



AGENDA

Ordinary Council Meeting

22 June 2021

6:00pm

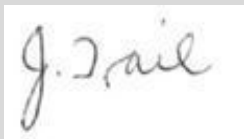
**Kambalda Recreation Centre, Barnes Drive,
Kambalda**

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 June 2021 commencing at 6:00pm.

A handwritten signature in black ink, appearing to read 'J. Trail', is displayed within a white rectangular box.

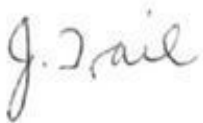
JAMES TRAIL
CHIEF EXECUTIVE OFFICER

ORDINARY COUNCIL MEETING**22 June 2021**

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

The dates, times and locations of the Ordinary Council Meetings for 2021 are listed hereunder.

<u>Day</u>	<u>Date</u>	<u>Time</u>	<u>Venue</u>
Tuesday	January 2021	NN/A	-
Tuesday	23 February 2021	6.00pm	Kambalda
Tuesday	23 March 2021	6.00pm	Coolgardie
Tuesday	27 April 2021	6.00pm	Kambalda
Tuesday	25 May 2021	6.00pm	Coolgardie
Tuesday	22 June 2021	6.00pm	Kambalda
Tuesday	27 July 2021	6.00pm	Coolgardie
Tuesday	24 August 2021	6.00pm	Kambalda
Tuesday	28 September 2021	6.00pm	Coolgardie
Tuesday	26 October 2021	6.00pm	Kambalda
Tuesday	23 November 2021	6.00pm	Coolgardie
Tuesday	21 December 2021	6.00pm	Kambalda



James Trail
Chief Executive Officer

DISCLAIMER

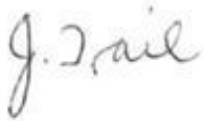
INFORMATION FOR PUBLIC ATTENDING COUNCIL MEETINGS

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.

SHIRE OF COOLGARDIE

DISCLOSURE OF INTERESTS**TO THE CHIEF EXECUTIVE OFFICER:**

Under the Provisions of Division 6 of Part 5 of the Local Government Act 1995, I hereby disclose a Financial Interest/s in the matter/s listed on this form, which is/are scheduled for consideration at the meeting of Council to be held on:

TUESDAY _____ **2021**

Where indicated by the word 'YES' in column 6, I will be seeking a determination (under Section 5.68) by the meeting, for reasons I will expand on.

(Print Name) _____ (Signature) _____ (Date)

NOTE: Members of Council are asked to deliver this completed form to the Chief Executive Officer on the day of the Council Meeting as required by the Act. Where this is not practicable the Disclosure/s may be telephoned to the Council Office on 9080 2111 and/or the form subsequently passed to the Chief Executive Officer prior to the meeting.

ITEM	PAGE No.	TYPE	REASON

For inclusion for interest declaration

Interests Affecting Impartiality: Disclosing Statement

"With regard to....(the matter in item)... I disclose that I have an association with the applicant. As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly."



APPLICATION FOR LEAVE OF ABSENCE

I Cr, _____ hereby request leave of absence for the following

Dates, From _____ to _____

Signed Cr: _____

Date _____

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- 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS
- 2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE
- 3 DECLARATIONS OF INTEREST
 - 3.1 Declarations of Financial Interests – Local Government Act Section 5.60A
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 - 3.3 Declarations of Impartiality Interests – Administration Regulation 34C
- 4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil
- 5 PUBLIC QUESTION TIME
- 6 APPLICATIONS FOR LEAVE OF ABSENCE

7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 MAY 2021

Date: 15 June 2021

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 25 May 2021 be confirmed as a true and accurate record.

8 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**8.1 PRESIDENT'S REPORT - JUNE 2021****Date:** 17 June 2021**Author:** Malcolm Cullen, President

Shire Staff are continuing to work alongside Council in the preparation of the 2021/22 annual budget to be endorsed by Council in mid-July. Consideration of maintaining levels of service to our communities, along with infrastructure upgrades and maintenance of Shire assets are at the forefront of all discussions during the several workshops that are held during this year's budget deliberations. Council is also conscious of maintaining fees and charges and increasing rates by less than the CPI, whilst still being able to provide services, events and deliver projects into our communities over the next year.

