



AGENDA

Ordinary Council Meeting

22 February 2022

6:00pm

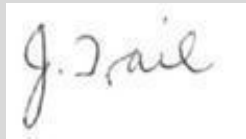
**Kambalda Recreation Centre, Barnes Drive,
Kambalda**

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 22 February 2022 commencing at 6:00pm.

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

CHIEF EXECUTIVE OFFICER

ORDINARY COUNCIL MEETING**22 February 2022**

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

The dates, times and locations of the Ordinary Council Meetings for 2022 are listed hereunder.

<u>Day</u>	<u>Date</u>	<u>Time</u>	<u>Venue</u>
Tuesday	January 2022	NN/A	-
Tuesday	22 February 2022	6.00pm	Kambalda
Tuesday	22 March 2022	6.00pm	Coolgardie
Tuesday	26 April 2022	6.00pm	Kambalda
Tuesday	24 May 2022	6.00pm	Coolgardie
Tuesday	28 June 2022	6.00pm	Kambalda
Tuesday	26 July 2022	6.00pm	Coolgardie
Tuesday	23 August 2022	6.00pm	Kambalda
Tuesday	27 September 2022	6.00pm	Coolgardie
Tuesday	25 October 2022	6.00pm	Kambalda
Tuesday	22 November 2022	6.00pm	Coolgardie
Tuesday	20 December 2022	6.00pm	Kambalda



James Trail
Chief Executive Officer

DISCLAIMER

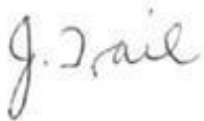
INFORMATION FOR PUBLIC ATTENDING COUNCIL MEETINGS

PLEASE NOTE:

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

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

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



James Trail
CHIEF EXECUTIVE OFFICER

COUNCIL MEETING INFORMATION NOTES

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

Written notice of each question should be given to the Chief Executive Officer prior to 2:30pm 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.

QUESTION TIME FOR THE PUBLIC

(Please Write Clearly)

DATE: _____

NAME: _____

TELEPHONE: _____

ADDRESS: _____

QUESTION TO THE PRESIDENT:-

- **GENERAL QUESTION / QUESTION RELATED TO THE AGENDA**
(Strike out unnecessary words)

ITEM NO: _____ PAGE NO: _____

PLEASE PASS TO THE CHIEF EXECUTIVE OFFICER FOR REFERRAL TO THE PRESIDENT BY 2.30PM ON THE DAY OF THE MEETING AT THE KAMBALDA OFFICE, IRISH MULGA DRIVE, KAMBALDA OR AT THE COOLGARDIE OFFICE, BAYLEY STREET, COOLGARDIE.

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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 Elder’s 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 Candidate for Election****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 AUDIT COMMITTEE MEETING HELD ON 21 DECEMBER 2021

Date: 16 February 2022

Author: Jackie Pilkington, Executive Assistant to the CEO

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the Minutes of the Audit Committee Meeting held on 21 December 2021 be confirmed as a true and accurate record.

8.2 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 21 DECEMBER 2021

Date: 16 February 2022

Author: Jackie Pilkington, Executive Assistant to the CEO

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on 21 December 2021 be confirmed as a true and accurate record.

8.3 MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 1 FEBRUARY 2022

Date: 16 February 2022

Author: Jackie Pilkington, Executive Assistant to the CEO

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the Minutes of the Special Council Meeting held on 1 February 2022 be confirmed as a true and accurate record.

8.4 MINUTES OF THE ANNUAL ELECTORS MEETING HELD ON 25 JANUARY 2022

Date: 16 February 2022

Author: Jackie Pilkington, Executive Assistant to the CEO

ATTACHMENTS

1. Unconfirmed Minutes of the Annual Electors Meeting held 25 January 2022

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the Minutes of the Annual Electors Meeting held on 25 January 2022 be confirmed as a true and accurate record at the 2023 Annual Electors Meeting.

9 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**9.1 PRESIDENT'S REPORT - FEBRUARY 2022**

Location: N/A
Applicant: N/A
Disclosure of Interest: N/A
Date: 18 February 2022
Author: Malcolm Cullen, President

President's Report

February 2022

In writing my first report for the new year and reflecting upon how quickly the year is going by with the month of March just 10 days away, there is so much happening in our Shire, the Region and the State of WA.

While the mining industry continues to grow and expand with all the commodities and resources in high demand and attracting excellent prices, this has been instrumental in property values in the region increasing along with a huge and unprecedented demand for both residential and workers accommodation in our towns.

The Shire continues to work on strategies in an endeavour to alleviate these accommodation issues. These strategies include workforce accommodation, Government Employees and Public-Social Housing and Residential accommodation.

The Shire of Coolgardie being a member of the Goldfields Regional Organisation of Councils, has participated in the preparation of a Regional Housing Strategy which covers all the above subjects, with this strategy now being lodged with the WA State Minister for Housing and the Director General of the Department of Communities.

With the ongoing threat of the Covid-19 Pandemic, the Council endorsed the Shire Covid-19 Safety Policy at a Special Council meeting on February 1st in line with the WA State Health Department Directions with the aim of mitigating the spread of the virus in our communities.

The decision to introduce vaccination mandates was not taken lightly and has come from information and consultation with other regional rural Local Governments, Department of Health, WA local Government Association and Occupational Health and Safety regulations.

These vaccination mandates will be effective as of February 21st and I would encourage everyone in our communities to consider receiving their first and second doses as soon as possible, not just for your own safety and wellbeing, the community as a whole.

For further information, please visit the Shire website, phone 90802111 or contact your Councillors and our CEO for assistance.

The Coolgardie Landfill Facility project is progressing steadily with contractors Raubex making good progress with the excavation of the Class 3 Cell at the western end of the site.

Following the excavation, will be the installation of the cell liner and leachate ponds, with an expected completion date of the works in June. Together with the expected receipt of waste from the Shire of Esperance later this year, this project is growing into a regional facility that will assist the Shire with own source revenue for future years.

With the installation of the new weigh bridge and now operational, all waste being accepted at the Landfill is being weighed and accounted for which provides much more accurate details of all waste coming into the site.

The Coolgardie Post Office Precinct Project is also progressing with the additional staff working on the site since the resumption of work post the Christmas break. The original works of the restoration of the buildings are expected to be completed in late April, with further design and costings being put together for the fire damaged section along with the roof replacement which was covered by insurance. These matters will be progressed in the coming months, as further details become available.

