



# **AGENDA**

**Ordinary Council Meeting**

**23 July 2024**

**4:30pm**

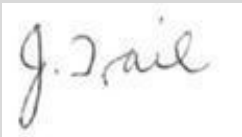
**Kambalda Recreation Centre, Barnes Drive,  
Kambalda**

**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 23 July 2024 commencing at 4:30pm.

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

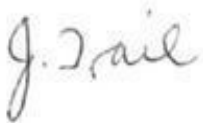
**JAMES TRAIL**  
**CHIEF EXECUTIVE OFFICER**

**ORDINARY COUNCIL MEETING****23 July 2024**

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

The dates, times and locations of the Ordinary Council Meetings for 2024 are listed hereunder.

<u>Day</u>	<u>Date</u>	<u>Time</u>	<u>Venue</u>
Tuesday	23 January 2024	4:30pm	Kambalda
Tuesday	27 February 2024	4.30pm	Coolgardie
Tuesday	26 March 2024	4.30pm	Kambalda
Tuesday	23 April 2024	4.30pm	Coolgardie
Tuesday	28 May 2024	4.30pm	Kambalda
Tuesday	25 June 2024	4.30pm	Coolgardie
Tuesday	23 July 2024	4.30pm	Kambalda
Tuesday	27 August 2024	4.30pm	Coolgardie
Tuesday	24 September 2024	4.30pm	Kambalda
Tuesday	22 October 2024	4.30pm	Coolgardie
Tuesday	26 November 2024	4.30pm	Kambalda
Tuesday	17 December 2024	4.30pm	Coolgardie



James Trail  
Chief Executive Officer

## COUNCIL MEETING INFORMATION NOTES

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

***Written notice of each question should be given to the Chief Executive Officer prior to 10:30am on the day of the meeting. A summary of each question and response is included in the Minutes.***

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

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

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

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

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

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

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

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

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

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

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

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

**Local Government (Administration) Regulations 1996**

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

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

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

- Reg 6 (1) The minimum time to be allocated for the asking of and responding to questions raised by members of the public at ordinary meetings of councils and meetings referred to in regulation 5 is fifteen (15) minutes.
- (2) Once all the questions raised by members of the public have been asked and responded to at a meeting referred to in sub regulation (1), nothing in these regulations prevents the unused part of the minimum question time period from being used for other matters.

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

**Local Government (Administration) Regulations 1996**

- Reg 7 (1) Procedures for the asking of and responding to questions raised by members of the public at a meeting referred to in regulation 6 (1) are to be determined:
- (a) by the person presiding at the meeting; or
  - (b) in the case where the majority of members of the council or committee present at the meeting disagree with the person presiding, by the majority of members, having regard to the requirements of sub regulations (2) and (3).
- (2) The time allocated to the asking and responding to questions raised by members of the public at a meeting referred to in regulation 6(1) is to precede the discussion of any matter that requires a decision to be made by the council or the committee, as the case may be.
- (3) Each member of the public who wishes to ask a question at a meeting referred to in regulation 6(1) is to be given an equal and fair opportunity to ask the question and receive a response.
- (4) Nothing in sub regulation (3) requires:
- (a) A council to answer a question that does not relate to a matter affecting the local government;
  - (b) A council at a special meeting to answer a question that does not relate to the purpose of the meeting; or
  - (c) A committee to answer a question that does not relate to a function of the committee.

**2. Public Inspection of Unconfirmed Minutes (Reg 13)**

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

**NOTE:****10.3 Unopposed Business**

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

## DISCLOSURE OF INTERESTS

### Notes for Guidance

#### IMPACT OF A FINANCIAL INTEREST (s. 5.65 & s.67. Local Government Act 1995)

A member who has a **Financial Interest** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

- a. In a written notice given to the Chief Executive Officer before the Meeting or;
- b. At the meeting immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- a. Preside at the part of the Meeting relating to the matter or;
- b. Participate in, or be present during, any discussion or decision making procedure relative to the matter, unless and to the extent that, the disclosing member is allowed to do so under *Section 5.68 or Section 5.69 of the Local Government Act 1995*.

#### **INTERESTS AFFECTING FINANCIAL INTEREST**

The following notes are a basic guide for Councillors when they are considering whether they have a **Financial Interest in a matter**.

1. A Financial Interest, pursuant to s.5.60A or 5.61 of the *Local Government Act 1995*, requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measured in money terms. There are expectations in the *Local Government Act 1995* but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e sporting, social, religious etc, and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e, if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors and ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **must** be given when the matter arises in the Agenda, and immediately before the matter is discussed. *Under s.5.65 of the Local Government Act 1995* failure to notify carries a penalty of \$10,000 or imprisonment for 2 years.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The only exceptions are:
  - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) of the *Local Government Act 1995*; or
  - 6.2 Where the Minister allows the Councillor to participate under s.5.69(3) of the *Local Government Act 1995*, with or without conditions.