CEO James Trail and the Shire Waste Management Team are currently evaluating tenders received for the proposed expansion of the Coolgardie Landfill Facility. Once the Shire has received the final works approvals from DWER, the new waste cell project is expected to commence in the September quarter. The development of this facility once fully operational will provide long term own source revenue for our Shire, better management and means of sorting and recycling all waste streams and employment for local residents.

Stage three of the Shire's building damage insurance claim, caused by the December 2018 hailstorm are finally underway. This work will include new roofing and cladding on the Town Hall and Roads Board buildings, Youth Club, Bowling Club and Post Office buildings. The new cladding will certainly improve the appearance of all these buildings in Coolgardie.

During the first week of June, I led a delegation of members from the Goldfields Regional Group of Councils consisting of the President Shire of Laverton, Patrick Hill and Mayor of the CKB, John Bowler, to Perth to lobby State Government Ministers and Department Director Generals on several major issues that are impacting the majority of Local Governments in the Goldfields-Esperance Region. With assistance from our Kalgoorlie Members, Ali Kent and Kyle McGinn, we were able to hold five meetings over the two days with several promising discussions on the subject matter presented by the delegation.

Items and issues raised included: Law and Order including anti-social behaviour and the ongoing matter of influx of people into regional towns from outlying remote communities, public, affordable and GROH housing needs in the region, provision of government services in the region, additional medical-health, and policing levels of service and additional funding for LG road networks. The delegation with the assistance of the GVROC Executive Officer Andrew Mann will prepare a document from this visit to lobby both State and Federal Governments for additional financial and resourcing support in future years.

GVROC member Councils have also endorsed a submission to be one of two regions in WA, to be part of a two-year climate alliance programme. If successful, GVROC members will be in a position to fully investigate future initiatives such as renewable energy, waste and recycling facilities, drought and water harvesting - storage to benefit future generations.

I have been advised by our CEO that he has received the resignation from the Shire Director of Economic and Community Services Mia Hicks, due to family and personal reasons. Mia has been instrumental in many successful grant applications during her time as both a consultant and employee at the Shire and through the

funding secured from these grants, the Shire has been able to complete many events and infrastructure projects for the benefit of residents in our communities.

On behalf of both Council and Staff, I would like to sincerely thank Mia for her work with our Shire and wish her and her family all the best in their future endeavours.

Meetings - Workshops attended this period:

- * May 28th GVROC regional council meeting in Kalgoorlie.
- * June 1 - 4th Travel to Perth GVROC Delegation lobby Government Ministers.
Attend WALGA State Council meeting.
- * June 8th Office of Member for Kalgoorlie Ali Kent re Prospectors delegation to discuss the Aboriginal Heritage Bill.
Budget Workshop in Kambalda, Audit entrance meeting and Briefing Forum.
- * June 10th Office of Ali Kent in Kalgoorlie to discuss State Government funding for Shire Infrastructure Projects and Housing and Accommodation shortages.
My Walton IWDF committee meeting in Coolgardie.
- * June 12th. Community meet and greet the new Minister for Lands Tony Buti in Kalgoorlie.
- * June 14th Zoom meeting GVROC EO discuss GVROC regional climate programme application.
- * June 17th Teleconference with MRWA regional manager Shane Power discuss roadworks Programmes in the Shire.

Malcolm Cullen
Shire President.

9 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

10 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

11 REPORTS OF COMMITTEES

Nil

12 REPORTS OF OFFICERS

12.1 Executive Services

Nil

12.2 Operation Services**12.2.1 LIST OF PAYMENTS - MAY 2021**

Location: Nil
Applicant: Nil
Disclosure of Interest: Nil
Date: 10 June 2021
Author: Nav Kaur, Manager Finance

SUMMARY

For council to receive the list of accounts for May 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 May 2021 are:

1. Geographe Ford (Southwest Ventures Pty Ltd)- Purchase Of Mechanic Ute & Ranger Ute (2 invoices)
2. D J McGinty & Co Pty Ltd - RFQ 2 /2020 Kambalda Kiosk Refurbishment
3. Gencon Civil Pty Ltd - Coolgardie North Road – Additional Correction Works.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Accountable and effective leaders

Maintain integrated strategic and operational plans

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. May 2021 List of Payments

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

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

1. Municipal accounts totalling \$451,580.78 on Municipal vouchers EFT20794 – EFT20855, cheques 52441 - 52444, and direct payments made during the month of May 2021.
2. Credit card payments totalling \$10,794.58 for the month of May 2021.