The Shire's project manager is currently working on an amended scope and design for the proposed Driver Reviver and Ablution Facility located at the Coolgardie Truck Assembly Park. It is estimated the project can now be constructed to a design which complies with the criteria of the grant funding and project budget. It is expected that the works will be able to commence next month with completion by June 30th.

I would make mention that over the past three weeks, we have lost three special members of our communities. These people, all being stalwarts in their own right and working, living and volunteering in our communities for many, many years passed away through illness and will be dearly missed by their families, friends and community.

Cyril Poke: Life Member of the Kambalda Football Club, former underground miner, and Shire Employee.

Marlene Cullen: Former Shire Councillor and Deputy President, Administrator of Coolgardie
Community Care and long-time volunteer of the Primary School P&C.

Eugen Winter: Former Shire Councillor, Operations Manager of ChemTrans and Community Volunteer.
May they Rest In Peace.

Meetings-Workshops attended this Period:

* January 5th Goldfields Regional Council zoom interview RE Regional Climate Alliance
Co-ordinator.

* January 13th Briefing with Outback Rodeos RE the Coolgardie Rodeo in August.

* January 14th Local Emergency Management Committee meeting.

* January 20th Briefing RE St John Primary Health partnership.

* January 21st LEMC meeting RE Covid-19 response by all agencies.

* January 25th Annual Meeting of Electors.

* January 28th LEMC meeting Covid-19.

GVROC zoom meeting RE draft agenda for Esperance Regional Meeting.

* February 1st Council Briefing Forum - Special Council Meeting in Kambalda.

* February 3rd-4th GVROC Regional Meeting in Esperance.

* February 8th Council Budget Review in Kambalda.

* February 11th LEMC meeting Covid-19 response.

* February 15th Special Briefing Forum in Kambalda.

* February 17th LEMC meeting Covid-19 response.

* February 18th GVROC zoom meeting discuss WALGA State Council Agenda.

Malcolm Cullen

Shire President.

10 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

11 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

12 REPORTS OF COMMITTEES

Nil

13 REPORTS OF OFFICERS**13.1 Executive Services****13.1.1 VACANCY RESIGNATION JOHN WILLIAMS**

Location: Shire of Coolgardie
Applicant: Nil
Disclosure of Interest: Nil
Date: 8 February 2022
Author: Steven Tweedie, Consultant

SUMMARY

Former Cr John Williams resigned on February 3, 2022, with immediate effect. The resignation, in writing, to the CEO satisfied the requirements of s2.31 Local Government Act 1995. The Shire President, or if he fails to do so, the Council, may set the date for the extraordinary election. Council also needs to determine whether to invite the WA Electoral Commission to run the election as a postal vote election, or in person election, and to appoint the Returning Officer.

COMMENTDate of Election

s4.9 Local Government Act permits the Shire President to determine the date of the election, but if he decides not to do so, then Council may do so, at a meeting within 1 month of the resignation taking effect.

The February OCM is in sufficient time to allow Council to determine the date of the election, based on advice of the WAEC.

The election must be held within 4 months, unless the approval of WAEC is sought, and obtained.

The preliminary assessment, in conjunction with the CEO is that Saturday May 14, 2022, is the preferred option because it:

- Fills the vacancy soonest, which is good for quorum and absolute majority matters
- Does not require a count, and the possible commitment of Shire staff on the eve of a long weekend – had a Friday election day been chosen (June 6)
- avoids issues with nominations and mailing out ballot papers on other potential dates

Conduct of the Election

Council needs to consider the options available to it, either to:

- conduct an extraordinary election as a voting in person election, undertaken by the CEO, as Returning Officer, or
- conduct an extraordinary election as a voting in person election, undertaken by a person other than the CEO, as Returning Officer, and appointed by the WA Electoral Commission, or
- conduct an extraordinary election as a postal vote election, undertaken by the WAEC, with a Returning Officer appointed by the Commission.

The options, and issues attaching to each are:

- conduct an extraordinary election as a voting in person election, undertaken by the CEO, as Returning Officer:
 - likely to be significantly cheaper than a postal vote election

- will place time demands on the CEO, as Returning Officer, and administrative support and potential conflicts of interest in dealing with candidates, one of whom will become a Council Member, and the CEO “employer”
 - likely to be a high level of votes cast by post, especially from remote or rural electors – thus favouring an election by postal vote anyway?
 - votes must be cast on election day only (other than by post) and this may lead to a lower turnout?
- conduct an extraordinary election as a voting in person election, undertaken by a person other than the CEO, as Returning Officer, and appointed by the WA Electoral Commission:
 - this removes the time demands and potential conflicts of interest from the CEO and his administrative support
 - WAEC must make the appointment of the RO (although it could be a person recommended by SoC) and conduct the entire election
 - likely to be a high level of votes cast by post, especially from remote or rural electors – thus favouring an election by postal vote anyway?
 - votes must be cast on election day only (other than by post) and this may lead to a lower turnout?
 - conduct an extraordinary election as a postal vote election, undertaken by the WAEC, with a Returning Officer appointed by the Commission:
 - this removes the time demands and potential conflicts of interest from the CEO and his administrative support
 - WAEC must make the appointment of the RO (although it could be a person recommended by SoC) and conduct the entire election
 - likely to cost (depending on a variety of factors) more than \$10,000 plus GST

Implementing the Council decision

With Council to determine the matter on February 22, 2022, at the OCM, the Electoral Commissioner will need to give his formal approval by end of day February 23, 2022.

The SoC Meeting Procedures Local Law (MPLL) at Cl 16.3(2) prevent the CEO from implementing any decisions until the afternoon of the next working day following the meeting (to allow for possible notices of revocation to be lodged).

However, this provision may be overridden at Cl 16.3(3) whereby the Council may, by resolution carried at the same meeting at which a decision was made, direct the CEO or another person to take immediate action to implement the decision.

The SoC MPLL also requires the CEO to give “appropriate notice” of such a decision by Council.

It is recommended that such a course of action be taken.

CONSULTATION

James Trail, CEO
Kay Heron, WAEC

STATUTORY ENVIRONMENT

Local Government Act 1995 and Regulations

FINANCIAL IMPLICATIONS

Holding an extraordinary election to fill the vacancy will have financial implications for Council, depending on the costs incurred by the WA Electoral Commission, if it were invited to conduct the election.

