on Plan 107089 currently Crown Reserve 8693 vested in the Shire of Coolgardie for workers accommodation be included in the Local Public Notice:
 - (a) Lessee: Coolgardie Camp Services Pty Ltd.
 - (b) Consideration: Annual lease payment of \$300,000, rates and taxes of approx. \$90,000 and site infrastructure reimbursement estimated to be approx. \$2,385,000 excluding GST.
 - (c) Market Valuation: Lease value of between \$300,000 per annum.

BACKGROUND

The subject site is currently vacant. The surrounding by other worker accommodation camps.

**COMMENT****DISPOSITION OF LAND**

Public notice is required for proposed disposition of property and land, by way of lease, license or sale pursuant to Section s.3.58 and 3.59 of the Local Government Act 1995.

Pursuant to this; the Shire of Coolgardie needs to give public notice of consideration by the Shire Coolgardie to enter into a lease with Coolgardie Camp Services Pty Ltd for a portion of Lot 2435 (Site 2) on Plan 107089 for workers accommodation.

The portion of land of Lot 2435 on Plan 107089 in the Shire of Coolgardie is adjacent to a current workers accommodation village.

The construction camp facilitates the EPC contract between GR Engineering and Evolution Mining for the Mungari Growth Project - Process Plant, 20km west of Kalgoorlie in Western Australia. The scope of work is to expand the existing Mungari process plant to an annual throughput of 4.2 Mtpa, including required changes to process plant buildings and associated infrastructure. Initial engineering design and procurement works have commenced with site works commencing min-January 2024. The lessee is in discussions with GR Engineering to provide construction camp accommodation to GR Engineering's staff.

KEY TERMS OF THE PROPOSED LEASE

Lessor: Shire Coolgardie

Lessee: Coolgardie Camp Services Pty Ltd

Area: Lot 2435 on Deposited Plan 107089 being a portion of the land contained in certificate of title volume 4033 folio 705

Purpose: Construction Camp Accommodation

Commencement: Estimated as 1 May 2024

Term: 1 year with 2 options to extend for a further period of 1 year each, making it 3 years in total (if extended)

Permissible Use: Construction Camp Accommodation

Consideration: Annual lease payment of \$300,000 per year excluding GST, estimated site infrastructure payment of approx. \$2,385,000 excluding GST payable in year 1.

Annual rate charges: Estimated \$90,000

Market Valuation: Lease value of \$300,000 per annum

MARKET VALUATION

In accordance with section 3.58(4)(c) of the Local Government Act 1995, the Shire has obtained previously a market valuation for the previous proposed disposition. It is the Shire's intent to use this market value for this disposition.

The valuation indicates that the market rental value is estimated at \$10 per m² per annum.

CONSULTATION

Council Members

State Agencies

Mining Company

STATUTORY ENVIRONMENT

Public notice is also required for any proposed disposition of property and land, by way of lease, license or sale pursuant to Section s.3.58 and 3.59 of the Local Government Act 1995.

Section 3.58 of the Local Government Act 1995 states;

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property –

- (a) it gives local public notice of the proposed disposition –
- (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government

before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

In summary, the details of the disposition must be disclosed, including the description of the property in question, the consideration (price) and the market value.

Public comments are to be invited on the proposed disposition and the submissions will be considered by Council after the closing date, should submissions be made.

POLICY IMPLICATIONS

N/A

FINANCIAL IMPLICATIONS

Financial analysis has been undertaken for the option of leasing land for construction camp accommodation.

The proposed lease indicates that a lease for construction camp accommodation will include but not limited to:

- Annual lease fee for the portion of land estimated up to \$300,000 per year excluding GST;
- Annual rates and taxes estimated at \$90,000 per year excluding GST.
- Payment of fees and charges for disposal of waste
- Site infrastructure reimbursement estimated to be approx. \$2,385,000 excluding GST (payable in year 1);
- Road upgrade infrastructure contributions to be recovered in year 2 and 3 (if extended and to be negotiated) as approx. \$162,000 at \$5.40 per m²;
- Sewerage infrastructure contributions to be recovered in year 2 and 3 (if extended and to be negotiated) as approx. \$357,000 at \$11.90 per m².
- Payment to the Shire estimated between \$65 - \$70 per person per night

It would be proposed the Shire borrow the money on the basis of a self – supporting loan.

Additional revenue from the proposed lease of land for workers accommodation will assist the Shire to maintain or increase the level of services to the community, in an environment of escalating costs and decrease in valuation of the majority of residential, commercial, generally industry and light industry properties in the Shire. The Shire has an ongoing obligation to provide and maintain significant community assets including facilities roads and waste and water infrastructure and deliver services.

STRATEGIC IMPLICATIONS

A thriving local economy

Supporting and encouraging mining and processing industries

Accountable and effective leaders

High quality corporate governance, accountability and compliance

An inclusive, safe and vibrant community

Developing varied community and multicultural events and services

Effective management of infrastructure, heritage and environment

Maintaining and renewing infrastructure and building assets

ATTACHMENTS

1. **Advertisemnet Disposal of Land**
2. **Disposition of Land Document**

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

1. That Council By **ABSOLUTE MAJORITY**, delegate authority to the CEO to advertise the Disposition by Local Public Notice for public comment in accordance with s3.58(3) of the Local Government Act 1995 and to bring any public comments, and a recommendation to Council for consideration under s3.58(3) (b)of the Act.
2. That the following Terms and Conditions/Particulars for the proposed Lease of a portion of Lot 2435 on Plan 107089 currently Crown Reserve 8693 vested in the Shire of Coolgardie for workers accommodation be included in the Local Public Notice:
 - (a) Lessee: Coolgardie Camp Services Pty Ltd.
 - (b) Consideration: Annual lease payment of \$300,000, rates and taxes of approx. \$90,000 and site infrastructure reimbursement estimated to be approx. \$2,385,000 excluding GST.
 - (c) Market Valuation: Lease value of between \$300,000 per annum.

12.1.4 LOCAL GOVERNMENT INQUIRY

Location: Nil
Applicant: Nil
Disclosure of Interest: Nil
Date: 13th December 2023
Author: James Trail, Chief Executive Officer

SUMMARY

That Council

- 1) Receive the Report of the Inquiry into the Shire Coolgardie
- 2) Authorise the Chief Executive Officer in accordance with the provisions of Section 8.14(3) of the Local Government Act 1995, to provide the Minister with written advice setting out the things that the Shire has done or proposes to do to give effect to the recommendations contained in the report by 4th January 2024
- 3) Authorise the Chief Executive Officer to seek legal advice on any potential implications from the recommendations and conclusions in the Report of the Inquiry into the Shire Coolgardie

BACKGROUND

On 1 April 2020, the then DG of DLGSC authorised an inquiry into the Shire, in accordance with section 8.3(2) of the Act. The authorisation directed the Inquiry into the Shire and its operations and affairs, from 1 January 2016 to the present day. In particular, the Inquiry sought to review the following:

- a) The Shire's tendering processes, assessments, approvals and payments.
- b) The adequacy of and adherence to Council's policies and procedures by both elected members and administration staff.
- c) Declarations of interests by elected members.
- d) The financial viability of the Shire.
- e) The culture of the organisation.
- f) Other matters that come to the investigator's attention during the Inquiry under section 8.4(2) of the *Local Government Act 1995*.

During the Inquiry, a significant amount of information was received by DLGSC in relation to the operations of the Shire. The information received alleged maladministration by the Council. The Authorised Person initially travelled to the Shire on 22 June 2020 to seek information and conduct inquiries in accordance with the authorisation made under section 8.3(2) of the Act. Subsequently in June 2022, the Authorised Person travelled to the Shire and conducted interviews with 22 community members including ratepayers and former councillors.

In September 2022, the Authorised Person again travelled to the Shire and conducted formal interviews with the current elected members including Shire President Malcolm Cullen, Cr Kathie Lindup, Cr Sherryl Botting, Cr Rose Mitchell and former Cr Tammee Keast. Mr James Trail (the CEO) and Deputy CEO, Robert Hicks (the Deputy CEO), were also interviewed. During October 2022, Deputy Shire President, Cr Tracey Rathbone, was interviewed.

An independent review of purchasing card transactions made by the CEO and a data analysis of vendor payments by the Shire was also undertaken.

A total of 12 directions notices were issued to the Shire for information and documents relevant to the Inquiry. The directions notices were complied with and the requested information received.

This report on the outcome of the Inquiry has been compiled in accordance with section 8.13 of the Act by an officer of DLGSC who was authorised to conduct the Inquiry (Authorised Person).

COMMENT

The Authorised Person assessed the information supplied by the Shire. No obvious suspicious financial activity, tendering practices or any other breaches of the Act or associated regulations were identified.

2020 Global reported that from a review of the credit card transaction records there was no evidence of systemic fraud, corruption or collusion. The opinion was based on the following factors:

- The transactions seemed appropriate for the nature of the work that would be conducted by the Shire.
- Total value expended was not particularly high and the highest spend by value was for travel expenditure, typically flights between Kalgoorlie and Perth. This represents limited opportunity for engagement in corrupt activities with these suppliers.
- For suppliers who appeared on a recurring basis, expenditure wasn't particularly high and had sufficient annotation and description to appear appropriate.
- An analysis of the data showed there to be a pattern of controls in place, whilst not always well executed.
- It was also noted that although there were some purchases made on credit cards for personal purchases, these were self-reported and promptly repaid and resolved in both instances.

The broader analysis of the data provided and specific information that 2020 Global requested and reviewed did not identify any evidence that any Shire employee influenced the appointment of the nominated contractors and vendors during the scope period.

Payments were consistent with contracts formed with these vendors after independent assessment by multiple employees, or via preferred suppliers at the Western Australian Local Government Association (WALGA). The nominated vendors were approved by Council. All evaluations of the nominated vendors, and in particular, in the more recent contract awards, the Deputy CEO and two other Shire employees formed the evaluation panel.

2020 Global reviewed the publicly available ownership records from ASIC, and reported there was no direct link observed between the vendors and Shire employees.

2020 Global could not substantiate or identify any patterns of misappropriation of funds, possible illegal practices or collusion with contractors and tenderers by the Shire administration.

2020 Global noted some concerns about the quality of documentation of the process followed, with few documents being signed by those employees who prepared or evaluated them; however, from the documents provided, no examples of overt interference with the independence of process could be identified. 2020 Global also noted that there was no evidence that any conflict of interest was considered or documented for any of the quotation/tender assessments reviewed.