**INTERESTS AFFECTING PROXIMITY** (s.5.60b Local Government Act 1995)

1. For the purpose of this subdivision, a person has a proximity interest, pursuant to s.5.60B of the Local Government Act 1995, in a matter if the matter concerns;
  - a. a proposed change to a planning scheme affecting land that adjoins the person's land; or
  - b. a proposed change to the zoning or use of land that adjoins the person's land; or
  - c. a proposed development (as defined in Section 5.63(5)) of land that adjoins the person's land.
  
2. In this section, land (the proposal land) adjoins a person's land if;
  - a. The proposal land, not being a throughfare, has a common boundary with the person's land; or
  - b. The proposal land, or any part of it, is directly across a throughfare from, the person's land; or
  - c. The proposal land is that part of a thoroughfare that has a common boundary with the person's land.
  
3. In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.

**INTERESTS AFFECTING IMPARTIALITY**

Definition: an interest, pursuant to *Regulation 19AA of the Local Government (Administration) Regulations 1996*, means an interest that could, or could reasonably be perceived to adversely affect the impartiality of the person having the interest; and includes an interest arising from kinship, friendship or membership of an association. It is also important to be considered in relation to the Shire of Coolgardie Code of Conduct for Council Members, Committee Members, and Candidates.

A member who has an **Interest Affecting Impartiality** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- a. In a written notice given to the Chief Executive Officer before the Meeting or;
- b. At the Meeting, immediately before the matter is discussed.

**IMPACT OF AN IMPARTIALITY DISCLOSURE**

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

**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: \_\_\_\_\_

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**PLEASE PASS TO THE CHIEF EXECUTIVE OFFICER FOR REFERRAL TO THE PRESIDENT BY 12.30PM 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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	Nil	

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**1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS****1.1 ACKNOWLEDGEMENT OF COUNTRY**

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

**2 DECLARATION OF COUNCIL MEMBERS**

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

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

Nil

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

**8 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**8.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 25 JUNE 2024**

**Date:** 16 July 2024

**Author:** Kasey Turner, Executive Assistant

**ATTACHMENTS**

Nil

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

That the Minutes of the Ordinary Council Meeting held on 25 June 2024 be confirmed as a true and accurate record.

**8.2 MINUTES OF THE SPECIAL COUNCIL MEETING HELD ON 27 JUNE 2024**

**Date:** 17 July 2024

**Author:** Kasey Turner, Executive Assistant

**ATTACHMENTS**

Nil

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

That the Minutes of the Special Council Meeting held on 27 June 2024 be confirmed as a true and accurate record.

**9 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION****9.1 PRESIDENT'S REPORT - JULY 2024****Date:** 17 July 2024**Author:** Malcolm Cullen, Shire President

Following a series of workshops involving Councillors, Staff, contractors and CEO throughout April, May and June, Council adopted the Annual Budget for 2024/25 financial year at a Special Meeting of Council on 27 June.

Council has made a conscious decision during the 2024/25 year to pay down debt with the major focus of maintaining current core services and initiatives into the community, roads and footpath upgrades and maintenance and finalising stage two of the Coolgardie Wastewater Facility.

With a Rate in the Dollar increase of just 1.9%, Council has also considered the increased cost of living in keeping your rates increase to less than half of the current CPI, which is one of the lowest increases by any local government in WA.

When comparing the costs of rates in the Shire of Coolgardie, it is important to recognise each component of individual rate notices with the town of Coolgardie properties having 4 components, being Land and Sewer rates ,the Emergency Services Levy (State Government)and the Rubbish service charge.

Kambalda townsite properties do not include the Sewer charge as this is levied with the water bills by WA Water Corp.

The Shire has also recognised people that may be suffering hardship through increased costs of living and other personal reasons by having a Hardship Policy in place whereby a special payment arrangement may be entered into. It is extremely important for ratepayers considering this option to notify the Shire in advance of the Due Date, thereby avoiding additional charges on your rates.

I would also encourage any of our ratepayers that may have not received their rate notices by now, to also make contact with the Shire to ensure their address and contact details are correct.

Shire Staff are continuing to work towards an outcome for the provision of a GP service to Coolgardie residents working with St John Medical and the negotiation of a lease of a portion of the Coolgardie Medical Facility.

This month's Emergency Services report included a story on the provision of a 100kva generator connected to the Recreation Centre by Western Power on July 2nd, when the planned power outage in Coolgardie occurred for major line upgrades.

This was a great outcome for the community, with over 70 residents attending and participating in the activities organised by our staff throughout the day.

Our staff are also working on the final draft of the Shire's Bushfire Risk Management Plan, currently being reviewed by Shire stakeholders prior to endorsement by the Council.