It would cost considerably less for the CEO to be the Returning Officer to conduct the election but would be disruptive of the administration and generally be inconsistent with the reasons Council has applied to requesting the WAEC to conduct recent Shire elections.

The CEO will ensure the costs of the extraordinary election are considered in the budget review due to take place by end of March 2022.

The WAEC have provided an estimate of the costs of conducting the extraordinary election of between \$11,000 - \$12,000 GST inclusive. These costs may vary depending on whether there are no, or sufficient nominations (thus no election necessary) or if other factors require variations.

If the extraordinary election is held on a Saturday, support provided by the Shire will incur additional costs, in providing access and advice re elector and roll inquiries on election day and to assist in the count after 6pm.

STRATEGIC IMPLICATIONS**Accountable and effective leaders**

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. Response letter from WAEC - Extraordinary Election
2. LG Shire of Coolgardie Proposed Extraordinary Election Timeline 2022

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

1. That Council, by absolute majority, declare, in accordance with S4.20(4) of the Local Government Act 1995, the Electoral commissioner to be responsible for the conduct of the extraordinary election and the preferred date.
 2. That Council, by absolute majority decide, in accordance with S4.61(2) of the Local government Act 1995 that the method of conducting the election will be as a postal election.
 3. That Council, by absolute majority, RESOLVE to accept the quotation from the WAEC to conduct the extraordinary election, subject to acknowledging that if no, or sufficient nominations are received that the actual cost will be less, or if other factors require variations, the cost may be more than the quotation.
-

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

4. That Council, by simple majority, NOTE the resignation of former Cr John Williams effective February 2, 2022.

5. That Council, by simple majority pursuant to s4.9 (1) (b) of the Local Government Act, and in accordance with advice from the WAEC, determine that the date for the extraordinary election be Saturday May 14, 2022.
6. That Council, by simple majority, pursuant to Cl 16.3(3) of the Shire of Coolgardie Meeting Procedures Local Law, DIRECTS the CEO to take immediate action to implement the decision.
7. That Council, by simple majority, pursuant to Cl 16.3 (5) DIRECTS the CEO to give notice of Council's resolutions on the matter, especially the immediate implementation, at the Shire website and social media.
8. That Council, by simple majority, RESOLVE to refer the funding of the costs associated with the extraordinary election to the Shire's mid-year Budget Review.

13.1.2 TENDER 07/2021 - WORKERS ACCOMMODATION VILLAGE INSTALLATION WORKS FOR KAMBALDA

Location: Kambalda
 Applicant: NIL
 Disclosure of Interest: NIL
 Date: 14 February 2022
 Author: Barry Donkin, Projects Manager

SUMMARY

That Council award Tender 07/2021 – Workers Accommodation Village Installation works for Kambalda to Pryce Mining Services Pty Ltd for Separable Portion 2 and RUKA Industries Pty Ltd T/As PGE Services for Separable Portion 3 and decline the submissions received for Separable Portion 1 and 4.

BACKGROUND

The Shire of Coolgardie issued a Request for Tender for the Workers Accommodation Village Installation Works for Kambalda which included accommodation units, dry mess, recreation room, meeting room and small gym.

The RFT was advertised on the 3rd of November 2021 via Tenderlink, Shire website, Kalgoorlie Miner and West Australian with submissions closing at 4pm Monday 29th November 2021.

COMMENT

The scope of works was broken down into the following separable portions:-

Separable Portion 1: Survey, Approvals, Site Preparation, Building Placement and Installation including layout, design, building approvals, site clearing and bulk earthworks and craneage, installation, tie-ins and connections.

Separable Portion 2: Supply and Install Power including the required gensets, distribution boards and other power requirements to operate 200 room camp facility.

Separable Portion 3: Supply and Install Water and Sewerage, including the required facilities, lines, tanks etc. supply and installation.

Separable Portion 4: Ancillary Camp Works

The Shire reserved the right to include or exclude Separable Portions from the Scope of Works and award the Separable Portions to various contractors.

Tenderers were required to attend a mandatory site inspection on the 18th November 2021 with Project Manager, Barry Donkin. The site inspections were attended by 18 attendees across the day.

The following 5 (five) organisations submitted tender offers for the Workers Accommodation Village Installation Works for Kambalda as set out in the RFT (in no particular order) and for the Separable Portions as Indicated below:

No	Tenderer	Portions Offered	Comments
1	Jmac Civil Pty Ltd	Separable Portions 1 (site works and installation) and 2 (electrical)	Although Separable Portion 2 was offered, no detailed pricing or required information was provided for Separable Portion 2. Therefore, no assessment

No	Tenderer	Portions Offered	Comments
			was completed with respect to Separable Portion as it was incomplete.
2	Karlayura Contracting Pty Ltd	All Separable Portions	
3	Measurement Control Engineering Pty Ltd	Separable Portion 2 (electrical)	
4	Ruka Industries Pty Ltd ta PGE Services	Separable Portion 3 (plumbing) and Separable Portion 4 (ancillary camp works)	Although the tenderer indicated an offer with respect to Separable Portion 4, this was ancillary to Separable Portion 3. The assessment was therefore limited to Separable Portion 3.
5	Pryce Mining Services Pty Ltd	Separable Portion 2 (electrical)	

The tenders were assessed against meeting the requirements with respect to compliance, qualitative criteria and pricing criteria. The detailed outcome of the assessment completed, is set out below and included in the related documentation as provided with this Tender Assessment Workbook.

The process and outcome of the tender assessment completed, is as detailed in this Tender Assessment Workbook.

In terms of the evaluation of the RFT, the RFT evaluation was broken down into the following main stages:

- a) Stage 1: Mandatory Criteria
- b) Stage 2: Compliance Criteria
- c) Stage 3: Qualitative Criteria
- d) Stage 4: Pricing.

It is to be noted that the RFT scope is high level as the camp supply and delivery components have not been completed and therefore the detailed design was not available. This has resulted in disparity in the pricing offered.

The selection criteria and weighting for the RFT was as follows:

CRITERIA	WEIGHTING
Works Delivery and Execution	20%
Experience and Resources	40%
Pricing	40%

Council has allocated \$6.0m in its 2021/2022 budget to commence the project works. The preferred tenderer has provided a submission for the three (3) Separable Portions which exceeds the pre contract value. The contributing factors include:

Pryce Mining Service Pty Ltd and PGE Services demonstrated they had sufficient experience and capability to complete the required works under Separable Portion 2 and 3. However with the supply and delivery of the camp units/facilities not yet considered at this stage and consequently design not completed, a fixed price was

provided for separable portions 2 and 3 for preliminaries, supply and installation of electrical, plumbing and sewerage requirements and materials. Both also included provisional items.