It is the view of the Authorised Person that there is no credible evidence that the Shire has acted inappropriately when dealing with tendering processes, assessments, approvals and payments.

The Authorised Person is of the view that the Presiding Member, Councillors and Administration were aware of their obligations under the Act, Regulations, Standing Orders and Local Laws in relation to their conduct and meeting procedures.

A review of meetings and minutes did not raise any significant issues relating to procedures followed by the Council.

The Authorised Person is of the view that councillors made themselves available to community members and were complying with their roles and responsibilities as prescribed by the Act.

In relation to the CEO's association with the company, the Authorised Person did not identify any evidence indicating that the CEO had acted inappropriately.

In relation to the financial viability of the Shire, it is the view of the Authorised Person that the Shire has adopted an approach that they believe is to be in the best interests of the Shire and its strategic planning going forward.

The Authorised Person has also confirmed that the Shire is meeting its financial reporting obligations under the *Local Government Act 1995*.

At the conclusion of the investigation process, the Authorised Person is of the view that the Shire Councillors, President and CEO each had demonstrated an understanding of their respective roles. The relationship and roles between the President, Councillors and CEO were clearly defined and appropriate.

The Council appears to be confident that it has in place the appropriate policies and procedures to maintain good governance of the CEO and the administration.

The councillors maintained that Council were the absolute decision-makers and refuted the allegation that the CEO directs Council to achieve his own agenda. It was also evident to the Authorised Person that the Shire President and CEO have a robust and effective relationship that ensures the nexus between Council and the Administration is maintained.

Kambalda Workers' Accommodation Village

The revenue generated from the workers' accommodation village will directly benefit the community with the revenue not to be used to off-set the Shire's overheads or cost of administration. The revenue will be used to maintain and enhance services, community programs, events and community infrastructure.

It is the view of the Authorised Person that the process followed by the Shire for the workers accommodation village was consistent with the Act and the Shire's strategic objectives.

Upgrade of the Kambalda Airport

As a result of their investigations, the Authorised Person is of the view that the business plan for the upgrade of the airport is sound and in compliance with the Act.

The Authorised Person is of the view that the process followed by the Shire for the upgrade of the Kambalda Airport was consistent with the Act and the Shire's strategic objectives.

Re-zoning of the Kambalda Cultural and Arts Group premises

Recently, the KCAG entered into the community user agreement and the tenancy of the community group has continued unchanged.

The Authorised Person is satisfied that Council had no immediate intention of evicting the group but were merely trying to consolidate its land holdings and move to a more streamlined system of community group tenancy by implementing the community user agreements.

It is the view of the Authorised Person that there were no breaches of the Act or misconduct in relation to Council's decision to rezone the land utilised by the KCAG.

Relationships with Council and the Chief Executive Officer

It is the view of the Authorised Person that the councillors of the Shire are aware of their roles and responsibilities as elected members and discharge their duties in accordance with the Act.

They appear to be invested in their community and share a vision to work towards achieving financial security for the Shire by developing revenue streams other than rate revenue to provide quality services to the ratepayers.

Whilst the Authorised Person is satisfied that Council fulfills its obligations in managing the dissemination of information to the public, during the Inquiry several interviewees accused the Council of being secretive or not engaging enough with the ratepayers. The Shire should therefore continue to engage with the public as much as possible.

It is the view of the Authorised Person that the CEO is aware of his roles and responsibilities and is supported by the Council and Administration. The Authorised Person is satisfied that if needed, there are processes in place for the CEO to be appropriately managed by Council and especially Shire President Cr Cullen.

Conclusion – general comments

During the investigation phase of the Inquiry, the Authorised Person interviewed numerous people, many of whom had differing views on how the Council is operating.

It is the view of the Authorised Person that the councillors and employees who were spoken to supplied honest and credible information in response to the allegations made against them.

During the Inquiry, the Authorised Person identified some deficiencies of both councillors and administration related to declarations of interests in matters before Council and conflicts of interest during the procurement process.

In preparing this report on the Inquiry, the Authorised Person undertook an analysis of all other DLGSC holdings in relation to the Shire, to establish if any other governance concerns or issues exist. Additionally, the Authorised Person undertook an audit of material relating to the Shire that had been received at DLGSC through correspondence.

The DLGSC, in its role as the local government regulator, also actively monitors local governments and uses several tools to identify at risk local governments and/or local governments of concern.

The DLGSC uses a risk-based approach to providing support and regulating local governments. Monitoring activities are also consistent with a local government's risk profile which is formulated through a series of indicators.

The DLGSC does not have any current reported concerns as to the Shire's operations or current financial status. Accordingly, no further concerns about the Shire and its current operations could be established by the Authorised Person.

The Authorised Person is unable to obtain credible evidence of serious misconduct or breaches of the *Local Government Act 1995* by any elected members or employees of the Shire of Coolgardie.

Recommendations

In accordance with section 8.13(1) of the Act, an Authorised Person is to compile a report on the outcome of any inquiry he or she conducts and under section 8.13(2) of the Act, the report is to contain any recommendations that the Authorised Person considers appropriate.

Whilst the Authorised Person through the inquiry has not identified any significant issues requiring further investigation or action, there are a number of identified administrative and governance processes that could be improved for the benefit of the Shire and the community.

The Authorised Person therefore makes the following recommendations:

- 1) All council members and staff to complete conflict of interest training that specifically provides clear guidance in respect of the requirements of the *Local Government Act 1995*, the relevant regulations and any code of conduct requirements relating to disclosing and managing conflict of interest within 6 months of the date of this report. The Shire is to maintain a public register of that training.
- 2) Within 6 months of the date of this report, the Shire to review and update its professional development and training program for council members and staff to include biennial conflict of interest training as an on-going requirement for all council members and staff members and to provide evidence of any updates and changes to DLGSC.
- 3) Within 6 months of the date of this report, the Shire to review and update its Procurement/Purchasing Policy and develop procedures that:
 - a) clearly articulate the staff members who have delegated authority to approve tender documentation, that each document is appropriately approved and signed, and the staff members who are responsible to ensure that tender documents are secured in the Shire's document management system and retain hard copies as required by relevant legislation;
 - b) includes a conflict-of-interest checklist, requiring any staff member involved in a tender or procurement process to disclose a conflict of interest and, subject to the extent of the conflict, a more senior staff member determining the conflict-of-interest management plan, if the conflict of interest can be appropriately managed;
 - c) includes a contract management process to undertake:
 - i. formal contract reviews on a periodic basis to confirm compliance with tender and scope requirements to limit scope creep, compliance with legislative requirements, budget and value for money; and
 - ii. formal contractor review on a periodic basis to ensure that each contractor is not insolvent, is not subject to litigation or regulator action and is not financially at risk.

CONSULTATION

N/A

STATUTORY ENVIRONMENT

N/A

POLICY IMPLICATIONS

N/A

FINANCIAL IMPLICATIONS

N/A

STRATEGIC IMPLICATIONS**Accountable and effective leaders**

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. Report of the Inquiry into the Shire Coolgardie
2. Inquiry Cover Letter - Confidential

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council:

1. Receive the Report of the Inquiry into the Shire Coolgardie.
2. Authorise the Chief Executive Officer in accordance with the provisions of Section 8.14(3) of the Local Government Act 1995, to provide the Minister with written advice setting out the things that the Shire has done or proposes to do to give effect to the recommendations contained in the report by 4th January 2024 – noting that the CEO, in conjunction with Council has already undertaken the process to secure relevant training for Council Members, and staff in January 2024 pertaining to conflict of interest training for Council, and staff, in relation to Recommendation 1 of the Inquiry Report.
3. Authorise the Chief Executive Officer to seek legal advice on any potential implications from the recommendations and conclusions in the Report of the Inquiry into the Shire Coolgardie.

12.1.5 ANNUAL REPORT 2022/2023

Location: N/A
Applicant: N/A
Disclosure of Interest: N/A
Date: 11 December 2023
Author: Anita Nathan, Director of Corporate Services

SUMMARY

That Council: -

1. Adopt the Draft Annual Report for the year ended 30 June 2023 in accordance with Section 5.54 of the Local Government Act 1995,
2. Set the date for the Annual meeting of Electors to be Tuesday 30 January 2024 at 6.00pm at the Kambalda Recreation Centre.

BACKGROUND

At the Audit Committee Meeting held on 12 December 2023, the committee resolved;

AUDIT COMMITTEE RESOLUTION #264/2023

Moved: Cr Corey Matthews

Seconded: Cr Tracey Rathbone

That the Audit Committee,

1. Recommend to Council to adopt the Annual Report for the year ended 30 June 2023 in accordance with Section 5.54 of the Local Government Act 1995,
2. Recommend to Council to set the date for the Annual meeting of Electors to be Tuesday 30 January 2024 at 6.30pm at the Kambalda Recreation Centre.

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Rose Mitchell, Daphne Simmons and Corey Matthews

Against: Nil

CARRIED 5/0

The annual Meeting of Electors is to consider the Annual Report for the year ended 30 June 2023. If Council were like minded the meeting could be held in Kambalda on Tuesday 30 January 2024.

COMMENT

The Annual Report for the year ended 30 June 2023 is presented to Council for adoption. The report will be available to the public at the Administration Office and the Library, Barnes Drive Kambalda, and the Library in the Recreation Centre, Sylvester Street Coolgardie.

The Shire of Coolgardie had a Total Operating Revenue of \$23.2m for the 2022/2023 financial year. Having finished the financial year at the 30th June 2022 with a deficit of \$1,257,027 the Shire ended the financial year at 30th June 2023 with a surplus of \$439,691

Net Cash from operating activities at year ended 30 June 2023 was \$2,165,669 and the Shire ended the financial year with positive comprehensive income. The Shire also ended the financial year with Cash and Cash Equivalents of \$1.5 million. Capital expenditure this year amounted to \$5,382,699 on infrastructure assets and \$10,625,895 on property, plant and equipment.

Total assets at the 30th June 2023 of \$178,303,351 was an increase of \$32,416,761 from the previous financial year. Furthermore the operation of Bluebush Village and the Coolgardie Waste Facility resulted in an increase from just over \$2 million in fees and charges to \$8.6 million.

Highlights for this year included: -

- Upgrades and renewal on Carins Road - \$1,225,951.
- Provision of primary health and medical services through St John - \$300,000.
- Coolgardie Post Office Storm Damage - \$888,805.
- Renewal and Upgrade at Coolgardie Landfill - \$378,674
- Housing and Workers Accommodation - \$7,787,324
- Road Maintenance - \$1,856,784

CONSULTATION

Auditor – RSM

Auditor General

Shire Staff

Shire Contractor

STATUTORY ENVIRONMENT

Section 5.54 Local Government Act 1995 as amended.