The Shire also hosted the Annual Mine Rescue competition in Coolgardie recently with eight teams from various mine sites competing in the event over three days. Despite the wet weather ,the organisers reported a very successful event and were extremely grateful to the Shire as host of this event. Thanks also go to our Recreation Centre Staff and the Coolgardie Volunteer Fire and Rescue team for their assistance over the weekend.

The Shire managed TV rebroadcast facility on the Toorak Hill tower in Coolgardie has had a minor equipment failure with the loss of the ABC and SBS TV channels recently. This failure is not linked to the major upgrade to



the broadcasting equipment that was endorsed by Council last month as has been otherwise reported by several residents recently.

Shire Staff have been working with our contractor to source replacement cards to enable the restoration of ABC and SBS later this week.

I would like to assure Coolgardie residents that the equipment for the major upgrade of the TV broadcasting facility has in Fact been ordered, with a delivery and installation time of three months from the time purchase order was placed.

Following the ASX announcement by BHP of the impending three year suspension of all nickel operations in WA ,Councillors and Executive Staff met with representatives from BHP last week to discuss how this closure may impact on the Shire of Coolgardie ,our residents and communities over the next three years. These discussions will be ongoing over the coming weeks and I would like to assure all members of our communities that we as a Council will be endeavouring to achieve the best outcomes possible for the benefit of our towns and communities from these negotiations.

Cr Malcolm Cullen  
Shire President.

**10 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**

Nil

**11 REPORTS OF COMMITTEES**

Nil

**12 REPORTS OF OFFICERS****12.1 Executive Services****12.1.1 RFT 02-2024 - GENERAL MAINTENANCE PANEL**

**Location:** Coolgardie  
**Applicant:** NIL  
**Disclosure of Interest:** NIL  
**Date:** 8 July 2024  
**Author:** Celia Jordaan, Consultant

**SUMMARY**

That Council award Tender 02/2024 General Maintenance Panel for the provision of general building, maintenance and trades services on the schedule of rates offered in the Respondent' tender offer for a period of three years with the option to extend the contract for a further two year period at the sole discretion of the Shire to the following contractor as part of the refreshed General Maintenance Panel for the trades categories as listed below:

No	Contractor Name	Organisation	Service Categories Awarded
1	E Group Holdings Pty Ltd t/a E Fire & Safety		a. Fire Services

**BACKGROUND**

The Shire of Coolgardie issued a Request for Tender for General Maintenance Panel for the as and when required provision of general building, maintenance and trades services.

The RFT was advertised on 6 June 2024 via Tenderlink, Shire website, Kalgoorlie Miner and West Australian with submissions closing at 3pm (WST) on Wednesday, 26 June 2024. The RFT did not include a mandatory site visit.

The RFT was a panel refresh and existing maintenance related panel suppliers did not need to retender unless for new categories.

**COMMENT**

The Shire requires services of suitably qualified and experienced suppliers to provide general building, maintenance and trades services on an as and when required basis as part of a panel of suppliers as set out in the specification included in the RFT.

The scope of the tender was for the refresh of a panel of providers and maintenance categories required, covering the following service categories:

1. Fire Services;
2. Gardening

Each successful Tenderer will be engaged by the Shire for a period of three years with the option to extend the contract for a further two-year period at the sole discretion of the Shire.

The services to be provided by each successful Tenderer will be provided as and when required by the Shire under a purchase order at the tendered rates in accordance with the terms and conditions of the contract.

The following 1 organisation submitted a tender offer for the trades as set out in the RFT (in no particular order) as indicated below:

1. E Group Holdings Pty Ltd t/a E Fire & Safety

No tender submissions were received for gardening services. The Shire may direct approach local and regional gardening service providers in the next 6 months to be included under this panel contract.

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 the Tender Assessment Workbook.

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

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

- a. Stage 1: Non-compliance with stage 1 – no option to proceed – given that Coates Hire delivered an incomplete and non-compliant tender, their submission was not further evaluated;
- b. Stage 2: Compliance criteria – no material deficiencies;
- c. Stage 3: Acceptable Qualitative review;
- d. Stage 4: Schedule of rates review.

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

QUALITATIVE CRITERIA	WEIGHTING
Relevant Experience	50%
Proposed Resources	10%
Pricing	40%

The outcome of the qualitative assessment is as follows:

No	Contractor Organisation Name	Service Categories Awarded	Pro Rata Weighted Total Score Out of 100%
1	E Group Holdings Pty Ltd t/a E Fire & Safety	a. Fire Services	78%

The tender submission was acceptable and a high standard.

It is to be noted that E Group Holdings Pty Ltd t/a E Fire & Safety operates within the Goldfields-Esperance region.