12.2.2 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 MAY 2021

Location: Nil
Applicant: Nil
Disclosure of Interest: Nil
Date: 15 June 2021
Author: Martin Whitely, Consultant

SUMMARY

This report recommends that the Monthly Statement of Financial Activity report for the period 31 May 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 monthly 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 May 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

Nav Kaur, Senior Finance Officer

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

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

(1A) In this regulation —

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

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Nil

ATTACHMENTS

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

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council receive the Monthly Financial Activity Statement for the period 1 July 2020 to 31 May 2021.

12.2.3 CASH FLOW FORECAST

Location: Nil
Applicant: Nil
Disclosure of Interest: Nil
Date: 15 June 2021
Author: Martin Whitely, Consultant

SUMMARY

This report is for information only to assist with the management of the Shire's cash flow in the next 2 months.

BACKGROUND

At the April Ordinary Council Meeting Council endorsed a proposed cash flow forecast noting the intention to defer the following expenditure on the below mentioned projects.

- Coolgardie Cultural & Community Hub \$300,000
- Cave Hill Road \$198,398
- Coolgardie Tip Vehicles \$195,000
- Coolgardie Transit Park \$90,000
- Kambalda Refuse Site \$80,000
- Drainage Infrastructure \$80,000
- Subdivision Feasibility Studies \$30,000
- Footpath Infrastructure \$25,000

The purpose of deferring these projects was to assist the cash flow until such time that rates and other grant income starting to hit the Shire's bank account.

COMMENT

Staff and management continue to closely monitor the Shire's cash position.

As shown in the attached cash flow a **small deficit cash position** is projected at the end of June. The Shire's actual cash position during the months of June and July is very dependent on the timing of grant payments expected to be received during this period until rate payments start coming in. It is highly likely that the overdraft facility will need to be accessed at some stage in the next 4-6 weeks.

Council has in place access to the Shire's \$500,000 overdraft facility. As such, it is recommended that Council endorse the actions of the CEO to activate the overdraft facility if required during this period. It would also be prudent to advise the bank that the facility is likely to be activated.

CONSULTATION

James Trail, Chief Executive Officer

Robert Hicks, Director Operations

Nav Kaur, Finance Manager

STATUTORY ENVIRONMENT**Local Government Act 1995 Section 6.4****6.10. Financial management regulations**

Regulations may provide for —

- (a) the security and banking of money received by a local government; and
- (b) the keeping of financial records by a local government; and
- (c) the management by a local government of its assets, liabilities and revenue; and
- (d) the general management of, and the authorisation of payments out of —
 - (i) the municipal fund; and
 - (ii) the trust fund,of a local government.

Local Government (Financial Management) Regulations 1996**5. CEO's duties as to financial management**

(2) The CEO is to —

- (a) ensure that the resources of the local government are effectively and efficiently managed; and

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The financial implications relating to this item are outlined in the proposed cash flow forecast.

STRATEGIC IMPLICATIONS

Nil

ATTACHMENTS

1. Cash Flow Forecast - 31 May 2021

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council

1. Notes the projected cash flow statement as attached.
2. Endorse the CEO's actions to activate the bank overdraft facility as required.

12.2.4 LITTLE INDUSTRIES - DURKIN RD RENEWAL OF HAULAGE CAMPAIGN

Location: Kambalda
Applicant: Little Industries Pty Ltd
Disclosure of Interest: Nil
Date: 19 May 2021
Author: Robert Hicks, Director of Operations

SUMMARY

For Council to consider a CA07 renewal application from Little Industries (IRD37083) for an approximate annual figure of 75,000 tonnes covering 1.5km Durkin Road (Kambalda), between Silver Lake Road and the intersection of Goldfields Highway/Durkin Road (destination is the BHP Industrial Area). Product to be carted includes sand, blue metal and mineral ores. Council endorsement is requested for six (6) RAV approvals and the annual campaign to be valid from 01 July 2021 to 30 June 2022.