Local Government (Financial Management) Regulations 1996

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Accountable and effective leaders

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. **2022/23 Annual Report**

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council: -

1. **Adopt the Draft Annual Report for the year ended 30 June 2023 in accordance with Section 5.54 of the Local Government Act 1995,**

2. **Set the date for the Annual meeting of Electors to be Tuesday 30 January 2024 at 6.00pm at the Kambalda Recreation Centre.**

12.1.6 FINANCIAL REPORT FOR THE YEAR ENDED 30 JUNE 2023

Location: Shire of Coolgardie
Applicant: Shire of Coolgardie
Disclosure of Interest: Nil
Date: 05 December 2023
Author: Anita Nathan, Director of Corporate Services

SUMMARY

That Council:

1. Receive the Auditor's Closing Report (Confidential);
2. Receive the Audit Findings and Management Response Report;
3. Adopts the Annual Financial Report, inclusive of the OAG Audit Report for the year ended 30 June 2023;
4. Requests the Chief Executive Officer forward the Audit Findings and Management Response Report to the Minister in accordance with s 7.12A(4) of the Local Government Act 1995; and
5. Requests the Chief Executive Officer ensure a copy of the Audit Findings and Management Response Report is published on the Shire's website in accordance with s 7.12A(5) of the Local Government Act 1995.

BACKGROUND

At the Audit Committee Meeting held on 12 December 2023, the committee resolved;

AUDIT COMMITTEE RESOLUTION #263/2023

Moved: Cr Rose Mitchell

Seconded: Cr Corey Matthews

That the Audit Committee;

1. **Receive the Auditor's Closing Report (Confidential);**
2. **Receive the Audit Findings and Management Response Report;**
3. **Recommend the Audit Findings and Management Response Report be received by Council;**
4. **Recommend Council adopts the Annual Financial Report, inclusive of the OAG Audit Report for the year ended 30 June 2023;**
5. **Recommend to Council that the Audit Findings and Management Response Report be forwarded to the Minister in accordance with s 7.12A(4) of the Local Government Act 1995; and**
6. **Recommends to Council that a copy of the Audit Findings and Management Response Report is published on the Shire's website in accordance with s 7.12A(5) of the Local Government Act 1995**

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Rose Mitchell, Daphne Simmons and Corey Matthews

Against: Nil

CARRIED 5/0

Pursuant to Section 7.9 of the *Local Government Act 1995* ("LGA"), an Auditor is required to examine the accounts and annual financial report submitted by a local government for audit. The Auditor is also required, by 31 December following the financial year to which the accounts and report relate, prepare a report thereon and forward a copy of that report to:

- (a) Mayor or President; and
- (b) The Chief Executive Officer; and
- (c) The Minister.

Furthermore, in accordance with Regulation 10(4) of the *Local Government (Audit) Regulations 1996* (“*Audit Regulations*”), where it is considered appropriate to do so, the Auditor may prepare a Management Report to accompany the Auditor’s Report, which is also to be forwarded to the persons specified in Section 7.9 of the LGA.

Attached for discussion is the Auditors Closing Report and Final Management Letter.

In addition to the two matters raised in the Management Letter, the Auditors Closing Report identified some internal control findings tabled on page 12 of the report.

The Audit Committee is required to examine the reports of the auditor after receiving a report from the Chief Executive Officer (“CEO”) on the matters reported and:

- Determine if any matters raised require action to be taken by the local government; and
- Ensure that appropriate action is taken in respect of those matters.

The Audit Committee is also required to review a report prepared by the CEO on any actions taken in respect of any matters raised in the report of the auditor and present the report to Council for adoption.

Matters identified as significant by the auditor in the audit report (of which there was one raised) must state what action the local government has taken or intends to take with respect to each of those matters.

In addition, a copy of that report is to be forwarded to the Minister within 3 months after the audit report is received by the local government and within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government’s official website.

Under section 24(1) of the *Auditor General Act 2006*, the Auditor General is required to report on matters arising out of the performance of the Auditor General’s functions that are, in the opinion of the Auditor General, of such significance as to require reporting. There were no such matters raised.

Finally, the Audit Committee is requested to consider and recommend adoption of the 2022-23 Annual Financial Report to Council.

COMMENT

There were two matters raised in the Final Management Letter;

1. Inappropriate use of restricted funds; and
2. Fair value assessment of land, building and infrastructure assets.

The first matter raised has been classed as significant, as such the following steps are required;

1. It must be stated what action the local government has taken or intends to take with respect to the matter raised;
2. A copy the report is to be forwarded to the Minister within 3 months of the audit report being received by the local government; and
3. A copy of the report must be published on the local government’s official website.

There were also two other matters raised in the Auditors Closing Report;

1. Inadequate monitoring of portable and attractive assets; and
2. Insufficient quotes obtained as per Shire's purchasing policy.

The OAG Audit Report does include an Emphasis of Matter relating to Note 30 of the financial report that discloses the restatements to amounts reported in the previously issued 30 June 2022 financial report, which are disclosed as comparatives in the current year's financial report. The audit opinion is not modified in respect of this matter and no further action is required on the matter.

CONSULTATION

RSM

Office Auditor General

Shire Staff

STATUTORY ENVIRONMENT

Local Government Act 1995

6.4. Financial report

- (1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.
- (2) The financial report is to —
 - (a) be prepared and presented in the manner and form prescribed; and
 - (b) contain the prescribed information.
- (3) By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor —
 - (a) the accounts of the local government, balanced up to the last day of the preceding financial year; and
 - (b) the annual financial report of the local government for the preceding financial year.

7.9. Audit to be conducted

- (1) An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of that report to —
 - (a) the mayor or president; and
 - (b) the CEO of the local government; and
 - (c) the Minister.
- (2) Without limiting the generality of subsection (1), where the auditor considers that —
 - (a) there is any error or deficiency in an account or financial report submitted for audit; or
 - (b) any money paid from, or due to, any fund or account of a local government has been or may have been misapplied to purposes not authorised by law; or
 - (c) there is a matter arising from the examination of the accounts and annual financial report that needs to be addressed by the local government,details of that error, deficiency, misapplication or matter, are to be included in the report by the auditor.

- (3) The Minister may direct the auditor of a local government to examine a particular aspect of the accounts and the annual financial report submitted for audit by that local government and to —
 - (a) prepare a report thereon; and
 - (b) forward a copy of that report to the Minister,and that direction has effect according to its terms.
- (4) If the Minister considers it appropriate to do so, the Minister is to forward a copy of the report referred to in subsection (3), or part of that report, to the CEO of the local government.

7.12A. Duties of local government with respect to audits

- (1) A local government is to do everything in its power to —
 - (a) assist the auditor of the local government to conduct an audit and carry out the auditor's other duties under this Act in respect of the local government; and
 - (b) ensure that audits are conducted successfully and expeditiously.
- (2) Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.
- (3) A local government must —
 - (aa) examine an audit report received by the local government; and
 - (a) determine if any matters raised by the audit report, require action to be taken by the local government; and
 - (b) ensure that appropriate action is taken in respect of those matters.
- (4) A local government must —
 - (a) prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and
 - (b) give a copy of that report to the Minister within 3 months after the audit report is received by the local government.
- (5) Within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government's official website.

5.54. Acceptance of annual reports

- (1) Subject to subsection (2), the annual report for a financial year is to be accepted* by the local government no later than 31 December after that financial year.

** Absolute majority required.*

- (2) If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.

Local Government (Audit) Regulations 1996

10. Report by auditor

- (1) An auditor's report is to be forwarded to the persons specified in section 7.9(1) within 30 days of completing the audit.
- (2) The report is to give the auditor's opinion on —

- (a) the financial position of the local government; and
 - (b) the results of the operations of the local government.
- (3) The report must include a report on the conduct of the audit.
- [(4A) *deleted*]
- (4) Where it is considered by the auditor to be appropriate to do so, the auditor is to prepare a management report to accompany the auditor's report and to forward a copy of the management report to the persons specified in section 7.9(1) with the auditor's report.

Local Government (Financial Management) Regulations 1996

17A. Valuation of certain assets for financial reports

- (1) In this regulation —
- carrying amount**, in relation to a non-financial asset, means the carrying amount of the non-financial asset determined in accordance with the AAS;
- fair value**, in relation to a non-financial asset, means the fair value of the non-financial asset measured in accordance with the AAS;
- last valuation date**, in relation to a non-financial asset of a local government, means —
- (a) if the asset has been revalued by the local government — the date of the last revaluation;
 - (b) otherwise — the date of acquisition by the local government;
- reportable value** — see subregulation (4);
- right-of-use asset**, of a local government, includes the local government's right to use —
- (a) Crown land; or
 - (b) other land that is not owned by the local government,
- that is vested in the local government at nil or nominal cost for an indefinite period for the purpose of roads or for any other purpose;
- vested improvement**, in relation to a local government, means a pre-existing improvement on land of which the care, control or management is vested in the local government at nil or nominal cost for an indefinite period.
- (2) A local government must show in each financial report for a financial year ending on or after 30 June 2020 —
- (a) the reportable value of all of the non-financial assets of the local government that are —
 - (i) land and buildings that are classified as property, plant and equipment; or
 - (ii) investment properties; or
 - (iii) infrastructure; or
 - (iv) vested improvements that the local government controls;and
 - (b) the carrying amount of all of the non-financial assets of the local government that are plant and equipment type assets measured using the cost model in accordance with the AAS; and
 - (c) the carrying amount of all of the right-of-use assets of the local government (other than vested improvements referred to in paragraph (a)(iv)) measured using the cost model in accordance with the AAS.

[(3) *deleted*]

- (4) For the purposes of subregulation (2)(a), the **reportable value** of a non-financial asset of a local government is the fair value of the asset as at its last valuation date minus the following (to the extent applicable) —
- (a) the accumulated depreciation in respect of the asset subsequent to its last valuation date;
 - (b) the accumulated impairment losses in respect of the asset subsequent to its last valuation date.
- (4A) A local government must revalue a non-financial asset of the local government referred to in subregulation (2)(a) as follows —
- (a) if the asset is an investment property —
 - (i) whenever required under the AAS known as AASB 140; and
 - (ii) in any event, on the day after the period of 5 years beginning on the asset's last valuation date;
 - (b) otherwise — on the day after the period of 5 years beginning on the asset's last valuation date.
- (4B) A local government —
- (a) is not required to revalue a non-financial asset of the local government referred to in subregulation (2)(a) otherwise than as required under subregulation (4A); but
 - (b) may revalue the asset earlier than is required under subregulation (4A) if the local government chooses to do so.
- (4C) A local government is not required to comply with the AAS known as AASB 136 to determine the recoverable amounts of its non-financial assets referred to in subregulation (2)(a) for an impairment indicator of a general decrease in asset values.
- (5) A non-financial asset is to be excluded from the assets of a local government if the fair value of the asset as at the date of acquisition by the local government is under \$5 000.

