



A G E N D A

OF THE

ORDINARY COUNCIL MEETING

23 June 2020

6.00pm

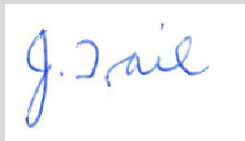
**Electronic Meeting
ID: 883 5014 5846**

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 June 2020 in the Electronic Meeting, Electronic Meeting commencing at 6:00pm.

A handwritten signature in blue ink that reads "J. Trail". The signature is written in a cursive style and is contained within a white rectangular box.

JAMES TRAIL
CHIEF EXECUTIVE OFFICER

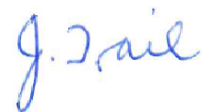
ORDINARY COUNCIL MEETING

23 June 2020

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

The dates, times and locations of the Ordinary Council Meetings for 2020 are listed hereunder. This month's meeting is highlighted.

Tuesday	January 2020	6.00pm	No Meeting
Tuesday	25 February 2020	6.00pm	Kambalda
Tuesday	24 March 2020	6.00pm	Coolgardie
Tuesday	28 April 2020	6.00pm	Kambalda
Tuesday	26 May 2020	6.00pm	Coolgardie
Tuesday	23 June 2020	6.00pm	Kambalda
Tuesday	28 July 2020	6.00pm	Coolgardie
Tuesday	25 August 2020	6.00pm	Kambalda
Tuesday	22 September 2020	6.00pm	Coolgardie
Tuesday	27 October 2020	6.00pm	Kambalda
Tuesday	24 November 2020	6.00pm	Coolgardie
Tuesday	15 December 2020	6.00pm	Kambalda



James Trail
Chief Executive Officer

DISCLAIMER

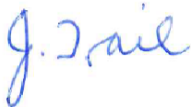
INFORMATION FOR PUBLIC ATTENDING COUNCIL MEETINGS

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.

10. Public Inspection of Unconfirmed Minutes (Reg 13)

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

NOTE:

10.3 Unopposed Business

(1) Upon a motion being moved and seconded, the person presiding may ask the meeting if any member opposes it.

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

QUESTION TIME FOR THE PUBLIC

(Please Write Clearly)

DATE: _____

NAME: _____

TELEPHONE: _____

ADDRESS: _____

QUESTIONS 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 12.30PM ON THE DAY OF THE MEETING AT THE KAMBALDA OFFICE, IRISH MULGA DRIVE, KAMBALDA.

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 _____ **2020**

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*
Nil
 - 3.2 *Declarations of Proximity Interests – Local Government Act Section 5.60B*
Nil
 - 3.3 *Declarations of Impartiality Interests – Administration Regulation 34C*
Nil
- 4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE
Nil
- 5 PUBLIC QUESTION TIME
- 6 APPLICATIONS FOR LEAVE OF ABSENCE
- 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS
 - 7.1 *Ordinary Council Meeting Minutes 26 May 2020*

OFFICER RECOMMENDATION:

That the minutes of the Ordinary Meeting of Council of 26 May 2020 be confirmed as a true and accurate record.

8 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION

8.1 *President's Report*

President's Report

June 2020

In the writing of this month's Report, and reflecting upon the past three months of disruption to our daily lives and the many changes that Local Governments throughout WA have been forced to make by the State of Emergency declared by the WA Premier in March of this Year, I feel the Goldfields-Esperance Region has been very fortunate with regard to minimal cases of Covid -19 infections being reported as well as Zero deaths occurring due to the border restrictions that were imposed to reduce the spread of the virus and the general public observing and adhering to all the medical advice being offered, together with social distancing measures put in place. This I believe has put our region in good stead for a steady recovery stage.

The first of these was the announcement by the WA Premier of Phase 3 restrictions being lifted throughout WA ,which meant Local Governments and Businesses are able to reopen facilities, shops and restaurants to the public on a limited basis, having to abide with social distancing and cleaning requirements. Internal borders have been reopened as well allowing people to travel freely throughout the State of WA, which is good news for many people who have not been able to visit family and relatives during those months of lockdown.