BACKGROUND

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 (Little Industries) needs to apply to the Shire of Coolgardie for use of the Shire of Coolgardie road network. All haulage activities undertaken will be in accordance with Council Policy 044 and 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.

At Council's meeting held 25 June 2020;

COUNCIL RESOLUTION: #113/20

Moved: Councillor, S Botting

Seconded: Councillor, K Lindup

That Council,

1. Endorse the proposal from Little Industries to use 1.5km of Durkin Road as part of their annual campaign comprising of approximately 81,766 tonnes from 01 July 2020 to 30 June 2021.
2. Request a capital Contribution at {resolution}.07 per tonne per km at 81,766 tonnes over 1.5km = \$9443.97 (inc GST). Contribution to Account 11202750 - 170 (Limited Cartage Campaign).

CARRIED ABSOLUTE MAJORITY 7/0

COMMENT

Little Industries have requested use of Durkin Road, Kambalda, and renewal of their existing approvals for a hauling period of 01 July 2021 to 30 June 2022. With vehicle type being Tandem Drive Concessional Level 3 (Network 10.3) and Tri Drive Concessional Level 3 (Network 5.3) – Main Roads WA Mapping Tool confirms the appropriateness of their configurations for this section of Durkin Road.

The annual haulage tonnage is approximately 75,000 tonnes and previous Council Resolution #113/20 requested a capital contribution be received by the Shire.

A completed CA07 Application Form and map of the route has been submitted (attached). Based on actual deterioration cost, the following contribution would be applicable –

Durkin Road

Maintenance Contribution at \$0.04 per tonne per km at 75,000 tonnes over 1.5 kms \$4,950 (inc GST)

Capital Contribution of \$0.07 per tonne per km at 75,000 tonnes over 1.5 kms \$8,662.50 (inc GST)

Risk Management Considerations: the Shire's CA07 process is designed to establish an effective user-pays system which allows the Shire to process requests efficiently and consistently, and to secure funding from road users to construct, maintain and renew the Shire's affected road assets to an appropriate standard. Acknowledged risk related to increased road maintenance costs & increased road usage.

CONSULTATION

Gerald (Joe) Little – Little Industries; Director

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Council Policy 044 Haulage Campaigns

Council 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 and encouraging mining and processing industries

Accountable and effective leaders

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

Effective management of infrastructure, heritage and environment

Maintaining and renewing infrastructure and building assets

ATTACHMENTS

1. Little Industries - letterhead request to renew
2. Little Industries - CA07 Application Form
3. Little Industries - Durkin Rd haulage map

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council,

In accordance with Policy 044 Haulage Campaigns, accept the proposal from Little Industries (Principal) to use 1.5 kms of Durkin Road (Kambalda) for a campaign comprising of 75,000 tonnes from 01 July 2021 to 30 June 2022 for the following contribution;

1. Capital Contribution (at \$0.07 p/tonne p/km; at 75,000 tonnes over 1.5 kms) = \$8662.50 (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.

12.2.5 MANAGEMENT OF COUNCIL OWNED PROPERTIES IN KAMBALDA

Location: Kambalda

Applicant: Nil

Disclosure of Interest: Nil

Date: 2 June 2021

Author: Amy Tregoweth, Executive Assistant to Director of Operations

SUMMARY

For Council to approve the Management Agreement from Ray White Real Estate, for the management of Council owned properties in Kambalda.

BACKGROUND

The Shire engages Ray White Real Estate to manage all residential properties in Kambalda that are owned by the Shire. This includes receipt of rent payments, minor maintenance, and regular inspections. Management agreements are valid for a period of 12 months. Currently, Ray White manages the below properties in Kambalda for the Shire:

1. 11 Wildflower Court
2. 1 Gimlet Court
3. 4 Eucalypt Court
4. Units 1-4/59 Salmon Gum Road
5. Units 1-2/61 Salmon Gum Road

COMMENT

The purpose of the agreement is to manage the Shire's real estate in Kambalda, with the aim to alleviate the Shire's administration department of the responsibility and time dealing with the Shire's properties. By continuing with the engagement of Ray White, the daily duties will be the responsibility of Ray White which is more efficient for the Shire and provides a single source of information and knowledge for the community. A review of the proposed agreement compared to the current agreement shows no cost increase to the Shire for the upcoming financial year.