17B. CEO to take steps to protect excluded portable and attractive assets

A CEO must take all reasonable steps to prevent the theft or loss of —

- (a) a non-consumable asset that is susceptible to theft or loss due to its portable nature and attractiveness for personal use or resale; and
- (b) an asset referred to in regulation 17A(5).

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

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

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

ATTACHMENTS

1. 2022/23 Annual Financial Statements
2. OAG Audit Opinion
3. Auditors Closing Report - Confidential
4. Audit Findings and Management Response Report
5. Transmittal Letter - Confidential
6. Audit Representation Letter - Confidential

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council:

1. Receive the Auditor's Closing Report (Confidential);
2. Receive the Audit Findings and Management Response Report;
3. Adopts the Annual Financial Report, inclusive of the OAG Audit Report for the year ended 30 June 2023;
4. Requests the Chief Executive Officer forward the Audit Findings and Management Response Report to the Minister in accordance with s 7.12A(4) of the Local Government Act 1995; and
5. Requests the Chief Executive Officer ensure a copy of the Audit Findings and Management Response Report is published on the Shire's website in accordance with s 7.12A(5) of the Local Government Act 1995.

12.2 Operation Services

12.2.1 IGO NOVA PL - HAULAGE CAMPAIGN, DURKIN ROAD, KAMBALDA

Location: Kambalda
 Applicant: IGO Nova Pty Ltd
 Disclosure of Interest: Nil
 Date: 22 November 2023
 Author: Robert Hicks, Deputy Chief Executive Officer

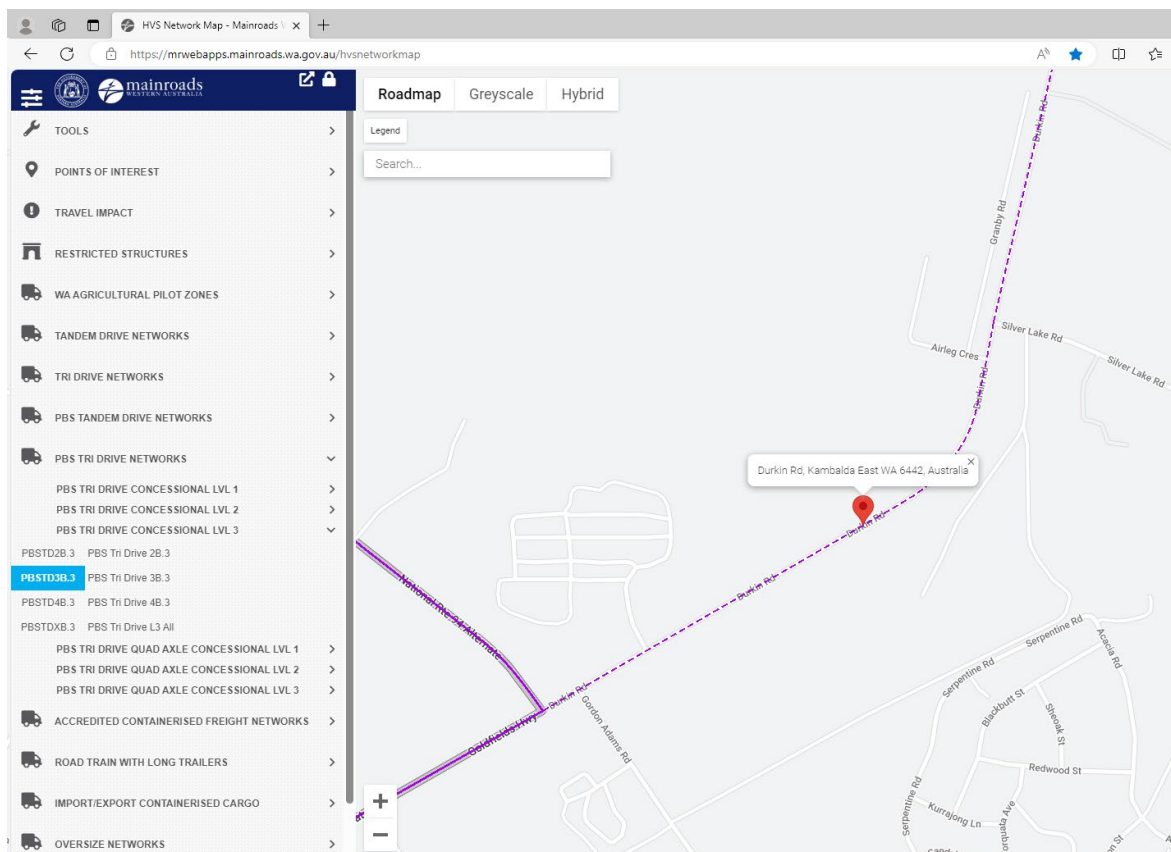
SUMMARY

For Council to consider a renewal application by IGO Nova Pty Ltd, the Principal, for their haulage contractor (QUBE Bulk) to cart approximately 185,000 wet metric tonnes (nickel concentrate) using 1.5km Durkin Road, (between Silver Lake Road and the intersection of Goldfields Highway and Durkin Road, Kambalda). Council endorsement is requested for RAV approvals and the annual campaign will be valid from 01 January 2024 to 31 December 2024.

BACKGROUND

As per Council’s Policy #3.11 (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 Principal needs to apply to the Shire of Coolgardie for use of the Shire of Coolgardie road network.

IGO Nova PL have approached the Shire seeking renewal of their annual haulage campaign transporting 185,000 tonnes of nickel concentrate to the BHP Kambalda concentrator utilising 1.5km of Durkin Road, Kambalda. The MRWA Mapping Tool confirms Durkin Road, Kambalda, is suitable for WA PBS Tri Drive Level 3B.3 – IGO’s requested network.



All haulage activities undertaken will be in accordance with Council Policy #3.11 (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 #3.12 (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.

At Ordinary Council meeting held 25 October 2022, Council resolved;

That Council,

1. *APPROVES, in accordance with Policy 3.11 Haulage Campaigns, the proposal from IGO Nova Pty Ltd (Principal) to use 1.5 kms of Durkin Road for a campaign comprising of 140,000 tonnes from 01 January 2023 to 31 December 2023 for the following contribution;*
 - (a) *Capital Contribution (at \$0.07 p/tonne p/km; at 140,000 tonnes over 1.5 kms) = \$16,170 (inc GST) to Account/Job #11202750 (Limited Cartage Campaign).*
 - (b) *50% payment prior to campaign start date & final/remaining 50% balance to be paid half-way through the campaign (ie payment to be receipted by the Shire before 30 June 2023).*
2. *AUTHORISE the CEO to determine any request from the Company to amend the dates applicable to the request, but only on the basis that the relevant Council Policies be applied accordingly and that where any such applications are made and approved by the CEO, that suitable local public notice is given.*

	Durkin Road	Durkin Road
Total Haulage	185,000	185,000
Road length	1.5 km	1.5 km
Contribution Type	Maintenance	Capital
Contribution Rate	\$0.04	\$0.07
Contribution Cost	\$11,100.00	\$19,425.00
GST	\$1,110.00	\$1,942.50
TOTAL	\$12,210.00	\$21,367.50

COMMENT

IGO Nova Pty Ltd has requested the use of Durkin Road - renewal of their current CA07 Letters of Approvals - for a hauling period 01 January 2024 to 31 December 2024. Based on actual deterioration cost, the following contribution would be applicable: -

Durkin Rd

Maintenance Contribution at \$0.04 per tonne per km at 185,000 tonnes over 1.5km \$12,210.00 (inc GST)

Capital Contribution of \$0.07 per tonne per km at 185,000 tonnes over 1.5km \$21,367.50 (inc GST)

CONSULTATION

Zachary Hearne – Manager, Processing – IGO Nova Pty Ltd

STATUTORY ENVIRONMENT

Road Traffic (Administration) Act 2008 Section 132(4)

POLICY IMPLICATIONS

Policy #3.11 – Haulage Campaigns

Policy #3.12 – 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**A thriving local economy**

Supporting and encouraging mining and processing industries

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

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

Developing strong partnerships with stakeholders for the benefit of our community

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

Effective management of infrastructure, heritage and environment

Maintaining and renewing infrastructure and building assets

ATTACHMENTS

1. Haulage Campaign - IGO Nova Nickel - CA07 Application
2. Haulage Campaign - IGO Nova Nickel letter

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council:

1. **APPROVES**, in accordance with Policy 3.11 Haulage Campaigns, the proposal from IGO Nova Pty Ltd (Principal) to use 1.5 kms of Durkin Road for a campaign comprising of 185,000 tonnes from 01 January 2024 to 31 December 2024 for the following contribution;

- (a) Capital Contribution (at \$0.07 p/tonne p/km; at 140,000 tonnes over 1.5 kms) = \$21,367.50 (inc GST) to Account/Job #11202750 (Limited Cartage Campaign).

- (b) 50% payment prior to campaign start date & final/remaining 50% balance to be paid half-way through the campaign (ie payment to be received by the Shire before 30 June 2024).

- 2. AUTHORISE the CEO to determine any request from the Company to amend the dates applicable to the request, but only on the basis that the relevant Council Policies be applied accordingly and that where any such applications are made and approved by the CEO, that suitable local public notice is given.