## CONSULTATION

Bec Horan, Director Governance and Administration

## STATUTORY ENVIRONMENT

Local Government Act 1995, Section 3.57

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

The funds for any services to be provided, are included in the 2024/2025 budget.

**STRATEGIC IMPLICATIONS****Accountable and effective leaders**

High quality corporate governance, accountability and compliance

**ATTACHMENTS**

1. **Tender Assessment Workbook Final - Confidential**

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

That Council

1. **ACCEPT** the tender submitted by E Group Holdings Pty Ltd t/a E Fire & Safety ABN 21 085 701 926 for the provision of general building, maintenance and trades services for the categories as listed below and on the schedule of rates offered in the Respondent's tender offer for a period of three years with the option to extend the contract for a further two year period at the sole discretion of the Shire:
  - a. **Fire Services**
2. **DELEGATE** authority to the Chief Executive Officer to enter into negotiations and finalise the contract with Fire E Group Holdings Pty Ltd t/a E Fire & Safety ABN 21 085 701 926 for the provision of general building, maintenance and trades services for the categories as listed below and on the schedule of rates offered in the Respondent's tender offer for a period of three years with the option to extend the contract for a further two year period at the sole discretion of the Shire:
  - a. **Fire Services**

**12.1.2 LOCAL GOVERNMENT INQUIRY**

**Location:** NIL  
**Applicant:** NIL  
**Disclosure of Interest:** NIL  
**Date:** 19<sup>th</sup> July 2024  
**Author:** Rebecca Horan, Director of Governance and Administration

**SUMMARY**

That Council notes the final report outlining the Inquiry Recommendation and actions, endorses the implementation and completion of the Inquiry recommendations and requests the CEO provides the Audit Committee and Ordinary Council Meeting minutes to the Department of Local Government, Sport and Cultural Industries

**BACKGROUND**

The Audit Committee at its meeting held on the 16<sup>th</sup> July 2024 resolved the following:-

***That the Audit Committee recommends to Council, that Council***

- 1. NOTES the final report outlining the Inquiry Recommendations and actions implemented as outlined in the attachment.***
- 2. ENDORSES the implementation and completion of the Shire of Coolgardie Inquiry Recommendations; and***
- 3. REQUESTS the CEO provides the Audit Committee and Ordinary Council Meeting minutes to the Department of Local Government, Sport and Cultural Industries evidencing Council's endorsement of the implementation of the Inquiry Recommendations.***

**COMMENT**

Staff have engaged the services of consultants to work through the recommendations from the Inquiry.

Hammond and Woodhouse were engaged to conduct Conflict of Interest Training for Council members and the management group and Chris Liversage from Conway Highbury as conducted the review of the Shire's procurement/purchasing policy and procedures.

The review and update of the professional development and training program for council members and staff has been conducted internally.

The Shire received confirmation from the Department via email on Wednesday 3<sup>rd</sup> July 2024 that they have reviewed all of the documents provided and are of the view that all three recommendations have now been completed.

**CONSULTATION**

Chris Liversage, Conway Highbury

Andrew Hammond and John Woodhouse, Hammond and Woodhouse Advisory

Department of Local Government

**STATUTORY ENVIRONMENT**

N/A

**POLICY IMPLICATIONS**

N/A

**FINANCIAL IMPLICATIONS**

N/A

**STRATEGIC IMPLICATIONS****Accountable and effective leaders**

High quality corporate governance, accountability and compliance

**ATTACHMENTS****1. Recommendations and Actions - Final****VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION****That Council**

1. **NOTES** the final report outlining the Inquiry Recommendations and actions implemented as outlined in the attachment.
2. **ENDORSES** the implementation and completion of the Shire of Coolgardie Inquiry Recommendations; and
3. **REQUESTS** the CEO provides the Audit Committee and Ordinary Council Meeting minutes to the Department of Local Government, Sport and Cultural Industries evidencing Council's endorsement of the implementation of the Inquiry Recommendations.

**12.1.3 CAT MANAGEMENT POLICY**

**Location:** Nil  
**Applicant:** Nil  
**Disclosure of Interest:** Nil  
**Date:** 17 July 2024  
**Author:** Laura Dwyer, Director of Community and Development

**SUMMARY**

For Council to consider adoption of the draft Cat Management Policy.

**BACKGROUND**

The Shire of Coolgardie (Shire) has not had impoundment and management facilities suitable for cat management since the introduction of the Cat Act 2011 and supporting legislation.

Cat traps had been an included bond charge within the annual Fees and Charges, allowing concerned residents and businesses to hire traps to catch feral cats. Ranger services supported this by taking cats that were not registered and identified as feral for euthanasia by veterinary services in Kalgoorlie.