Consequently, any contract execution for Separable Portions 2 and 3 will be subject to Council consideration of Village Supply, including planning and approvals, layout and design, site and building works, including site clearing and bulk earthworks, freight and delivery of items supplied/sourced/for installation and ancillary village works.

CONSULTATION

Barry Donkin, Project Manager

Celia Jordaan, Uniqco

Bec Horan, Projects

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 3.57

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

The funds for installation of the accommodation village in Kambalda are included in the 2021/2022 Budget. Council may be required to increase 2022/2023 budget allocations for the project for both expenditure and revenue.

STRATEGIC IMPLICATIONS

A thriving local economy

Encouraging and attracting new investment and advocating for local employment

Accountable and effective leaders

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. **Tender Assessment - Confidential**
2. **Scope of Works - Confidential**
3. **Pricing Electrical - Confidential**
4. **Pricing Plumbing and Sewerage - Confidential**

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council:-

1. **Declines to accept any tenders for Separable Portion 1: Survey, Approvals, Site Preparation, Building Placement and Installation for Separable Portion 1 – Approvals, site preparation, Building Placement and Installation.**
2. **Accept the tender submitted by Pryce Mining Services Pty Ltd ABN 22 120 999359 for Separable Portion 2; Supply and Install Power excluding provisional items as the most advantageous**

tender based on the assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 07/2021 – Workers Accommodation Village Installation works for Kambalda;

3. Resolve no contract is to be executed with Pryce Mining Services Pty Ltd until Council consideration of Village Supply, including planning and approvals, layout and design, site and building works, including site clearing and bulk earthworks, freight and delivery of items supplied/sourced/for installation and ancillary village works.
4. Accept the tender submitted by Ruka Industries Pty Ltd t/a PGE Services ABN 17 629 226062 for Separable Portion 3; Supply and Install Power excluding provisional items as the most advantageous tender based on the assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 07/2021 – Workers Accommodation Village Installation works for Kambalda
5. Resolve no contract is to be executed with Ruka Industries Pty Ltd t/a PGE Services until Council consideration of Village Supply, including planning and approvals, layout and design, site and building works, including site clearing and bulk earthworks, freight and delivery of items supplied/sourced/for installation and ancillary village works.
6. Declines to accept any tenders for Separable Portion 4: Ancillary Camp Works
7. Delegates Authority to the Chief Executive Officer to enter into negotiations with Pryce Mining Services Pty Ltd in regard to provisional items
8. Delegates Authority to the Chief Executive Officer to enter into negotiations with Ruka Industries Pty Ltd t/a PGE Services in regard to provisional items

13.1.3 PROPOSED SHIRE OF COOLGARDIE WASTE AMENDMENT LOCAL LAW

Location:	Shire of Coolgardie
Applicant:	N/A
Disclosure of Interest:	Nil
Date:	4 February 2022
Author:	Danielle Fleet, Coordinator Economic and Community Development

SUMMARY

The Shire of Coolgardie Waste Local Law required a small number of amendments requested by the WA Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL). The Amendment Local Law was adopted by Council, advertised for public comment, and consent received from the CEO of the Waste Authority. It can now be made.

BACKGROUND

The *Shire of Coolgardie Waste Local Law 2020* was published in the Government Gazette on 5 January 2021. It is based on a model prepared by the WA Local Government Association for members to use.

Local governments are required to submit local laws to the JSCDL which oversees the making and effects of subsidiary legislation on behalf of Parliament. The Committee can recommend that Parliament disallow a local law where it considers it necessary but almost always gives the local government an opportunity to amend it before doing so.

Amongst other things, the JSCDL requested the Shire amend the Shire of Coolgardie Waste Local Law to remove a clause that was in the WALGA template but since the making of the local law, was amended to remove clause 2.7(c).

As such at its meeting held on 27 July 2021 Council resolved to adopt a Waste Amendment Local Law and undertake the process to seek feedback from the community and the Ministers for the Environment and Local Governments as required by s3.12(3) of the *Local Government Act 1995* (the Act) which sets out the process to be used when making local laws.

COMMENT

The Amendment local law should now be made. It will come into effect 14 days after publication in the Government Gazette and the principal local law will be amended.

CONSULTATION

The draft Waste Amendment Local Law was duly advertised for comment for the period required under s3.12(3)(a) of the Act for the required period, closing on 13 October 2021. No comments were received from the public. The WA Department for Local Government Cultural and Sporting Industries responded on behalf of the Minister for Local Government and made some minor suggestions in relation to the format and appearance of the local law, which are consider minor.

In addition, section 61 of the *Waste Avoidance and Resource Recovery Act 2007* requires the CEO of the Waste Authority (Director General of the Department of Water and Environmental Regulation (DWER)) to give consent to the local law before it can be made under s3.12(4) of the Act. Consent to the draft Waste Amendment Local Law (including the minor changes suggested by the Department of Local Government) was received on 5 January 2022.

STATUTORY ENVIRONMENT

Section 61 of the *Waste Avoidance and Resource Recovery Act* specifies that waste local laws are to be made in accordance with the process set out by sections 3.11 to 3.17 of the Act. This also applies to amendments to local laws.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Nil

ATTACHMENTS

1. The proposed Shire of Coolgardie Waste Amendment Local Law

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

1. In accordance with s3.12(5) of the *Local Government Act 1995* the Amendment local law be published in the Government Gazette, a copy sent to the Ministers for Local Government and the Environment and to the CEO of the Department of Water and Environmental Regulation;
2. In accordance with s3.12(6) of the *Local Government Act 1995*, after Gazettal local public notice be given:
 - (a) Stating the title of the local law;
 - (b) Summarising the purpose and effect of the local law and specifying the day on which it comes into operation; and
 - (c) Advising that copies of the local law may be inspected or obtained from the Shire offices.
3. In accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister for Local Government on 12 November 2010, a copy of the local law and a duly completed explanatory memorandum signed by the Shire President and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

13.2 Operation Services**13.2.1 LIST OF PAYMENTS - DECEMBER 2021**

Location: Nil
Applicant: Nil
Disclosure of Interest: Nil
Date: 17 January 2022
Author: Corina Morgan, Accounts

SUMMARY

For Council to receive the list of accounts for December 2021

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 December 2021 are:

1. Coxdon – Tender 07/20 - Alterations And Additions - Coolgardie Post Office Complex - 50 % Completed
2. Department Of Fire & Emergency Services - Eslb 2nd Qtr Contribution

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**

High quality corporate governance, accountability and compliance

Maintain integrated strategic and operational plans

ATTACHMENTS

1. List of Payments - December 2021

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council receive listing (attached) of accounts paid during the month of December 2021 by the Chief Executive Officer under delegated authority of Council.