12.2.2 BHP NICKEL WEST - HAULAGE CAMPAIGN; DURKIN ROAD, KAMBALDA

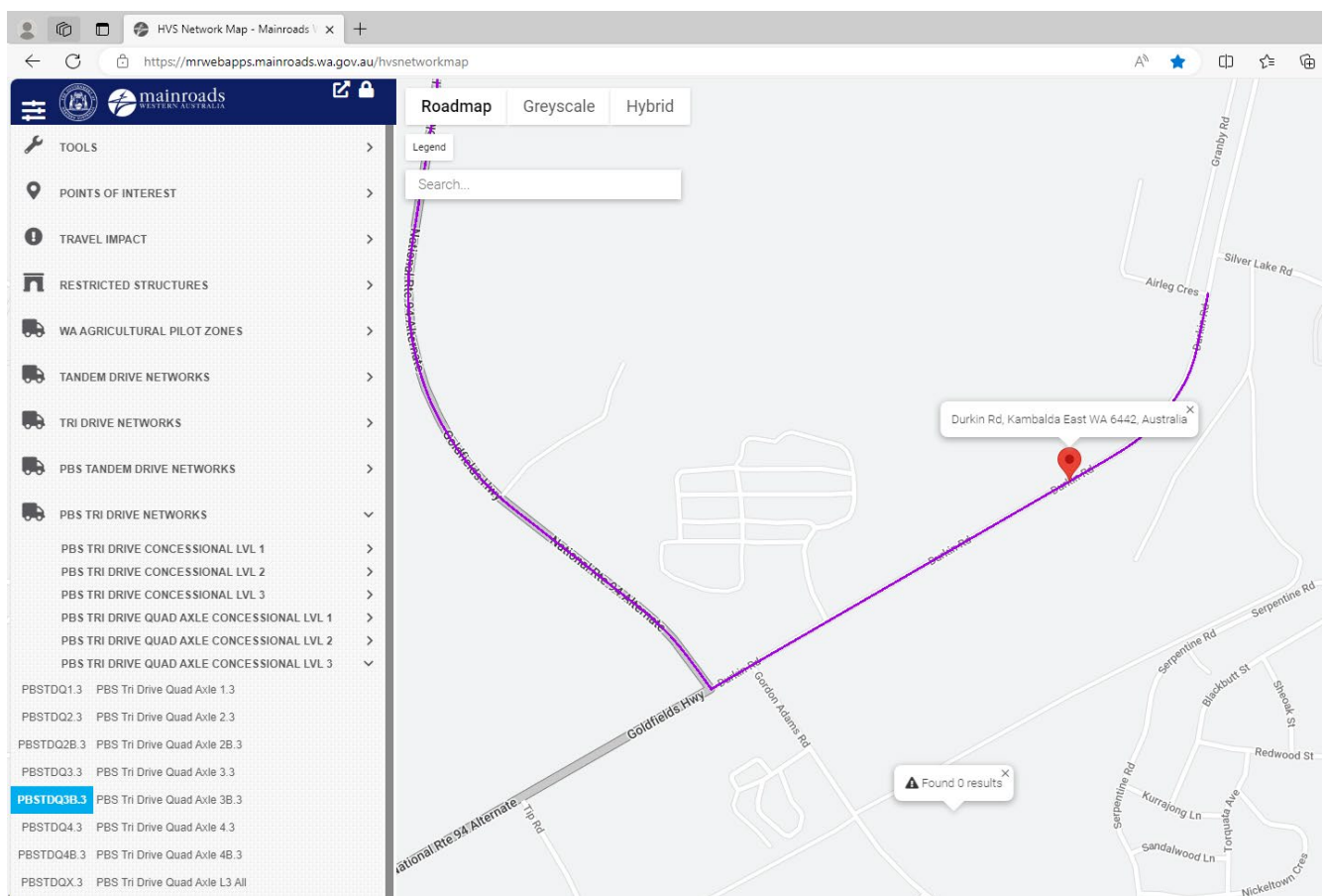
Location: Kambalda
Applicant: BHP Nickel West
Disclosure of Interest: Nil
Date: 22 November 2023
Author: Robert Hicks, Deputy Chief Executive Officer

SUMMARY

For Council to consider a CA07 application from BHP Nickel West to utilise 1.5kms of Durkin Road, Kambalda (from corner of Silver Lake Road and Durkin Road to intersection at Goldfields Highway). Haulage campaign - from 01 January 2024 to 31 December 2024. BHP have also advised the Shire that due to unspecified circumstances instead of hauling their expected 124kt tonnes (as per their CA07 Application for 2023), they estimate instead to have hauled no more than 42kt by 31 December 2023 (82kt less tonnes than expected).

BACKGROUND

The applicant has approached the Shire to undertake a haulage campaign on Durkin Road, Kambalda. As per Council Policy Number 3.11 (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 needs to apply to the Shire of Coolgardie for use of the Shire of Coolgardie road network. Qube Bulk Haulage will be utilised for hauling and will supply rego numbers & work within the Main Roads Mapping Tool to confirm appropriate RAV network status requirement (valid for PBS Tri Drive Quad Axle Network 3B.3).



COMMENTDurkin Road

Maintenance Contribution at \$0.04 per tonne per km at 85,000 tonnes over 1.5 kms \$5,610.00 (inc GST)

Capital Contribution of \$0.07 per tonne per km at 85,000 tonnes over 1.5 kms \$9,817.50 (inc GST)

The following options are available to the Council: -

- Option 1: Approve the haulage campaign giving no consideration to the 2023 overpayment and invoice BHP in full as per 2024 CA07 Application (ie 85,000 tonnes).
- Option 2: Approve the haulage campaign application and apply the appropriate 2023 overpayment.
- Option 3: Refuse the haulage application – the reasons for refusal to be provided.

It is recommended that Council approve Option 2, subject to adherence to all conditions imposed by Main Roads WA and full payment of invoice prior to campaign start date.

CONSULTATION

Cristina Perbelini Silva – Manager SC Scheduling & Logistics (Nickel West)

STATUTORY ENVIRONMENT

Road Traffic (Administration) Act 2008 Section 132(4)

POLICY IMPLICATIONS

Policy #3.11 – Haulage Campaigns

Policy #3.12 – 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**A thriving local economy**

Supporting and encouraging mining and processing industries

Accountable and effective leaders

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. Haulage Campaign - BHP low volume haulage email
2. Haulage Campaign - BHP CA07 Application (2024)

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION**That Council:**

1. **APPROVES**, in accordance with Policy 3.11 Haulage Campaigns, the application from BHP Nickel West (Principal) to use 1.5 kms of Durkin Road for a campaign comprising of 85,000 tonnes from 01 January 2024 to 31 December 2024 conditional on:

- (a) Taking into account the 2023 (Capital) overpayment amount due to low volume haulage (\$4,851.00 inc GST) - Capital Contribution (at \$0.07 p/tonne p/km; at 85,000 tonnes over 1.5 kms);

\$9,817.50 (inc GST)

-\$4,851.00 (inc GST)

\$4,966.50 (inc GST) to be invoiced by the Shire to BHP
to Account/Job #11202750 (Limited Cartage Campaign).

- (b) 100% payment prior to campaign start date.

2. AUTHORISE the CEO to determine any request from the Company to amend the dates applicable to the request, but only on the basis that the relevant Council Policies be applied accordingly and that where any such applications are made and approved by the CEO, that suitable local public notice is given.

12.2.3 IGO LTD - HAULAGE CAMPAIGN - DURKIN RD, KAMBALDA

Location: Kambalda
Applicant: IGO Ltd
Disclosure of Interest: Nil
Date: 1 December 2023
Author: Robert Hicks, Deputy Chief Executive Officer

SUMMARY

For Council to approve an application from IGO Ltd (the principal) for haulage services for an annual figure of 55,000 tonnes from Cosmic Boy Concentrator. The haulage campaign will cover 1.5km Durkin Road (between Silver Lake Road and the intersection of Goldfields Highway and Durkin Road). Approvals are requested for the period of 01 January 2024 – 31 December 2024.

BACKGROUND

This is a renewal of a current haulage campaign.

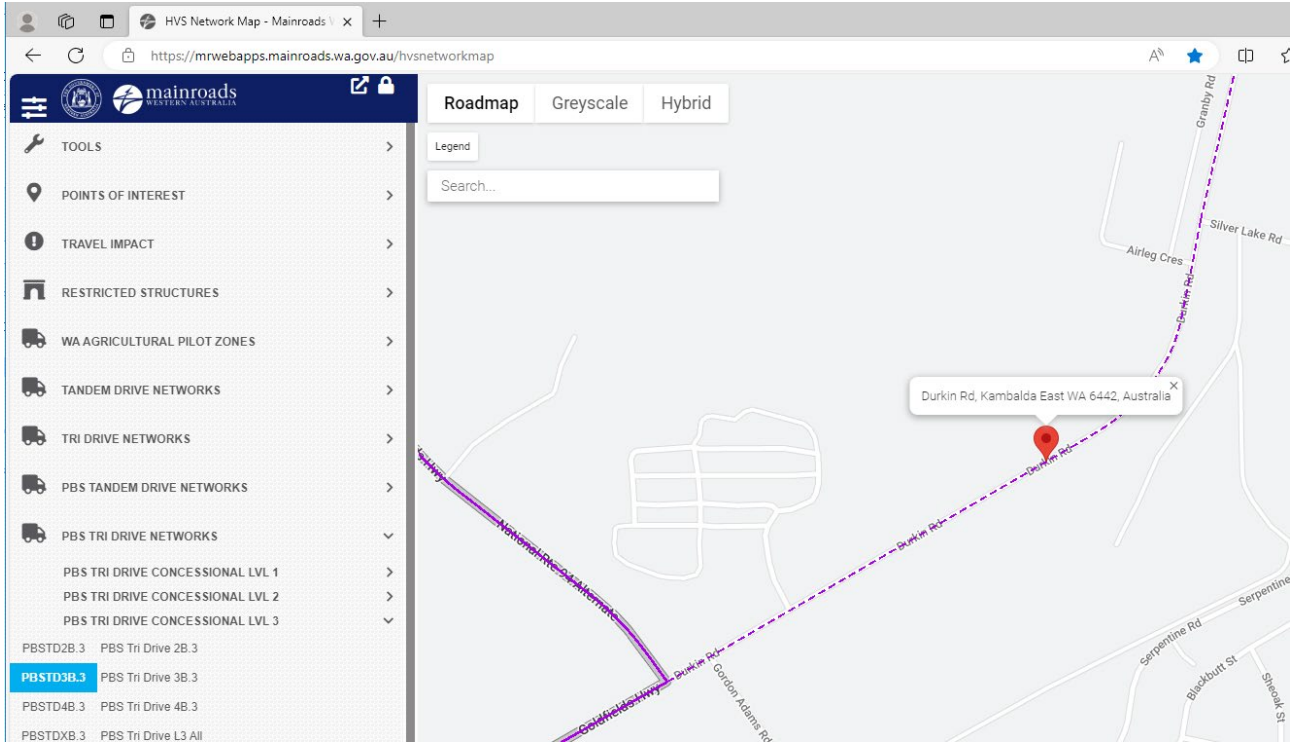
At Ordinary Council meeting held 22 November 2022, Council resolved –

1. *APPROVE, in accordance with Policy 3.11 Haulage Campaigns the application from IGO Ltd (Principal) to use 1.5kms of Durkin Road for a campaign comprising of 70,000 tonnes from 01 January to 31 December 2023 conditional on:*
 - a) *Capital Contribution (at \$0.07 p/tonne p/km; at 70,000 tonnes over 1.5km) = \$8,085.00 (inc GST) to Account/Job #11202750.*
 - b) *100% payment prior to campaign start date*
2. *AUTHORISE the CEO to determine any request from the Company/ies to amend the dates applicable to the request, but only on the basis that the relevant Council Policies be applied accordingly and that where any such applications are made and approved by the CEO, that suitable local public notice is given.*

	Durkin Road	Durkin Road
Total Haulage	55,000	55,000
Road length	1.5 km	1.5 km
Contribution Type	Maintenance	Capital
Contribution Rate	\$0.04	\$0.07
Contribution Cost	\$3,300.00	\$5,775.00
GST	\$330.00	\$577.50
TOTAL	\$3,360.00	\$6,352.50

COMMENT

As per Council’s Policy #3.11 (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 Principal (IGO Ltd – Cosmic Boy Concentrator) needs to apply to the Shire of Coolgardie for use of our road network. The Main Roads WA Mapping Tool confirms Durkin Road, Kambalda, as being suitable for WA PBS Tri Drive Level 3B.