Funding is not provided directly to local governments to support feral cat management. According to the Department of Local Government, Sport and Cultural Industries website:

*"The Cat Act requires the identification, registration and sterilisation of domestic cats, and gives local governments the power to administer and enforce the legislation."*

**COMMENT**

As the Shire is not funded for feral cat management and does not have the resources to facilitate, defining a policy position needs to be considered for the capacity for the Shire has to manage cat issues. Since becoming aware of the service provided to euthanise feral cats at the Shire's cost trapped by community members and mining companies, this service has ceased.

The following has been provided in response to community members when contacting the Shire for services:

*"The Shire of Coolgardie does not have cat management facilities. We are currently working with Council to review feral cat management strategies including bodies that are responsible for biosecurity initiatives and funding opportunities. Once this review has been undertaken we will be able to communicate our position to the community."*

*Where possible the Shire will assist with scanning animals to determine micro-chipping details, however until review by Council property owners are responsible for managing feral animal issues.*

*Further information can be found on the Shire website for policies and local laws at [coolgardie.wa.gov.au](http://coolgardie.wa.gov.au).*

*Community members are welcome to provide complaints or comment by emailing [mail@coolgardie.wa.gov.au](mailto:mail@coolgardie.wa.gov.au)"*

Consultation with Council through budget workshops has seen the removal of cat trap hire bonds from the 2024/25 Fees & Charges as this is no longer a service they support.



Adoption of this policy will not impact Shire partnership initiatives with Murdoch University veterinary students to provide sterilisation and microchipping clinics for concession card holders. The Animal Hospital at Murdoch University have been contacted to seek potential partnership arrangements.

Separate communications will be provided to the public if these initiatives become available to maximise sterilisations for prevention of unwanted dogs and cats, and compliance with microchipping requirements.

Department of Biodiversity, Conservation and Attractions (DBCA) and Department of Primary Industries and Regional Development developed a Feral Cat Strategy (DPIRD). This strategy provides a range of actions the department intends to undertake relating to feral cat management including education, partnering with non-government organisations and community groups, and other research initiatives. The strategy can be found on the DBCA website <https://www.dbca.wa.gov.au/management/threat-management>.

Organisations can access other online resources for feral cat management including the Glovebox Guide for Managing Feral Cats <https://pestsmart.org.au/wp-content/uploads/sites/3/2021/03/CISS-Glovebox-Guide-Cat-web-1.pdf>.

Grants are available for eligible parties to support feral cat management through DPIRD <https://www.wa.gov.au/service/community-services/grants-and-subsidies/apply-feral-cat-management-grant#:~:text=The%20Western%20Australian%20Feral%20Cat%20Strategy%202023%2D2028%20sets%20out,to%20manage%20invasive%20feral%20cats>.

Community members, groups and businesses within the Shire are encouraged to access these resources to support feral cat management activities, and gain understanding of actions they can take.

Options for Council to consider:

1. Do nothing.
2. Decline adoption of the Cat Management Policy.
3. Adopt the Cat Management Policy.

1. Do Nothing.

Should Council choose this option, this would mean that their position is not clearly communicated with the community. This could see officers return to previous actions given there is no clear guidance.

2. Decline adoption of the Cat Management Policy.

This would leave the Shire in a similar position to Option 1.

3. Adopt the Cat Management Policy.

Adoption would provide clear communication of Council's intentions with cat management within the Shire. Further communication pieces can be developed to assist community members to seek support and information from other agencies such as DBCA.

## CONSULTATION

Steve Tweedie

## STATUTORY ENVIRONMENT

Local Government Act 1995

Cat Act 2011

Biosecurity and Agriculture Management Act 2007

Animal Welfare Act 2002

**POLICY IMPLICATIONS**

New policy adoption Cat Management.

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

**Accountable and effective leaders**

High quality corporate governance, accountability and compliance

**ATTACHMENTS**

1. **Draft Cat Management Policy**

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

**That Council adopt the Cat Management Policy.**

## 12.2 Operation Services

### 12.2.1 DOME STORAGE KAMBALDA WEST SERVICE STATION - BLUEBUSH ROAD

Location:	Lot 2, No 2 Bluebush Road, Kambalda West
Applicant:	Roadhouse Network Pty Ltd
Disclosure of Interest:	Nil
Date:	14 May 2024
Author:	Francesca LeFante, Town Planning Consultant