1. Municipal accounts totalling \$\$1,393,503.64 on Municipal vouchers EFT21941 – EFT22124 and cheques 52487 – 52490 made during the month of December 2021.
2. Credit card payments totalling \$8,823.16 for the month of December 2021.

13.2.2 LIST OF PAYMENTS - JANUARY 2021

Location: Nil
Applicant: Nil
Disclosure of Interest: Nil
Date: 17 January 2022
Author: Corina Morgan, Accounts

SUMMARY

For Council to receive the list of accounts for January 2022

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.

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 - January 2022

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council receive listing (attached) of accounts paid during the month of January 2022 by the Chief Executive Officer under delegated authority of Council.

1. Municipal accounts totalling \$535,448.87 on Municipal vouchers EFT22125 – EFT22251 and cheque 52491 made during the month of January 2022.
2. Credit card payments totalling \$4,833.25 for the month of January 2022

13.2.3 MONTHLY FINANCIAL REPORT FOR THE PERIOD ENDING 31 DECEMBER 2021

Location: Nil
Applicant: Nil
Disclosure of Interest: Nil
Date: 16 February 2022
Author: Martin Whitely, Consultant

SUMMARY

This report recommends that the Monthly Statement of Financial Activity report for the period ending 31 December 2021 is presented to Council for adoption.

BACKGROUND

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

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

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

COMMENT

Attached for consideration is the completed Monthly Financial Report.

The document attached includes Statements of Financial Activity by Program, and Nature and Type, Notes to the financial statements, an explanation of material variance as well as a summary of bank account balances at 31 December 2021, 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

James Trail, Chief Executive Officer

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.4
Local Government (Financial Management) Regulations 1996 Section 34

34. Financial activity statement required each month (Act s. 6.4)

- (1A) In this regulation —
- committed assets** means revenue unspent but set aside under the annual budget for a specific purpose.
- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —
- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
 - (b) budget estimates to the end of the month to which the statement relates; and
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing —
- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
 - (b) an explanation of each of the material variances referred to in sub regulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown —
- (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
- (a) Presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) Recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

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

ATTACHMENTS

1. Monthly Financial Report - December 2021
2. Management Report - December 2021

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the Draft Monthly Financial Activity Statement for the period 1 July 2021 to 31 December 2021 be received.

13.2.4 MONTHLY FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 JANUARY 2022

Location: N/A
Applicant: N/A
Disclosure of Interest: N/A
Date: 16 February 2022
Author: Martin Whitely, Consultant

SUMMARY

This report recommends that the Monthly Statement of Financial Activity report for the period ending 31 January 2022 is presented to Council for adoption.

BACKGROUND

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

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

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

COMMENT

Attached for consideration is the completed Monthly Financial Report.

The document attached includes Statements of Financial Activity by Program, and Nature and Type, Notes to the financial statements, an explanation of material variance as well as a summary of bank account balances at 31 January 2022, 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

James Trail, Chief Executive Officer

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

34. Financial activity statement required each month (Act s. 6.4)

(1A) In this regulation —

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

- (1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —
 - (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and
 - (b) budget estimates to the end of the month to which the statement relates; and
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
 - (e) the net current assets at the end of the month to which the statement relates.
- (2) Each statement of financial activity is to be accompanied by documents containing —
 - (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets; and
 - (b) an explanation of each of the material variances referred to in sub regulation (1)(d); and
 - (c) such other supporting information as is considered relevant by the local government.
- (3) The information in a statement of financial activity may be shown —
 - (a) according to nature and type classification; or
 - (b) by program; or
 - (c) by business unit.
- (4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —
 - (a) Presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
 - (b) Recorded in the minutes of the meeting at which it is presented.
- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

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

ATTACHMENTS

1. **Monthly Financial Report - January 2022**
2. **Management Report - January 2022**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the Draft Monthly Financial Activity Statement for the period 1 July 2021 to 31 January 2022 be received.

13.2.5 HAULAGE CAMPAIGN - BELLINI BULK HAULAGE PL

Location: Kambalda
Applicant: Bellini Bulk Haulage PL
Disclosure of Interest: Nil
Date: 13 January 2022
Author: Robert Hicks, Director of Operations

SUMMARY

For Council to consider a proposal from Bellini Bulk Haulage PL to utilise Coolgardie North Road, Carins Road & Jaurdi Hills Road for an annual haulage campaign from 01/03/2022 to 28/02/2023 comprising of 150,000 tonnes per annum.

BACKGROUND

Bellini's are currently seeking approval from the Shire to utilise a total of 15.13km's of Shire roads to fulfil contractual obligations to BHP for the supply and delivery of sand. They currently have valid approvals due to expire on 28 February 2022. Bellini operate from mining tenements situated within the Shire's network located off the Sand Haul Road and Jaurdi Hills Road. These tenements are known as:

Mt Burgess Pit 1 (M15/1339) located off the Sand Haul Road with access via Carins Road and Coolgardie North Road = 13.82kms.

Coolgardie North Road – SLK: 6.42km to 17.20km = 10.78km

Carins Road – SLK 0.00km – 3.04km (3.04km); and

Mt Burgess Pit 2 (M15/1795) located off Jaurdi Hills Road with access via Carins Road, Coolgardie North Road and Jaurdi Hills Road = 1.31kms

Jaurdi Hills Road to Intersection of Sand Haul Road – SLK 19.95km to 21.26km = 1.31km

Bellini Bulk Haulage PL have approached the Shire to undertake a haulage campaign on Coolgardie North Road, Carins Road & Jaurdi Hills Road. Bellini plan to cart 100,000 tonnes of sand to BHP from Mt Burgess Pit 1 (per annum) and 50,000 tonnes of sand to BHP from Mt Burgess Pit 2 (per annum).

As per Council's Policy #044 (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 (Bellini Bulk Haulage PL) needs to apply to the Shire of Coolgardie for use of the Shire of Coolgardie road network.