It is a requirement for all haulage companies to carry written approval from the local government authority permitting use of the road in accordance with network conditions. IGO Ltd – Cosmic Boy Concentrator have requested the use of Durkin Road for a hauling period 01 January to 31 December 2024. Based on actual deterioration cost, the following contribution would be applicable –

Durkin Rd

Maintenance Contribution at \$0.04 per tonne per km at 55,000 tonnes over 1.5km = \$3,630.00 (inc GST)

Capital Contribution of \$0.07 per tonne per km at 55,000 tonnes over 1.5km = \$6,352.50 (inc GST)

CONSULTATION

Shire of Coolgardie – staff

Troy Thompson – IGO Ltd; Concentrator Manager

STATUTORY ENVIRONMENT

Road Traffic (Administration) Act 2008 Section 132(4)

POLICY IMPLICATIONS

Policy #3.11 – Haulage Campaigns

Policy #3.12 – 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**A thriving local economy**

Supporting and encouraging mining and processing industries

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

ATTACHMENTS

1. IGO Cosmic Boy CA07 Application form
2. IGO Cosmic Boy haulage route
3. IGO Cosmic Boy letter of application

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council:

1. **APPROVE**, in accordance with Policy 3.11 Haulage Campaigns the application from IGO Ltd (Principal) to use 1.5kms of Durkin Road for a campaign comprising of 55,000 tonnes from 01 January to 31 December 2024 conditional on:
 - a) Capital Contribution (at \$0.07 p/tonne p/km; at 55,000 tonnes over 1.5km) = \$6,352.50 (inc GST) to Account/Job #11202750.
 - b) 100% payment prior to campaign start date
2. **AUTHORISE** the CEO to determine any request from the Company/ies to amend the dates applicable to the request, but only on the basis that the relevant Council Policies be applied accordingly and that where any such applications are made and approved by the CEO, that suitable local public notice is given.

12.2.4 NEW WORKERS ACCOMMODATION - SITE 2 LOT 2435 GNARLBINE ROAD

Location: Site 2 – Lot 2435, Gnarlbine Road, Coolgardie
Applicant: Coolgardie Camp Services
Disclosure of Interest: Nil
Date: 12 December 2023
Author: Francesca LeFante, Town Planning Consultant

SUMMARY

The Shire has received an application for workers accommodation camp for 150 beds at Site 2 – Lot 2435 Gnarlbine Road, Coolgardie (application No PA23-22) The proposal comprises: -

- 150 Person Accommodation Village,
- Associated Recreation Room Building,
- Administration Building,
- Carparking,
- Landscaping.

Details and plans of the proposal (**Attachments 1 & 2**).

BACKGROUND

The subject site is currently vacant. The surrounding by other worker accommodation camps.



COMMENT

Zoning and Land Use Permissibility

The Site is zoned Rural Residential under Local Planning Scheme No 5. Workforce Accommodation is classified as an A use means that – “the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions.”

In this instance discretion is sought under Clause 34 to wavier the requirement of public advertising given the closest use is an existing workforce camp.

The objectives of the Rural Residential zone are to: -

- To provide for lot sizes in the range of 1ha to 4ha.

- To provide opportunities for a range of limited rural and related ancillary pursuits on rural-residential lots where those activities will be consistent with the amenity of the locality and the conservation of the landscape.
- To set aside areas for the retention of vegetation and landform or other features which distinguish the land.

The proposed Workforce Accommodation use on this site is consistent with Rural Residential zoning.

Local Planning Strategy

The Shire's Local Planning Strategy was endorsed by WAPC in October 2016. Under the Strategy the subject site is identified for potential workers accommodation. This proposal is consistent with the strategy.

The Shire's Local Planning Strategy supports workers accommodation within the proximity of the townships rather than located remotely, in recognition of the potential benefit to the community and township sustainability.

Scheme Provisions

The proposal has been assessed against the development standard that apply under the Scheme. There are no specific development standards that apply under the scheme and no local planning policies that apply to workforce accommodation.

Built Form and Design

Under Clause 32 of Local Planning Scheme No 5, the following provisions relate to workforce accommodation development: -

- a) Development applications for workforce accommodation outside the Special Use Zones, shall be accompanied by information and plans indicating, to the local government's satisfaction, how the development and use contributes to the amenity of the township.
- b) Development applications for temporary structures to provide workforce accommodation shall be accompanied by information and plans, to the local government's satisfaction, indicating how and when the development will be removed, and the site rehabilitated.

SPP 7.0 – Design of the Built Environment requires design to be considered against 10 design principles, the following is relevant: -

- **Principle 1: Context and character** – The proposal is located in a cluster of similar facilities. The design of modular accommodation buildings consistent with the existing accommodation buildings in this location.
- **Principle 2: Landscaping** – Landscaping to be provided within the site and along the boundaries, being cognisant of the bush fire requirements. The applicant has advised that: -
 - The site will be screened from the road by planting.
 - The impact of a large development from the streetscape.
 - The planting will provide the continued feeling of a country roadside landscape.
- **Principle 3: Built form and scale** – The single storey accommodation buildings will not detract from the current streetscape and is consistent with the works on the adjacent Ford Bayley site. The applicant has advised: -
 - Proposed newly constructed accommodation buildings include high and wide eaves.
 - Accommodation blocks to face each other with a shared 3m wide, full length steel framed verandah between.
 - Pedestrian movement around the development will be assisted with the use of well-lit concrete pathways.
- **Principle 4: Functionality and build quality** – The design and associated common facilities are appropriate for the nature of the use.
- **Principle 5: Sustainability** – The materials of the proposed built form have been selected to address the local climatic conditions.

- **Principle 6: Amenity** – The proposal will achieve the desired future outcomes of the area and design for the occupation of employees.
- **Principle 7: Legibility** – Signage will be provided within the village as necessary.
- **Principle 8: Safety** – Enhance safety and security, with fencing, appropriate lighting and other treatment at the site. The applicant has advised that a 1.2m high white chain link mesh fencing to eastern boundary (street). 1.2m high galvanized chain link mesh fencing to western boundary (rear of site). Existing fencing along northern boundary. 1.2m high white steel post and rail fencing to remain as is.
- **Principle 9: Community** – The range of central facility buildings provided onsite do not complete with the local offerings and are not of a type that attract anti-social behaviour.
- **Principle 10: Aesthetics** – The design consistent workforce accommodation village design.

Proximity and Impact on other Land Uses

The nearest land use to the Site is an existing workforce camp opposite. This Site is Ford Bayley Camp and adjoins two other workforce camps. The Site is orientated to a public road. The proposal is not considered to result in any impacts or conflict with other land uses.

Landscape and vegetation

The existing site contains various scatter native trees. The proposal provides landscaping around the new accommodation units and along the boundary. A landscaping strip around boundaries provides some visual separation from the road reserve.

Traffic, Access and Provision of Parking

Local Planning Scheme No 5 parking provisions are detailed in Schedule 3. Where a use is not specifically mentioned, the appropriate number of parking bays is to be determined by the local government. There are no prescribed parking standards for workforce accommodation.

Access to the site is via currently unnamed road reservation. The proposal indicates that the site will cater for light vehicles, service vehicles and buses.

Gnarlbine Road and the adjoining unnamed road reserves are classified as a local road under the care and control of the Shire of Coolgardie. The current condition is a compacted road surface.

The Shire has been coordinating this section of road construction and some infrastructure. Whilst the Shire's technical officers have previously advised that the existing road is capable of accommodating the traffic generate, the intensification of use and vehicle types, frequency and movements will impact the functioning of the road, and accordingly the Shire will include conditions requiring: -

- road upgrade contribution and
- crossovers to the site to the Shires standard and specifications, which may include seal, kerbed and drained the crossover.

Parking

Local Planning Scheme No 5 parking provisions are detailed in Schedule 3. Where a use is not specifically mentioned, the appropriate number of parking bays is to be determined by the local government. There are no prescribed parking standards for workforce accommodation.

The applicant report and plans provide the following: -

- A bin store is to be located in the car parking area allowing refuse collection on site via rubbish truck.
- 53 compacted road base car bays have been allowed for onsite
- Bus drop off bays located in front of office building.
- A new 8m wide compacted road base crossover is proposed.

The Shire has previously accepted that occupants at the Workforce accommodation camps predominantly move to and from the site via bus, with few private vehicles, carrying single occupants, with parking bays being

reflected of the transport arrangements for the villages. The on-site parking arrangement and number is considered acceptable.

Sewerage Infrastructure

Coolgardie townsite is managed by the Shire of Coolgardie, the Shire is currently upgrading the Wastewater Treatment Plans, ponds and associated infrastructure. The subject site is required to be connected to reticulated sewer which is located approximately 400m north. The applicant has indicated that they will be connecting to the Shire reticulated system.

The Shire Environmental Health Officer has advised that he is satisfied with the applicant approach, and if the camp is unable to connect to the Shire's sewer and temporary onsite disposal is required this will require HDWA approval and a letter of support from the Shire. A condition has been included.

Land subject to Flooding & Dampness

Clause 32 of the Scheme provisions state that where in the opinion of the Council, the site on which a building is proposed to be constructed is subject to dampness or flooding the Council can require measures to manage the effective drainage and ground surface beneath the buildings.