#### SUMMARY

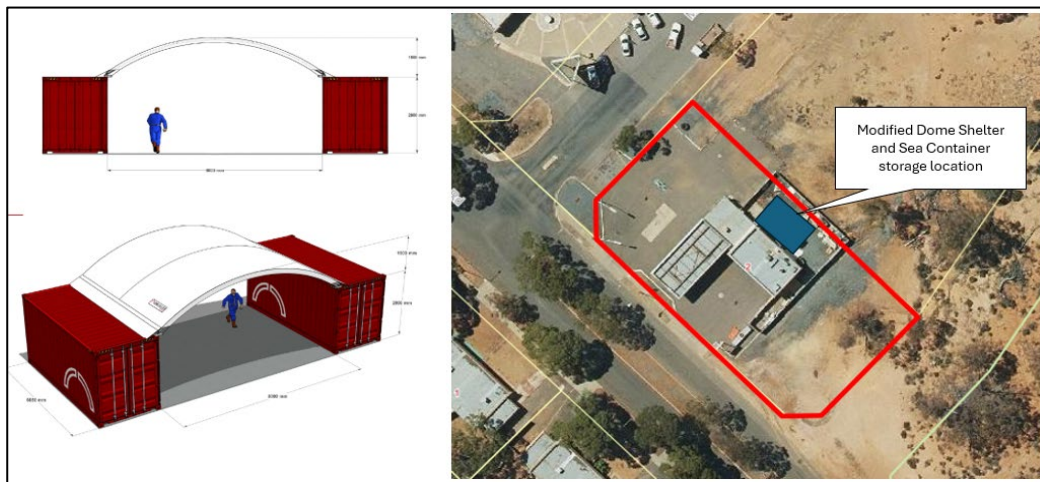
The Shire has received a modification for installation of a dome storage facility on No 2 Bluebush Road, Kambalda West (PA24-10) comprising: -

- Reduction in the structure height from 6896mm to 4400mm.
- The proposed canopy is 100mm below the existing building and service station canopy.
- Two white 20 foot sea-containers with the fences rear yard.

**Refer to Attachments 1 & 2**

In support of the modified proposal the applicant has advised: -

- *The key difference with this application compared to my last one is the overall height of the proposed buildings is now 4400mm. 100mm lower than the existing building at 4520mm so the new buildings won't be visible from the Bluebush Rd residential frontage.*
- *Updated the master plan to show the proposed containers I wish to place in the yard and use as the structure for the canopy roof.*
- *The proposed buildings are to provide vitally important vehicle cover and storage for the existing Service Station building.*
- *Note the reduced height of the Canopy and neutral colour scheme have been selected to help reduce the visible impact on the rear and side elevations.*
- *The Landscaping plan is to plant natives around the yard fence line and property boundary line to provide natural screening.*
- *The proposed 2 x 20 ft High Cube Sea Containers and kit from Canopy have been selected as they provide a fit for purpose, time efficient and cost-effective outcome. Their installation and the storage this provides is needed for the reopening of the Service Station building. It is also needed for the building to accommodate the LPO business which must be moved before the lease expiry in October.*
- *The alternative and commercial reality I am faced with and desperately trying to avoid is closure of the LPO business and operation of an unmanned Fuel Outlet only.*



## BACKGROUND

The site is located at the corner of Mistletoe Place and Bluebush Road, Kambalda West. The property is currently development with existing Service Station building. The storage area is located at the rear of the existing building with an enclosed storage area.

In March 2024, Council approved a Pylon Sign with a height of 3 metres (PA24/02) on the site as part of the service station use.

In May 2024 Council refused the proposal for a for a Dome storage structure on the following grounds: -

1. *The proposed structure design and streetscape appearance is inconsistent with the LPS5 Clause 16 – Commercial Zone objectives to maintain the compatibility of the streetscape in terms of height, style, and materials.*
2. *Non-compliance with Schedule 2 – Minimum landscaping, the proposal has insufficient on-site landscaping to screen sea-container and dome structure from the street.*
3. *The visual amenity of sea-containers and dome structure is industrial in design and inconsistent with Local Planning Policy – Sea Container (provisions 5 and 6).*

## COMMENT

The site contains an existing services station which has been vacant for many years. The applicant has undertaken upgrades to the existing buildings. The current service station is an existing use in the Commercial zone, this application relates to the rear storage facility.