Main Roads Mapping Tool <https://mrwebapps.mainroads.wa.gov.au/hvsnetworkmap> confirms Bellini's CA07 appropriateness to the RAV network status being;

Jaurdi Hills Road RAV Tandem Drive Network Concessional Level 7.3; and

Coolgardie North Rd and Carins Road RAV Tandem Drive Network Concessional Level 10.3 vehicle.

At the Ordinary Council Meeting February 2021, Council resolved -

COUNCIL RESOLUTION #17/2021

Moved: Cr Kathie Lindup

Seconded: Cr Tracey Rathbone

That Council,

1. ***In accordance with Policy 044 Haulage Campaigns, endorse the proposal from Bellini Bulk Haulage PL (Principal) to use Coolgardie North Road, Carins Road and Jaurdi Hills Road for a campaign comprising of 150,000 tonnes per annum (total of campaign 450kt for 2021/22/23) from 01 March 2021 to 28 February 2022 for the following contributions;***
 - Coolgardie North & Carins Roads - Maintenance Contribution at \$0.04 p/tonne p/km; at 100,000 tonnes over 13.82 kms = \$60,808 per annum (inc GST). To Account/Job #11202750 (Limited Cartage Campaign)***
 - Jaurdi Hills Road – Maintenance Contribution at \$0.04 p/tonne p/km; at 50,000 tonnes over 1.31 kms = \$2882 per annum (inc GST). To Account/Job #11202750 (Limited Cartage Campaign)***
2. ***Authorise the CEO to determine any request from the Companies 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.***
3. ***Require Bellini Bulk Haulage PL (Principal) to maintain all proposed haulage routes consisting of ongoing watering to ensure dust is suppressed and the road surface is maintained in a sealed state.***
4. ***Require Bellini Bulk Haulage PL (Principal) to apply annually for consideration of renewal of CA07 Letters of Approval.***
5. ***Require Bellini Bulk Haulage PL (Principal) pay 50% (of per annum maintenance contributions) prior to campaign starting.***
6. ***Authorise the Chief Executive Officer to issue CA07 Letters of Approvals to Bellini Bulk Haulage PL (Principal) for a period of 12 months once 50% payment is received and cleared to the Shire bank account.***
7. ***Require Bellini Bulk Haulage PL (Principal) to pay remaining/final 50% of payment by 31 August 2021.***

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast and Kathie Lindup

Against: Nil

CARRIED 5/0

All haulage activities undertaken will be in accordance with Council Policy #044 (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 #045 (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.

Consistent with previous Council decisions, the operator may wish to enter into an alternate agreement with the Shire, however, Council may request the provision of capital and/or maintenance contribution prior to starting a haulage campaign. The Shire, unless otherwise stipulated in an agreement with the Shire, will not undertake watering of haulage routes, and watering will remain the responsibility of the operator daily whilst the haulage campaign is in progress (to ensure dust is suppressed and the road surface is maintained). If a capital contribution is requested contributions will be used to repair fair damage and deterioration. Once contributions are exhausted, if the road becomes further damaged the Shire reserves the right to close the road as per the Local Government Act 1995, until the road is repaired by the person or body who caused that damage, or further contribution is made to repair damage not provided under the annual or other agreement.

COMMENT

Coolgardie North Road, Carins Road (per annum)

Maintenance Contribution at \$0.04 per tonne per km at 100,000 tonnes over 13.82 kms \$60,808 (inc GST)

Capital Contribution of \$0.07 per tonne per km at 100,000 tonnes over 13.82 kms \$106,414 (inc GST)
Jaurdi Hills Road (per annum)

Maintenance Contribution at \$0.04 per tonne per km at 50,000 tonnes over 1.31 kms \$2882 (inc GST)

Capital Contribution of \$0.07 per tonne per km at 50,000 tonnes over 1.31 kms \$5043.50 (inc GST)

CONSULTATION

Alison Bellin – Director; Bellini Bulk Haulage PL

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Policy #044 – Haulage Campaigns

Policy #045 – 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 local businesses in the Shire

Accountable and effective leaders

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

ATTACHMENTS

1. Bellini Bulk Haulage - CA07 Coolgardie North Road
2. Bellini Bulk Haulage - CA07 Application Jaurdi Hills Road

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council,

1. In accordance with Policy 044 Haulage Campaigns, endorse the proposal from Bellini Bulk Haulage (Principle) to use Coolgardie North Road, Carins Road and Jaurdi Hills Road for a campaign comprising of 150,000 tonnes from 01 March 2022 to 28 February 2023 for the following contributions;
 - (a) Coolgardie North & Carins Roads - Maintenance Contribution at \$0.04 p/tonne p/km; at 100,000 tonnes over 13.82 kms = \$60,808 per annum (inc GST). To Account/Job #11202750 (Limited Cartage Campaign)
 - (b) Jaurdi Hills Road – Maintenance Contribution at \$0.04 p/tonne p/km; at 50,000 tonnes over 1.31 kms = \$2,882 per annum (inc GST). To Account/Job #11202750 (Limited Cartage Campaign)

2. That the CEO be authorised 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.
3. Require Bellini Bulk Haulage PL to maintain all proposed haulage routes consisting of ongoing watering to ensure dust is suppressed and the road surface is maintained in a sealed state.
4. Require Bellini Bulk Haulage PL to apply annually for consideration of renewal of CA07 Letters of Approval.
5. Require Bellini Bulk Haulage PL pay 50% (of per annum maintenance contributions) prior to campaign starting.
6. Authorise the Chief Executive Officer to issue CA07 Letters of Approvals to Bellini Bulk Haulage PL for a period of 12 months once 50% payment is received and cleared to the Shire bank account.
7. Require Bellini Bulk Haulage PL to pay remaining/final 50% of payment by 31 August 2022.

13.2.6 BACWA EVENT AT COOLGARDIE WASTE FACILITY

Location: Kambalda
Applicant: Bottles & Collectables of WA Club Inc. (BACWA)
Disclosure of Interest: Nil
Date: 10 February 2022
Author: Robert Hicks, Director of Operations

SUMMARY

Council consideration is sought on the Bottles & Collectables of WA Club Inc. (BACWA) request to conduct a dig for bottles within a section of the Coolgardie Waste Facility.