CONSULTATION

Ray White Real Estate Kambalda

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Management costs and rental income are allowed for in the budget.

STRATEGIC IMPLICATIONS**A thriving local economy**

Supporting local businesses in the Shire

ATTACHMENTS

1. Proposed Management Authority - Kambalda - Confidential

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council,

1. **APPROVE** the Management Agreement with Ray White Kambalda for a period of 1 year, commencing 1 July 2021 for the following properties:
 - 11 Wildflower Court
 - 1 Gimlet Court
 - 4 Eucalypt Court
 - Units 1-4/ 59 Salmon Gum Road
 - Units 1 & 2/61 Salmon Gum Road

12.2.6 MANAGEMENT OF COUNCIL OWNED PROPERTIES IN COOLGARDIE

Location: Coolgardie
Applicant: Nil
Disclosure of Interest: Nil
Date: 3 June 2021
Author: Amy Tregoweth, Executive Assistant to Director of Operations

SUMMARY

For Council to approve the Management Agreement from Zion Real Estate for the management of Council owned properties in Coolgardie.

BACKGROUND

The Shire engages Zion Real Estate to manage a number of Shire-owned properties in Coolgardie. This includes receipt of rent payments, minor maintenance, and regular inspections. Over the past 12 months, Zion has managed the below properties in Coolgardie for the Shire:

1. 56 Bayley Street
2. Units 1, 3, 5, 7, 9 & 11/1 Taylor Street
3. 4/33 Sylvester Street
4. 56 King Street
5. 76 Bayley Street
6. 78 Bayley Street
7. 89 Woodward Street
8. 89A Woodward Street (No longer managed)
9. 56A Bayley Street (No longer managed)
10. 58A, B & C Bayley Street (All no longer managed)
11. 75 Sylvester Street (No longer managed)

Management agreements are valid for a period of 12 months, from 01 July to 30 June each year.

COMMENT

The purpose of the agreement is to manage the Shire's real estate in Coolgardie, with the aim to alleviate the Shire's administration department of the responsibility and time dealing with the Shire's properties. The Shire have had no issues with the way the Shire properties have been managed by Zion over the last 12 months, and are satisfied with the information and updates provided by Zion.

CONSULTATION

Zion Real Estate, Coolgardie.

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Management costs and rental income are allowed for in the budget.

STRATEGIC IMPLICATIONS**A thriving local economy**

Supporting local businesses in the Shire

ATTACHMENTS

1. Proposed Management Authority - Coolgardie - Confidential

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council,

1. **APPROVE** the Management Agreement with Zion Real Estate for a period of 1 year, commencing 1 July 2021 for the following properties:
 - 56 Bayley Street
 - Units 1, 3, 5, 7, 9 & 11 / 1 Taylor Street
 - 4/33 Sylvester Street
 - 56 King Street
 - 76 Bayley Street
 - 78 Bayley Street
 - 89 Woodward Street