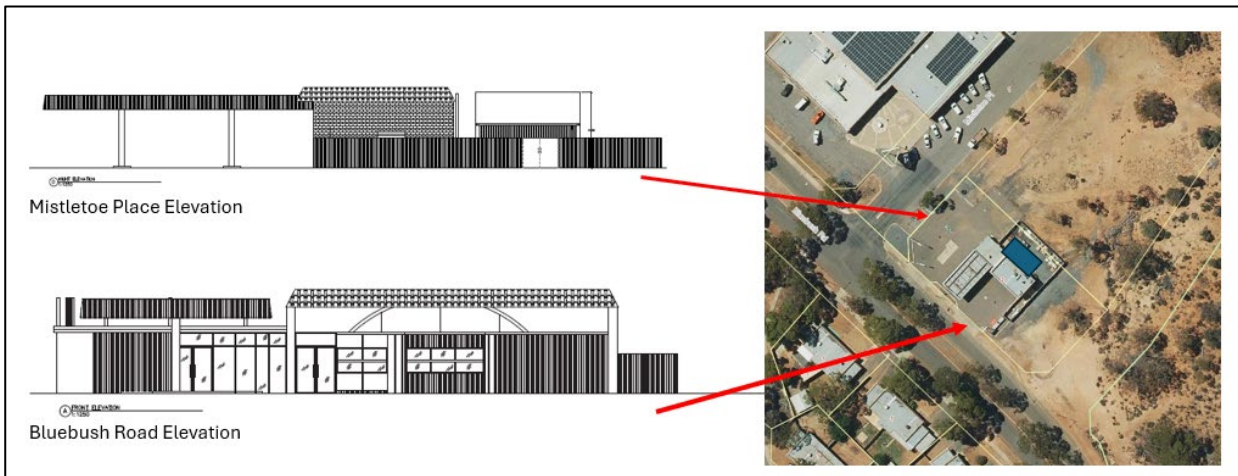
The site is zoned Commercial under Local Planning Scheme No 5. The objectives of the commercial zone are:

- *To provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites or activity centres.*
- *To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design facades.*
- *To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality.*

The surrounding land uses comprise: -

- Opposite shopping centre – Mistletoe Place.
- Opposite residential – Bluebush Road.
- Vacant land to rear and site.

Modifications to the proposal include height reduction of the Dome Structure, increased screening by boundary landscaping. The plans below show the Dome Structure elevations to the residential sites along Bluebush Road and Commercial along Mistletoe Place.



The Scheme Development provisions set out In Schedule 2 and comprise the following: -

- Setbacks (Street – Nil setback, Rear & Side – setback in accordance with BCA).
- Landscaping – as required by Council.
- Height – No height controls in Commercial Zone.
- All service areas to be located behind the street setback and appropriately screen.

Council at its meeting in May 2024 expressed concerns regarding the visual appearance of the Dome structure. The applicant has amended and modified the Dome Structure by reducing the height, and the following planning comments are provided on the modified proposal relating to the concerns raised.

<b>Council Concerns - May 2024</b>	<b>Modified proposal planning comments</b>
<p>The proposed structure design and streetscape appearance is inconsistent with LPS5 Clause 16 – Commercial Zone objectives to main the compatibility of the streetscape in terms of height, style, and materials.</p>	<ul style="list-style-type: none"> <li>• The existing building and service station have an overall height of 4.520mm, the canopy shelter has been designed with a maximum height of 4400mm to be below the existing buildings roof height.</li> <li>• The modified dome structure is now screened by the existing building from the existing residential sites on Bluebush Road</li> <li>• The Bluebush Road has a central median island with mature trees further screening the structures</li> </ul>
<p>Non-compliance with Schedule 2 – Minimum landscaping, the proposal has insufficient on-site landscaping to screen sea-container and dome structure from the street.</p>	<ul style="list-style-type: none"> <li>• Sea container screened by the rear service and storage yard fencing.</li> <li>• Additional landscaping has been proposed along Mistletoe Place frontage.</li> </ul>
<p>The visual amenity of sea-containers and dome structure is industrial in design and inconsistent with Local Planning Policy – Sea Container (provisions 5 and 6).</p> <p>5 Commercial zones sea containers cannot impact on any approved development, requirements such as on-site parking areas and/or landscaping required area.</p>	<p>The proposed modification to the Dome structure height addresses the LPP provisions 5 &amp; 6 as follows</p> <ul style="list-style-type: none"> <li>• The Dome structure is screened by the existing building from residential sites</li> <li>• The proposal does not impact any on-site parking areas.</li> <li>• Is partially screened by the storage and service yard fencing and is setback from the boundary over 20m in compliance with the scheme provisions.</li> <li>• The proposal includes additional boundary landscaping</li> </ul>

6 <i>Sea containers cannot adversely affect the amenity of neighbouring properties, or streetscape from public roads</i>	
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In terms of visual impacts, the following is provided: -

- The site is located on the corner of Bluebush Road and Mistletoe Place.
- The existing building and service station have an overall height of 4.520m, the canopy shelter has been designed with a maximum height of 4400mm to be below the existing buildings roof height.
- The changes to the height of the canopy results in the structure been screened from the residential area.
- Mistletoe Place elevation – the sea container / dome structure is setback over 20 metres from boundary, on a similar alignment with the existing structures. Opposite the Shopping Centre building and parking.

The proposal complies with the scheme provisions. The Sea-Container and Dome canopy structure is for storage associated with the service station, located at the rear of the existing building predominantly within the rear fenced area.

Consideration has also been given to the Shire's Sea-Container Local Planning Policy, as the proposal includes two sea-container's. The proposal complies with setbacks, is located and screen by fencing, existing facility, existing trees and meets the Scheme setbacks provisions.