BACKGROUND

On two previous occasions being Council Resolution #211/18 as well as Council Meeting held 23 March 2021, this proposal was approved. However, the project did not proceed due to COVID restrictions.

RESOLUTION #43/2021

Moved: Cr Kathie Lindup
Seconded: Cr Tracey Rathbone

That Council,

Approve the BACWA request for the bottle dig at the Coolgardie Waste Facility on 4-7 June 2021, subject to the following conditions:

1. Digging shall not be below one metre in depth.
2. Health and safety protocols are met.
3. Site access is within specified hours by the Shire of Coolgardie.
4. Current Covid-19 Plan
5. Emergency Response Plan
6. Current Certificate of Currency for members Public Liability must be supplied covering the event.

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast and Kathie Lindup

Against: Nil

CARRIED 5/0

COMMENT

The proposal is to undertake a dig in Coolgardie on Western Australia Day long weekend, 4-6 June 2022 and hold associated social events/activities.

The site requested for the bottle club dig is the Coolgardie Waste Facility.

- The Club is proposing to: -
 - Undertake a dig at the Coolgardie Waste Facility using both mechanical and hand methods.
 - Undertake social events and bottle auction to be hosted at the Warden Finnerty building.
- Club members (up to 60) are estimated at attending the event and are staying in Coolgardie.
- The methods to undertake the dig are: -

- Remove the surface mounds by machine and then expose some of the trenches below.
- These trenches could then be dug by hand or if suitable by machine.
- Digging through the soil. First the soil is removed by machine with a front-end loader and then a second fine dig by hand, forking through the site and material.
- Once dug, the site is returned to its original state.
- The Club holds public liability for this type of event.

SITE

Location: Reserve R3497 Coolgardie
Zoning: Public Purpose – SCA 1 (Special Control Area) Rubbish Tip
Ownership: Crown land reserve – vested in Shire of Coolgardie
Size: 40.40 ha

The site is zoned public purpose – SCA 1 Rubbish Tip under the Local Planning Scheme No 5. There are no planning policies that relate to the site. The site is subject to a DWER Works Approval license required for operation of Rubbish Tip under Part V of the Environmental Protection Act 1986 requiring registration and compliance/inspections of prescribed premises. There are no specific approvals required from DWER for the dig, although the operator of the tip, which is the Shire, is required to comply with the approvals and registration conditions. DWER advised that it is a matter for the Local Council.

The Council has the authority to approve the request to dig at the Coolgardie Waste Facility under the Health Local Law 1998. The Shire can set conditions on the approval for the dig at the tip including on dig location, timeframes and safety and health requirements/obligations. The social events and bottle auction are positive activities for the town and enhance the tourism and complement the Shire's events activities.

The following options are provided for Council consideration: -

1. Approve request
2. Refuse Request
3. Covid update inclusive safety plan and procedure as used previously
4. The club holds the appropriate Public Liability Insurance Policy for such events

Under the Environment Protection Regulations 1987, the site is a Register Site and has specific controlling the following: -

- Acceptable waste types, operational parameters and management of the site.
- Tipping area height
- Covering of waste with inert material
- Containment of waste and separate from water and boundary.
- Control of dust.
- Surface preparation and site capping requirements where placement of waste has ceased in an area.
- Leachate management and monitoring of ground water contamination

Under the Coolgardie Health Local Laws 1998, Clause 47 Removal from Refuse Disposal Site: -

- *The person shall not remove any rubbish or refuse from a refuse disposal site without the written approval of the Council*
- *A person who obtains approval from the Council shall comply with any conditions imposed by the Council and set out in the approval*

The main health and safety issues for Shire consideration include: -

- Ensure the activities compliance with health and safety provisions.
- Making sure those participating do not expose waste material or damage the capping.
- Formal application with relevant safety and health conditions.
- Ensure any obligations around asbestos handling are complied with.

The Council has the authority to approve the request to dig at the Coolgardie Waste Facility under the Health Local Law 1998. The Shire can set conditions on the approval for the dig at the tip including on dig location, timeframes and safety and health requirements/obligations. The social events and bottle auction are positive activities for the town and enhance the tourism offering and complement the Shire's events activities.

The following options are provided for Council consideration: -

1. Approve request

- The Council has the authority to approve the request to dig at the Coolgardie Waste Facility under the Health Local Law 1998.
- The Shire can set conditions on the approval for the dig including location, timeframes and safety and health requirements/obligations.
- The social events and bottle auction are positive activities for the town and enhance the tourism offering and complement the Shire's events activities.
- Provide an economic stimulus in the town - tourism and holiday accommodation.
- Could become an annual activity.

2. Refuse Request

- On the basis of safety and health concerns.
- Concerns over conflict with the operations of the Coolgardie Waste Facility.
- Concerns over potential damage to capping and refuse management at the facility.
- The use of mechanical equipment to dig trenches has the potential to breach the capping of the site and the environmental management and monitoring controls under the Works Licence.
- Loss of local town heritage items

In summary the site proposed to dig is the same site as used on previous digs. This is the old Sanitary dumping site at the rear of the current tip disposal site. This area specifically is located inside the most north eastern corner of the current fenced tip compound in an area about 100 to 300 meters north of the shire current tip disposal complex and sheds and is not part of the current operations.

It is estimated that on each of the previous digs the shire has benefitted with over 10K towards the Coolgardie Museum projects. As the proposal creates a positive tourism event for the Shire, if conducted with appropriate

controls in place, this could increase visitors to the Shire. Considerations for controls over the extent of digging below surface, compliance with Shire health and safety protocols, timeframes allocated to the group for the dig and site access would need to be included in the approval to the applicants. Waste Services have been advised of this possible event, and do not have any concerns that need to be address or noted other than they are able to have after-hours access if required.



CONSULTATION

Shire of Coolgardie Staff

Urban Town Planning Consultant

BACWA Club President

STATUTORY ENVIRONMENT

Environment Protection Act 1986 Environment
Protection Regulations 1987 Coolgardie Health
Local Laws 1998

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

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

Encouraging cultural and historical community projects and activities

Supporting and encouraging local and regional tourism

Facilitating the preservation of heritage sites and buildings

ATTACHMENTS

1. **Bottles & Collectables of WA Club Inc. (BACWA)**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council,

Approve the BACWA request for the bottle dig at the Coolgardie Waste Facility on 4-6 June 2022, subject to the following conditions:

1. Digging shall not be below one metre in depth.
2. Health and safety protocols are met.
3. Site access is within specified hours by the Shire of Coolgardie.
4. Current Covid-19 Plan
5. Emergency Response Plan
6. Current Certificate of Currency for members Public Liability must be supplied covering the event.