The subject site Lot 2435 is subject to localise seasonal flooding in heavy strong events, the extent to which it impact the proposed development has been investigated. The applicant has advised that: -

- 500mm clean fill added across the building site area to combat surface water.
- the exact height will be confirmed once the Hydraulic report is completed.
- All buildings will sit 0.30m above new ground level.
- Access is via 1.8m wide concrete pathways, 0.19m below RL of building floors.

Site Services

The Shire has committed to improving the sustainability of infrastructure and is pursuing renewable resource options. These are supported through the Shire ESG Framework.

Whilst the current services are provided by various agencies, the site form part of shared service delivery model that the Shire is implementing in conjunction with the agencies.

The applicant has advised that the site will be connected to existing infrastructure.

- Temporary septic systems will be utilised on site until the deep sewer main construction is completed within the service corridor. Then the septic system will be disabled and removed.
- Site connection to the water main will be utilised.
- 2x Gensets with fuel tank (located to front of site) will provide site electricity.
- Stormwater will be retained on site utilizing soakwells.

Accordingly, the applicant will be responsible for: -

- Provision of infrastructure consistent with the Shires common shared services model for the Site
- The strategic direction associated with ESG Framework.
- obtaining, at their costs all necessary serving connections.
- Contributing to the Renewable resources facilities which support development on the site.

State Planning Policy 5.4 – Road and Rail Noise

The purpose of SPP 5.4 is to minimise the adverse impact of road and rail noise on noise-sensitive land-use and/ or development within the specified trigger distance of strategic freight and major traffic routes and other significant freight and traffic routes. SPP5.4. Section 4.1.2 states that: *“Where any part of the lot is within the specified trigger distance, an assessment against the policy is required to determine the likely level of transport noise and management / mitigation required”*.

The trigger distance to a State Freight Route is 300 metres. The subject site at its closest point is over 450m from Great Eastern Highway, which is classified as a State Freight Route, accordingly no further measures are required.

Bushfire Management

The site is identified as being bushfire prone by the Department of Fire and Emergency Services. The applicant is required to provide a Bushfire Management Plan as part of the Building Permit process, which will need to include: -

- Bushfire risks and management.
- Asset Protection Zones.
- Each year, comply with the relevant local government Annual Firebreak and Fuel Load Notice issued under s33 of the Bush Fires Act 1954.

It is recommended that a condition of approval include provision of Bushfire Management Plan and Bushfire Emergency Evacuation Plan with the Building Permit. The plan will review ongoing compliance and review to ensure it reflects any changes in surrounding risks (such as vegetation changes).

Options

The following options are Council available: -

- Option 1: Approval for the proposal, subject to conditions
Option 2: Refuse the proposal.
Option 3: Defer the proposal for further information.

Summary

The proposal workforce accommodation village is consistent with the Rural Resident zoning and the Local Planning Strategy. The development has been designed to be consistent provisions of SPP7.0. Accordingly, it is recommended that the proposal be approved subject to relevant planning conditions.

CONSULTATION

Internal Officers

STATUTORY ENVIRONMENT

Local Planning Scheme

Planning and Development Act and Regulations

Deemed Provisions

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

A thriving local economy

Encouraging the development of local business education and support

Supporting local businesses in the Shire

Accountable and effective leaders

Developing strong partnerships with stakeholders for the benefit of our community

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

ATTACHMENTS

1. **Applicant's Report**
2. **Development Plans**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council APPROVE the proposal for 150 room Workers Accommodation Camp – Coolgardie Camp Services Application No PA23-22 at Site 2 - Lot 2435 Gnarlbine Road, Coolgardie as shown on the accompanying plans subject to the following: -

Conditions:

1. **This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.**
2. **Development shall be in accordance with the attached approved plans and subject to any modifications required as a consequence of any condition(s) of this approval.**
3. **Prior to the issue of a Building Permit, the buildings and associated walkways to achieve a minimum finished floor level of 500mm across the site.**
4. **Prior to the commencement of any site works, a Construction Waste Management Plan prepared by a suitably qualified person in consultation with the Local Government, must be submitted to the Local Government. The Plan must address, but not be limited to, the following matters:**
 - a. **Management of dust and noise**
 - b. **Disposal of waste materials**
 - c. **Construction traffic management**
5. **Prior to occupation a Noise management plan is prepared, and any mitigation measures identified to be implemented.**
6. **Prior to occupation Bushfire Management Plan and Emergency Evacuation Plan any mitigation measures identified to be implemented to the satisfaction of the Shire of Coolgardie.**
7. **All vehicle parking, access ways, footpaths and external lighting shall be constructed and maintained in accordance with the Australian Standards AS2890 in the form and layout depicted on the approved plans to the satisfaction of the Shire of Coolgardie.**
8. **Site drainage to prevent flooding or water pooling to be provided to the satisfaction of the Shire of Coolgardie.**
9. **The development is to be connected to any available Water Corporation potable water supply service unless otherwise approved by the Shire of Coolgardie.**

10. Prior to occupation the site is to be connected to reticulated water supply.
11. Prior to occupation the site is to be connected to the Shire Waste Water Treatment Plant including any upgrades to the existing pump station to accommodate the development generated demand.
12. Contribution and connection to the infrastructure renewable resources facilities to the satisfaction of the Shire of Coolgardie.
13. Prior to occupation or use of the development, the crossover/s and the verge treatment to be completed to the specification and satisfaction of the Shire of Coolgardie.

Advice Notes

1. This Determination Notice is not a Building Permit or Health Approval, nor authorise such works. All separate applications and approvals must be obtained prior to the commencement of construction on site, whichever occurs first.
2. No building or construction activities shall be carried out before 7.00am or after 7.00pm, Monday to Saturday, and not at all on Sunday or Public Holidays.

12.2.5 REPURPOSED DWELLING - MODIFICATIONS

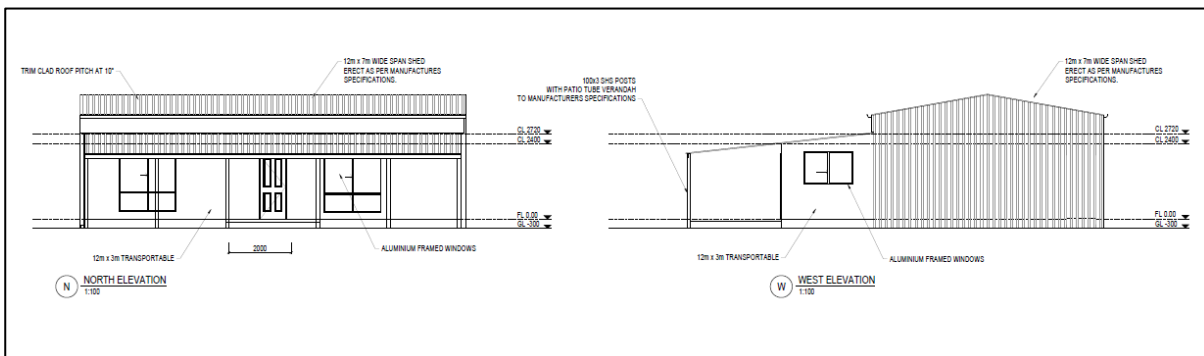
Location: Lot 2368 No 99 King Street, Coolgardie
Applicant: Rob Morton
Disclosure of Interest: Nil
Date: 12 December 2023
Author: Francesca LeFante, Town Planning Consultant

SUMMARY

The Shire has received an application for modifications to a repurposed dwelling at 99 King Street, Coolgardie, comprising: -

- Facade modification donga to incorporate large windows and a front door.
- Facade additions including verandah, skillion roof.
- Reduced the residential component to single bedrooms, living room, kitchen, combined launder/bathroom and large storage/garage.
- Sea containers.

The applicants report and plans in support of the proposal are contained in **Attachment 1**.



The applicant is seeking the development to occur in stages as follows: -

- Stage 1 – Building Permit to rear structure.
- Stage 2 – Completion of the internal works.
- Stage 3 – Exterior and facade upgrades.

BACKGROUND

In October 2021 approval was granted for a repurposed single dwelling (**refer to Attachment 2**) comprising: -

- Facade modification donga to incorporate large windows and a front door.
- Facade additions including verandah, skillion roof.
- Internal floor layout changes to create two bedrooms, living room, kitchen, laundry, bathroom and garage.

The site has been subject to compliance actions, due to the following: -

- Building changes inconsistent with the planning approval; and

- Building works for the rear shed component only.
- Delays in completing the street elevation works in a timely manner, including residential appearance, verandah and front fencing.
- Unauthorised sea-containers at the rear of the site.



In June 2023 a Building Permit was submitted for a shed, the Shire advised that the application is held pending, the submission and further planning details and works are inconsistent with the approval issued.



The primary planning issue related to the street elevation upgrades and the timeframe for completion of works to convert the structures to a dwelling (house) including front windows, door and verandah.

COMMENT

The site is zoned Residential R10/30 under the Shire Local Planning Scheme No 5 and contains various structures. The area surrounding the site is a mix of housing types and vacant land.

A repurposed dwelling is defined as:

“a building or structure not previously used as a single house, which has been repurposed for use as a dwelling”.

Under the Scheme a repurposed dwelling is classified as a “D” discretionary use which means that the use is not permitted unless the local government has exercised its discretion by granting development approval.

The Scheme aims to include – *To safeguard and enhance the character and amenity of the built and natural environment of the local government area.*

The Scheme Residential Zone Objectives, as set out in clause 16 are: -

- *To provide for a range of housing and choice of a residential densities to meet the needs of the community.*
- *To facilitate and encourage high quality design, built form and streetscapes throughout residential areas.*
- *To provide for a range of non-residential uses, which are compatible with and complementary to residential development.*

The R-Codes require consideration of site context, including the following objectives: -

- Residential development meets community expectations regarding appearance, use and density.
- To ensure that design and development is appropriately scaled, particularly in respect to bulk and height, and is sympathetic to the scale of the street and surrounding buildings, or in precincts undergoing transition, development achieves the desired future character identified in local planning framework.

The exterior design, façade and roof treatments and materials including colours are significant in ensuring that a repurposed dwelling appropriately responds to the location, in this instance residential area.

From a planning perspective, the following matters are relevant: -

- The proposal meets the R-Codes Street setback in an R30 zone.
- The proposed is residential purposes.
- The exterior design incorporates: -
 - Façade modification - Front door and windows facing the street, creating aesthetic based on traditional housing style.
 - Inclusion of a verandah with floor consistent with the dwelling
 - Exterior building sheet corrugated cladding with aluminium window and door frames.