### **Masterplan**

The applicant has provided a master plan for the site and adjoining lot with future development in the context of screening the rear and side of the site (**refer to Attachment 3**) this plan is for information and does not form part of the current proposal.

The setback and location of the structure screened by the existing building and road reserve trees, reduces the visual impact on the residential area. In this instance given the screening by existing structures, significant setback and boundary fencing the storage area is considered to be consistent with the scale of the building, does not result in visual clutter.

Accordingly, It is recommended that the proposal be approved subject to relevant planning conditions.

### **Options**

The following options are Council available: -

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

### **CONSULTATION**

Shire Environmental Health Officer

### **STATUTORY ENVIRONMENT**

Local Planning Scheme

Planning and Development Act and Regulations

Deemed Provisions

**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS****A thriving local economy**

Encouraging the development of local business education and support

Supporting local businesses in the Shire

**Accountable and effective leaders**

Developing strong partnerships with stakeholders for the benefit of our community

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

**ATTACHMENTS**

1. **Site Plan and Elevations**
2. **Concept Drawings and Perspectives**
3. **Master Plan**

**VOTING REQUIREMENT**

Simple Majority

**OFFICER RECOMMENDATION**

That Council **APPROVE** the proposed Storage sea-containers and dome canopy structure PA24-10 as shown on the accompanying plans at Lot No 2 Bluebush Road, Kambalda West subject to the following:

**Conditions:**

1. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. Development shall be in accordance with the attached approved plans and subject to any modifications required as a consequence of any condition(s) of this approval.
3. The domes canopy cover to be maintained in good condition, free of tears and ripping, to the satisfaction of the Shire of Coolgardie.
4. Sea containers are to be screened by uniform fencing surrounding the rear storage area.

**Advice Notes**

1. This Determination Notice is not a Building Permit or Health Approval, nor authorise such works. All separate applications and approvals must be obtained prior to the commencement of construction on site, whichever occurs first.
2. No building or construction activities shall be carried out before 7.00am or after 7.00pm, Monday to Saturday, and not at all on Sunday or Public Holidays.
3. If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

**12.2.2 LIST OF PAYMENTS - JUNE 2024**

**Location:** Nil  
**Applicant:** Nil  
**Disclosure of Interest:** Nil  
**Date:** 10 July 2024  
**Author:** Sachin Kumar, Senior Finance Officer

**SUMMARY**

For Council to receive the list of accounts for June 2024.

**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 June 2024 are:

1. Northern Rise – Management of Bluebush Village
2. Versatile Plant & Contracting Pty Ltd – Kambalda Airstrip Maintenance
3. Gencon Civil Pty Ltd – Cement Stabilisation, Sealing And Resealing – Clianthus Road

**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 June 2024

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION**

That Council RECEIVE listing (attached) of accounts paid during the month of June 2024 by the Chief Executive Officer under delegated authority of Council.

1. Municipal accounts totalling \$844,334.90 on municipal vouchers EFT27516 - EFT27571, Cheque 53553 and Direct Debit.
2. Credit card payments totalling \$9,387.29
3. Fuel card payments totalling \$42,960.98
4. Woolworths cards totalling \$2,813.31

**12.2.3 MONTHLY FINANCIAL STATEMENTS FOR THE MONTH ENDED 30 JUNE 2024**

**Location:** Shire of Coolgardie  
**Applicant:** Shire of Coolgardie  
**Disclosure of Interest:** Nil  
**Date:** 10 July 2024  
**Author:** Sachin Kumar, Senior Finance Officer

**SUMMARY**

This report recommends that the Monthly Statement of Financial Activity report for the period ending 30 June 2024 is presented to Council for adoption.

**BACKGROUND**

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

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

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

**COMMENT**

Attached for consideration is the completed Monthly Financial Report.

The document attached includes Statements of Financial Activity by Program, and Nature and Type, Notes to the financial statements, an explanation of material variance as well as a summary of bank account balances at 30 June 2024, loan repayments, and reserve account status.

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

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

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

(1A) In this regulation —

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

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

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

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

#### **STRATEGIC IMPLICATIONS**

##### **Accountable and effective leaders**

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

High quality corporate governance, accountability and compliance

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

**ATTACHMENTS**

1. **Monthly Financial Report June 2024**

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION**

**That the Monthly Financial Activity Statement for the period 1 July 2023 to 30 June 2024 be received.**

**12.3 Commercial Services**

Nil

**13 ITEMS FOR INFORMATION ONLY**

Nil

**14 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

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

**15.1 Elected Members**

**15.2 Shire Officers**

**16 MATTERS BEHIND CLOSED DOORS**

Nil

**17 CLOSURE OF MEETING**