13.2.7 BUDGET REVIEW 2021/22

Location: N/A
Applicant: N/A
Disclosure of Interest: N/A
Date: 17 February 2022
Author: Martin Whitely, Consultant

SUMMARY

This report recommends that Council review and adopt the documentation tabled for the 2021/22 Budget Review.

BACKGROUND

Regulation 33A of the Local Government (Financial Management) requires a local government to carry out a review of its annual budget between 1 January and 31 March each financial year.

As a minimum requirement the review of the annual budget is required to consider the financial position of a local government for the period ending no earlier than 31 December each financial year.

COMMENT

The budget review process for the 2021/22 financial year has been completed for the period beginning 1 July 2021 through to 31 December 2021.

A Draft Budget Review meeting was conducted on Tuesday 8 February 2022. Regulation 33A of the Local Government (Financial Management) requires a local government to present to Council within 30 days of conducting a review of the annual budget the findings from such a review to allow Council to adopt any recommendations arising from the review process.

Within the document tabled is a detailed analysis of the financial statements and a commentary explaining the highlighted variances is shown at Note 7 & Note 8 respectively. There are various timing and permanent timing variances that have been addressed in the budget review. Explanations for these variances are provided in the Budget Review commentary and a conservative approach has been taken in finalising the forecast closing surplus position.

Council adopted the 2021/22 Budget with an operating deficit of \$352,872 and a closing net current asset surplus / deficit position of \$0. Taken into consideration during the budget review process was the difference in the adopted 2021/22 budget opening deficit of \$352,872 compared with the final audited opening deficit position of \$262,943.

The budget amendments tabled for endorsement by Council in Note 5 of the Budget Review document recommends that the closing net current asset surplus / deficit position for the 2021/22 financial year remain unchanged.

The following amendments to the document reviewed on 9 February 2022 have been made to form the final Budget Review document as attached;

➤ Provision for an extraordinary election	(\$12,000)
➤ Vacant councillor sitting fees	\$5,000
➤ Staff savings from restructure within community development	\$40,000
➤ Advertising & promotion costs for Coolgardie Post Office	\$5,000
➤ Provision for Coolgardie Post Complex fire damage works	(\$1,200,000)
➤ Provision for reimbursement of fire damage works	\$1,200,000
➤ CDC Support Hub operational costs	(\$115,909)
➤ Goldfields Records Facility	(\$150,000)
➤ New tracks for traxcavator	(\$20,000)
➤ Provision for works utility	(\$50,000)
➤ Recognition of in-kind contributions received for road projects	\$100,000
➤ Road construction completed in-house	\$85,000
➤ Jaurdi Hills Road	\$9,600
➤ Additional road construction staffing costs	(\$55,000)
➤ Administration Office planning & design costs	\$40,000
➤ Coolgardie Class 3 Facility	\$39,040
➤ Coolgardie Pool Refurbishment	\$4,686
➤ Christmas Decorations	\$8,345
➤ Kambalda refuse site rehabilitation	\$65,000
➤ Transfers to reserves	\$1,238

The current budget originally made provision for borrowing funds for an amount of \$15,200,000.

On completion of the budget review Council will resolve to proceed with total borrowings of \$9,500,000 for the 2021/22 financial year. Below is a loan borrowings reconciliation of proposed v budgeted loan borrowings.

Project Description	Adopted Budget	Budget Review	Difference
Workers Accommodation	\$9,000,000	\$6,000,000	\$3,000,000
Coolgardie Class 3 Facility	\$2,500,000	\$3,500,000	(\$1,000,000)
Plastic Facility	\$2,200,000	\$0	\$2,200,000
Tyre Shedder	\$1,000,000	\$0	\$1,000,000
Land Development	\$500,000	\$0	\$500,000
TOTAL	\$15,200,000	\$9,500,000	\$5,700,000

CONSULTATION

Shire Staff & Management

All Councillors

STATUTORY ENVIRONMENT**Local Government Act 1995 Section 6.4****Local Government (Financial Management) Regulations 1996 Section 34**

33A. Review of budget

- (1) Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.
- (2A) The review of an annual budget for a financial year must —
 - (a) consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and
 - (b) consider the local government's financial position as at the date of the review; and
 - (c) review the outcomes for the end of that financial year that are forecast in the budget.
- (2) Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.
- (2) A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.
*Absolute majority required.
- (4) Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The financial implications of the budget review have been explained in the attached document.

Accountable and effective leaders

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

ATTACHMENTS

1. **Budget Review 2021/22**

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council

1. **Approve the Budget Review for the period ended 31 December 2021 carried out in accordance with the Local Government Financial Management Regulations 1995 Section 33A.**

2. Approve the amendments to the adopted budget as outlined in “Note 5 – Budget Amendments” in the 2021/22 Budget Review document.
3. Forward a copy of the budget review to the Department of Local Government, Sport & Cultural Industries within 30 days of endorsement, and
4. That administration staff make the required budget amendments within the chart of accounts to reflect those changes adopted in “Note 5 – Budget Amendments” within the 2021/22 Budget Review document.

13.3 Economic Development

Nil

13.4 Commercial Services

Nil

14 ITEMS FOR INFORMATION ONLY

Nil

15 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

16.1 Elected Members

16.2 Council Officers

17 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:

17.1 Application to Waive 2021/2022 Legal Fees

This matter is considered to be confidential under Section 5.23(2) - b) 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 the personal affairs of any person.

17.2 Application to Waive 2021/2022 Legal Fees

This matter is considered to be confidential under Section 5.23(2) - b) 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 the personal affairs of any person.

17.3 Application to Waive 2021/2022 Legal Fees

This matter is considered to be confidential under Section 5.23(2) - b) 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 the personal affairs of any person.

17.4 Application to Waive 2021-2022 Legal Fees

This matter is considered to be confidential under Section 5.23(2) - b) 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 the personal affairs of any person.

17.5 Application to waive 2021/2022 Legal fees

This matter is considered to be confidential under Section 5.23(2) - b) 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 the personal affairs of any person.

17.6 Organisation Health 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.

17.7 Loan Funding ANZ Kambalda Airstrip

This matter is considered to be confidential under Section 5.23(2) - c) and e(iii) 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 and a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government.

18 CLOSURE OF MEETING