12.2.7 TAILING STORAGE FACILITY CELL 4

Location: Great Eastern Highway, Karramindie

Applicant: FMR Investments

Disclosure of Interest: Nil

Date: 17 June 2021

Author: Francesca LeFante, Town Planning Consultant

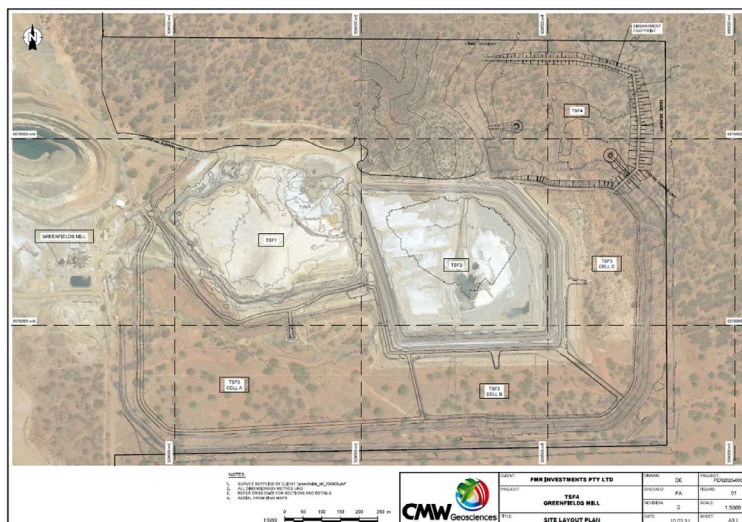
SUMMARY

To consider the proposal for an additional Tailing Storage Facility Cell 4 to support the Greenfields Mill operations.

Proposal

The proposed new cell TSF4:-

- is located to the north of existing decommissioned cell, TSF2, and TSF3 (cell C)
- will have a maximum embankment height of approximately 21m from the natural ground level at the southeast where the lowest natural ground levels are approximately RL 392m AHD.
- will be constructed as a paddock structure, abutting the embankment part of TSF2 and cell C of TSF3 and a natural ridge on the western boundary of the proposed TSF4.
- will form part of the existing tailings storage facility and will accept tailings in rotation with the TSF3 cells until the TSF3 cells reach their design height.
- will extend the overall footprint for the tailings storage facility by approximately 23.1 ha, and TSF4 will have a storage area of approximately 16.1 ha.
- will subsume the previously approved clay borrow pit, which has an approximate area of 7 ha and some existing tracks and cleared areas adjacent to the existing TSF.
- Approximately 4 ha around the existing clay borrow pit will need to be cleared for TSF4.

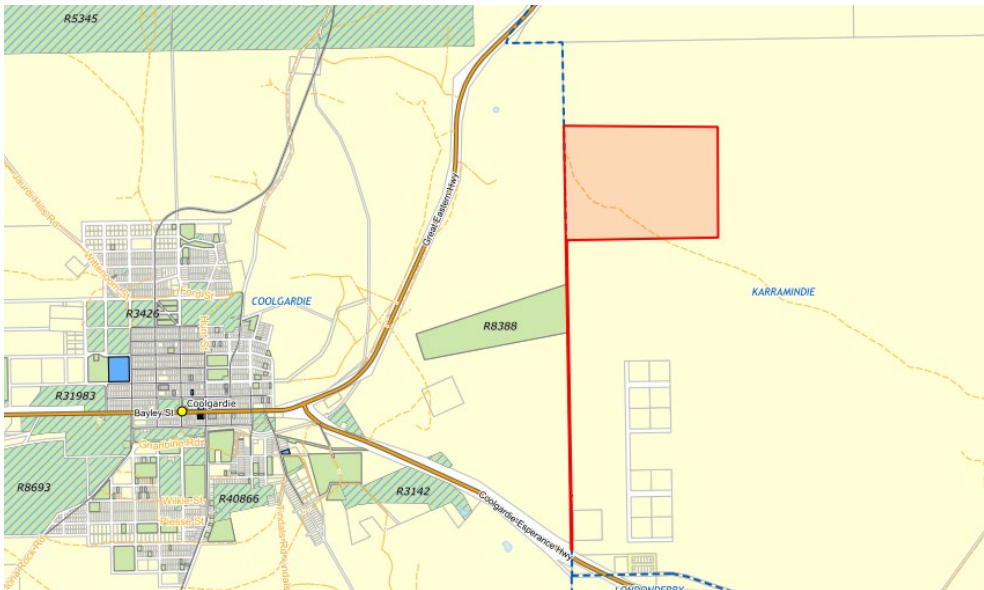


FMR operate the Greenfields Mill and tailings storage facility as a single facility. This approval is limited to the activities that are located on private land, requiring consideration by the Shire.

BACKGROUND

Site

The site is freehold land Lot 102 Great Eastern Highway, Karramindie. The site was originally part of the East Location 59.