The primary concern on this site has been the timeframe to complete the building works to make the site a house with a residential street appearance. To ensure that the Shire has certainty on the timeframes of completion of exterior modification and upgrades, a work schedule would provide details relating to: -

- Stages or works and timeframes.
- Completion of the internal works.
- Completion of exterior and façade upgrades.
- Completion of ancillary structures, sea-container cladding, and boundary fencing.

The Council may also want to consider other arrangements such as a bond or agreement to support the completion of the exterior treatments in a timely manner such as - Payment of \$5000 bond prior to the issue a Building Permit refundable upon completion of the development within 12-month timeframe.

Options

Council has the following options: -

- Option 1 – Approve the proposal – with conditions.
- Option 2 – Refuse the proposal.
- Option 3 – Defer the proposal pending further information.

Summary

The plans provided details on the façade building works and exterior modification to the repurposed dwelling and sea containers. The issue for the Shire has been clarification on the timeframe for completed of the exterior works to bring the building into residential appearance.

It is considered relevant that the applicant provides a works program and timeframe for the exterior treatments are completed within a timely manner. The Shire can either require this as a condition or defer the proposal and have the applicant to provide this information as part of the determination.

CONSULTATION

Internal Officers

STATUTORY ENVIRONMENT

Local Planning Scheme

Planning and Development Act and Regulations

Deemed Provisions

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

A thriving local economy

Encouraging the development of local business education and support

Supporting local businesses in the Shire

Accountable and effective leaders

Developing strong partnerships with stakeholders for the benefit of our community

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

ATTACHMENTS

1. Applicant's Proposal
2. Previous 2021 Proposal

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council: -

1. **DEFERS** the application for modifications to the repurpose dwelling on Lot No 99 King Street, Coolgardie (PA23-21) for further information regarding:-
 - a) **A works program to be provided comprising: -**
 - i) **Stages of construction and building works, including:**
 - (1) **Façade modifications – front windows and doors**
 - (2) **Front verandah**
 - (3) **Exterior works, cladding, material condition and finishes**
 - (4) **Interior fitout**
 - (5) **Landscaping, driveway, and front fencing,**
 - (6) **Boundary fencing**
 - (7) **Sea-container cladding.**
 - ii) **A timeframe for the completion of the works – restricted to a maximum of 12 months.**
 - b) **Potential bond of \$5,000 and agreement to ensure the external appearance of the developments has been completed in accordance with plans submitted.**
2. **RECONSIDERS** the proposal and the additional information at a future Council meeting.

12.2.6 ROAD NAMING - PARKES STREET, COOLGARDIE

Location: Parkes Street, Coolgardie
Applicant: N/A
Disclosure of Interest: Nil
Date: 12 December 2023
Author: Francesca LeFante, Town Planning Consultant

SUMMARY

To advise Council of the naming of newly constructed roads which access the workforce accommodation camps on Lot 2335 Gnarlbine Road clear site identification and access as shown in **Attachment 1**.

BACKGROUND

Local Government and Government Department/Authorities responsible for the administering of land within Western Australia are required to make submissions to Landgate for any naming proposals for place names, features, administrative boundaries, localities or roads within their jurisdiction.

A public road is any road that is opened, dedicated, or declared to be a public road, whether under the Land Administrative Act 1977, Part 2 – General administration, Division 3 – General or any other Act.

In Western Australia the practice of officially naming features, localities and roads is covered under section 26 and 26A of the Land Administration Act 1997.

Under the provisions in the Land Administration Act 1997, the Minister for Lands (the Minister) has the authority for officially naming and un-naming roads in Western Australia. Through delegated authority, Landgate acts on the Minister's behalf to undertake the administrative responsibilities, including the development of policies and procedures, required for the formal approval of road names.

Landgate policy provisions set out the standards and process for road naming in Western Australia. The use of these standards and policies is mandatory and have been development through consultation with local government, government departments, emergency service responders, public service providers and the wider community.

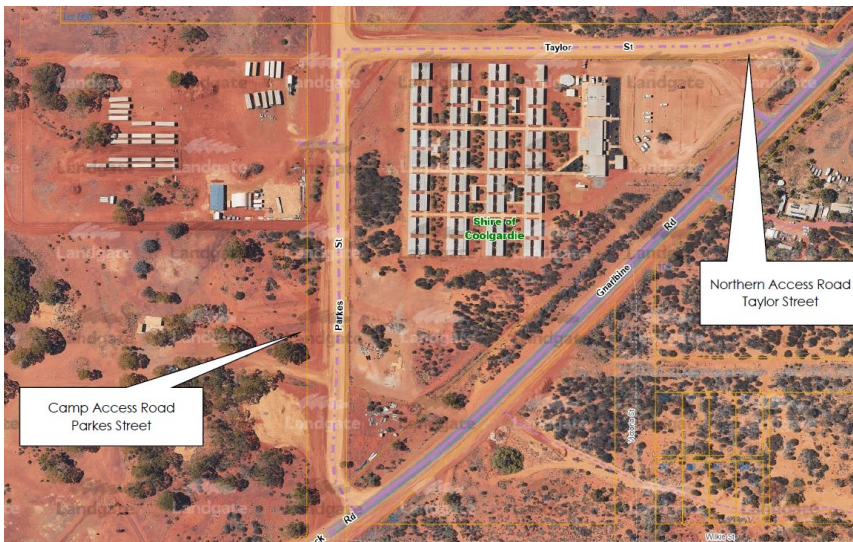
COMMENT

As the workers camps site develop in Coolgardie on Lot 2435 Gnarlbine Road, the Shire is receiving requests for road signage and street addresses to provide clarity of site location and for drive directions to the entrance of the camp.

Shire officers have been in liaison with Landgate and DPLH regarding status and names of these roads, and the following is relevant: -

- Both subject roads are gazetted road reserves.
- Landgate data indicates that there are road names allocated.
- Use of the existing road names, with the Shire being able to place road signs.
- Changing the road names is possible however it will need to follow the process set out by Landgate.

It is considered appropriate that the Shire utilises the names that have Landgate have being Parkes Street and Taylor Street, as shown below and **Attachment 1**.



The Shire also resolved street numbers for the three camp sites that gain access via a common road as follows:

- Site 1: Evolution Camp Site – No 1 Parkes Street, Coolgardie
- Site 2: Coolgardie Camp Services – No 5 Parkes Street, Coolgardie
- Site 3: Focus Camp Site – No 9 Parkes Street, Coolgardie



Options

The following options are Council available: -

- Option 1: Approval for the proposal.
- Option 2: Refuse the proposal.
- Option 3: Defer the proposal for further information.

Summary

That Council support the use of the Landgate nominated road names, install signage, and advise camp operators of the Street address for the respective sites.

CONSULTATION

Internal Officers

Landgate Representatives

STATUTORY ENVIRONMENT

Local Planning Scheme

Planning and Development Act and Regulations

Deemed Provisions

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**A thriving local economy**

Encouraging the development of local business education and support

Supporting local businesses in the Shire

Accountable and effective leaders

Developing strong partnerships with stakeholders for the benefit of our community

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

ATTACHMENTS**1. Location and Street Address Map****VOTING REQUIREMENT**

Simple majority

OFFICER RECOMMENDATION

That Council: -

1. **SUPPORTS** the use of Parkes Street Coolgardie for the camp access road reserve via Gnarlbine Road, Coolgardie as shown in Attachment 1 and associated actions.
2. **APPROVES** street addresses to the leases site 1,2 & 3 Lot 2435 Gnarlbine Road as follows:-
 - a. Site 1 - Lot 2435 No 1 Parkes Street Coolgardie
 - b. Site 2 - Lot 2435 No 5 Parkes Street Coolgardie
 - c. Site 3 - Lot 2435 No 9 Parkes Street Coolgardie
3. Direct the CEO to advise Camp operators of the new street address details.
4. Direct the CEO to give Public Notice at the Shire's website and social media of the decision.

12.2.7 LIST OF PAYMENTS - NOVEMBER 2023

Location: Nil
Applicant: Nil
Disclosure of Interest: Nil
Date: 3 November 2023
Author: Corina Morgan, Finance Manager

SUMMARY

For Council to receive the list of accounts for November 2023.

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.

Significant Payments for the month of November 2023 are:

1. Northern Rise – Management of Bluebush Village
2. Versatile Plant & Contracting Pty Ltd - Materials And Services For Surface Water Infrastructure Works At The Coolgardie Waste Facility
3. Pryce Mining Services Pty Ltd – Various works at Bluebush Village
4. LGIS WA – Second portion of yearly membership

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 guidelines with regards to the purchase of goods or services provided.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Accountable and effective leaders**

Maintain integrated strategic and operational plans

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. **List of Payments - November 2023**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council RECEIVE listing (attached) of accounts paid during the month of November 2023 by the Chief Executive Officer under delegated authority of Council.

1. **Municipal accounts totalling \$1,861,232.48 on municipal vouchers EFT26341 – EFT26545, Cheque 53560 - 53561 and Direct Debits.**
2. **Credit card payments totalling \$22,981.95**
3. **Fuel card payments totalling \$61,237.78**
4. **Woolworths cards totalling \$3,241.85**

12.2.8 MONTHLY FINANCIAL STATEMENTS FOR THE MONTH ENDED 30 NOVEMBER 2023

Location: Shire of Coolgardie
Applicant: Shire of Coolgardie
Disclosure of Interest: Nil
Date: 13 December 2023
Author: Martin Whitely, Consultant

SUMMARY

This report recommends that the Monthly Statement of Financial Activity report for the period ending 30 November 2023 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 30 November 2023, 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.

CONSULTATION

Nil

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

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

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

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

ATTACHMENTS

1. **Management Report - November 2023**
2. **Monthly Financial Report**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the Monthly Financial Activity Statement for the period 1 July 2023 to 30 November 2023 be received.

12.3 Commercial Services

Nil

13 ITEMS FOR INFORMATION ONLY

Nil

14 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

15.1 Elected Members

15.2 Council Officers

16 MATTERS BEHIND CLOSED DOORS**OFFICER RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 5.23(2) of the Local Government Act 1995:

16.1 CEO Performance Review

This matter is considered to be confidential under Section 5.23(2) - a) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter affecting an employee or employees.

16.2 Kambalda Community Recreation Facility - Cafe Lease

This matter is considered to be confidential under Section 5.23(2) - e(ii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government.

16.3 Draft Memorandum of Agreement (MOA) - St John Ambulance Western Australia Ltd (St John WA)

This matter is considered to be confidential under Section 5.23(2) - c) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

17 CLOSURE OF MEETING