- TSF1 & TSF2 were already constructed when FMR group acquired the subject land.
- Between 2003-2010 embankment lifts were undertaken for TSF2, without increasing the footprint to the cell. These cells have been decommissioned which a maximum height of 400m reduced level (RL)
- TFS3 was constructed around 2013 comprising 3 cells. Cell A has reached maximum height and is no longer used.
- In Sept 2019 DWER amended the licence and approved the raising of the embankment walls of Cells B & C to 400 RL.
- On 17 December 2019, the Shire of Coolgardie approved the construction of a clay borrow pit on the TSF Land to obtain material for the raise of the embankments on the TSF3 sub-cells.
- On 1 December 2020, the Shire approved an amendment of the Clay Pit DA to extend the area of the clay pit.
- On 28 July 2020, the Shire approved an application to use the TSF Land for a tailings storage facility associated with the Greenfields Mill and raise the cell embankments of TSF3 to their full design height

COMMENT

The subject site is zoned Rural under Local Planning Scheme No 5 (LPS5). The land adjoining and surrounding the site is also zoned rural.

The site on which the TSF is located, is freehold land for which the planning scheme requirements apply. The majority of FMR mining activities are located on land which is under the control of the Mining Act. This approval is limited to the activities that are located on private land, requiring consideration by the Shire.

The tailing storage facilities is an integral component of the Greenfields Mill operations. The tailing storage facility are location on separate land adjacent to the mill (M15/1836) which are operated as a single facility. The Mill cannot operate unless it has a facility at which it can dispose of or store the tailing from gold processing.

Greenfields Mill comprises crushing, concentrating, and smelting circuit. The tailings slurry produced is deposited in the tailing storage the subject of this proposal. FMR own and operate the Greenfield Mill.

The Greenfields Mill is located approximately 3 km north-east of the Coolgardie townsite and is contained on mining tenement M15/1836.

The proposed use of the site TSF is considered to fall within could fall scheme classification of “mining operations, which is classified as an “D” discretionary use within the “Rural zone under LPS 5.

The Local Planning Scheme No 5 does not include any specific development standards for the use, consideration is required by Council. Table 2 sets out the objectives for development within the Rural Zone.

Objective	Proposal	Compliance
To provide for the maintenance or enhancement of specific local rural character.	Mining activities form part of the rural landscape in Coolgardie.	Complies
To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage	The site and surrounding area is used for mining activities. The existing activities have obtained Environmental and works approvals through DWER	Complies
To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.	Mining activities form part of the rural landscape in Coolgardie. The site and surrounding area is used for mining activities.	Complies
To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses	Mining activities are discretionary uses. The site is surrounded by other mining activities	Complies
To provide for a range of rural and mining pursuits that are compatible with the capability of the land, retain rural character and amenity of the locality and acknowledge the significance of mining operations and the extraction of basic raw materials with appropriate environmental safeguards.	The proposal is mining activities associated with the Greenfields Mill.	Complies

Matters to be considered (Regulations)

In addition to considering the development proposal against LPS5 and local planning policies, the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), clause 67 also requires local government consider a number of matters. Specifically, for this proposal, in addition to the assessment above the following items have been given:

Any approved State planning policy

- SPP 3.7. Planning in Bush Fire prone Area

The policy aim is to ensure that land uses and development address the impact of bushfire with a focus on preserving life and reducing the impact on property and infrastructure. The site is located within a designated Bushfire Prone Area.

The applicant has advised that:-

- Most of the land proposed for TSF4 has already been cleared both during the construction and operation of TSF2 and cell C of TSF3, and to enable the excavation of the clay borrow pit, however it is likely TSF4 will be within 100m of bushfire prone vegetation.
- The report was prepared for the purpose of the raising of embankments to the existing tailings storage facility, the vegetation classifications are likely to be the same and the determined Bushfire Attach Level (BAL) is also likely to be 12.5 for TSF4.
- The report indicated that the TSF3 development complied with SPP 3.7 and the Guidelines to Planning in Bushfire Prone Areas as follows:
 - The indicative BAL of 12.5 complies with the development location requirements
 - The existing service road surrounding the development acts as an asset protection zone, and no further asset protection zone is required
 - Two access routes are available via Great Eastern Highway
 - The public roads are compliant
 - The access to the Mill is via other tenements under the control of FMR and constructed and maintained to the standard required of public roads under SPP 3.7
 - The lot has existing maintained firebreaks
 - The development has existing water facilities with the fittings suitable for firefighting activities.

- SPP 2.4 Basic Raw Material

The policy seeks to protect resource locations and that use and development of land for the extraction of basic raw material does not affect the environment. This proposal is consistent with the objective of this policy

- The amenity of the locality including environmental impacts of the development.

The land is suitably zoned for mining activities and is located 3km from the Coolgardie townsite. Dust is proposed to be controlled by water carts contained on site. There are no sensitive land uses near the site.

Vehicular Access to the TSF land is:-

- accessed through the Greenfields Mill, which is located on M15/1836. Greenfields Mill is accessible from the Great Eastern Highway via a private road located on miscellaneous licences L15/370 and L15/402, which are both held by FMR.
 - from the Coolgardie-Esperance Highway via a private road located on the TSF Land.
- Environmental

The site currently contains existing tailing facilities which have obtained associated works and environmental approvals. The proposed expansion of the tailing facility will be reviewed and approved by DWER through the Works Approval and licencing requirements.

The potential environmental impacts (emissions and discharges) from TSF4 will be considered at the works approval stage under the Environmental Protection Act. FMR submitted a works approval application to DWER on 16 April 2021.

Construction of TSF4 is scheduled to commence in the second half of 2021 calendar year, after approvals are obtained from the Department of Water and Environmental Regulation (DWER) and the Shire of Coolgardie

Summary

The Shires Local Planning Strategy recognises and supports the mining operations and maintaining a close working relationship with mining operators to ensure that their planning takes due consideration of existing settlement environments.

The proposed development is continuation and expansion of existing mining activities and is connected to the operations of Greenfields Mill. In reviewing the proposal against the relevant statutory requirements and the strategic intent of the area, the application is recommended for approval subject to conditions.

CONSULTATION

DMIRS & DWER

STATUTORY ENVIRONMENT

Planning and Development (Local Planning Scheme) Regulations 2015

Planning and Development Regulations 2009

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**A thriving local economy**

Supporting and encouraging mining and processing industries

Effective management of infrastructure, heritage and environment

Facilitating urban and rural planning and development

ATTACHMENTS

1. Attachment 1 - TSF Land
2. Attachment 2 - Site Layout Plan
3. Attachment 3 - TSF4 Design Plan

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council **APPROVE** the application for tailing storage facilities – TSF4, on Lot 102 Plan 40393 Great Eastern Highway, Karramindie and accompanying plans dated 21 April 2021 in accordance the provisions of the Shire of Coolgardie Local Planning Scheme No.5 subject to the following conditions:

Conditions

1. This approval shall expire and be of no further effect if the land use has not substantially commenced within a period of two (2) years or within any extension of time as granted by the Shire of Coolgardie.
2. The land use and development shall be undertaken in accordance with the approved plans and documentation.
3. A maximum embankment height of approximately 21m to a height of RL 413 AHD for the embankments of TSF4.

Advice Notes

1. The proponent is responsible for obtaining any approvals and/or clearances under the Native Vegetation Clearance.
2. The applicant is responsible for ensuring that the proposal complies with all environmental legislation included, but not limited to, the Environmental Protection Act 1986 and Mine Safety and Inspection Act 1994.
3. Should the proponent be aggrieved by the decision of the City to refuse the application or impose any condition of approval, then an application for review of the City's decision may be lodged with the State Administrative Tribunal within 28 days of notification of the decision and right of review.

12.3 Economic Development

Nil

12.4 Commercial Services

Nil

13 ITEMS FOR INFORMATION ONLY

13.1 MONTHLY ACTIVITY REPORT FOR MAY 2021

Date: 15 June 2021

Author: Jackie Pilkington, Executive Assistant to the CEO

ATTACHMENTS

- 1. Monthly Activity Report - May 2021**

13.2 OUTSTANDING RESOLUTIONS

Date: 15 June 2021

Author: Jackie Pilkington, Executive Assistant to the CEO

ATTACHMENTS

- 1. Outstanding Resolutions after July 2020**
- 2. Outstanding Resolutions before July 2020**

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 Application to waive 2020-2021 legal fees

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

17 CLOSURE OF MEETING