It has been great to see many of our local children back enjoying time in the skateparks and playgrounds. The Shire Gymnasiums remain the only facility unopened at the present time, while our Staff are investigating ways of complying with health and cleaning requirements, in an endeavour to reopen these facilities as well.

Council meetings are continuing to be conducted by virtual means whilst the State of Emergency is in place and also as a safety measure for our Councillors and Staff, some of whom are in the vulnerable age bracket to contracting viral or flu type infections in this current environment. The decision to reopen meetings to the public will continue to be discussed by Council on a regular basis with the view at this time for possibly the July OCM.

Meanwhile all our staff continue with their duties in the daily operations within the organisation and maintaining the relevant services to our communities. During this difficult period the Shire has been

able to retain our entire workforce with the CEO negotiating some staff taking leave and unused RDOs in an endeavour to ensure all our staff will be kept in employment and continue to live and work in our Shire.

Our Finance staff and CEO have been busy preparing the 2020/21 draft budget and along with Councillors have participated in several workshops over the past weeks to discuss and present options to prepare for what may be a difficult twelve months coming through the Covid -19 period and planning for the Shire Recovery Phase. The CEO has indicated the 2020-21 draft budget will be presented to Council for consideration in July.

The Shire works crews also continue to go about their daily tasks in keeping our towns neat and tidy, whilst the road crew have been busy resheeting sections of the Jaurdi Hills Road.

The Visitor Centre staff have welcomed several inquiries from travellers who are commencing to move through the region with the reopening of our borders and they have received many positive comments from residents on the erection of several of the metal cut out features in Talbot Park. These include the barrow man and a camel with name of Coolgardie etched across the camel. These cut outs symbolise the early years of the history of Coolgardie.

Meetings and Workshops attended this period:

- May 25th WALGA State Council meeting
- LEMC meeting Review LEMA Plan, Covid-19 Recovery and Stakeholder contact list
- 29th May CEO and Managers meeting to discuss MRWA projects in the Shire
- June 2nd MRWA Blackspot road project presentation and funding application process
- Minderoo regional forum to discuss progress of CDC trial in Goldfields
- June 5th Site meeting with Cockles Investments Group to discuss commercial Development in Kambalda
- 9th June Teleconference with Quantum Consulting RE the Camel Industry Analysis project and Minderoo Zoom video conference to discuss the GVROC Camel Industry project for possible funding partnerships
- Council briefing forum and draft budget workshop
- June 15th WALGA Infrastructure Policy Team meeting to discuss Federal Governments Mobile Blackspot Programme
- Zoom meeting with CEO and GVROC EO discuss special meeting scheduled for June 26th

- June 16th Ministerial Roundtable Zoom Conference with Northern Regions of WA to discuss State post Covid-19 Economic Recovery
- Stimulus to Reboot WA communities
- Council draft budget workshop
- Zoom meeting discuss Ben Prior Park refurbishment with Manager Community and Economic Development Director and consultant

Malcolm Cullen

Shire President

9 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

10 REPORTS OF COMMITTEES

Nil

11 REPORTS OF OFFICERS

11.1 Chief Executive Officer

11.1.1 National Redress Scheme – Child Sexual Abuse

Location:	Shire Coolgardie
Applicant:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	11 June 2020
Author:	Chief Executive Officer, James Trail

Summary:

For Council to consider participating in the National Redress Scheme as part of the Western Australian Government's (State) response.

Background:

The Royal Commission into Institutional Responses to Child Sexual Abuse (Royal Commission) was established in 2013 to investigate failures of public and private institutions to protect children from sexual abuse. The Royal Commission released three reports throughout the inquiry:

- Working with Children Checks (August 2015);
- Redress and Civil Litigation (September 2015); and
- Criminal Justice (August 2017).

The Royal Commission's Final Report (15 December 2017) incorporated findings and recommendations of the three previous reports and contained a total of 409 recommendations, of which 310 are applicable to the State and the broader Western Australian community.

The implications of the Royal Commission's recommendations are twofold: the first is accountability for historical breaches in the duty of care that occurred before 1 July 2018 within any institution; the second is future-facing, ensuring better child safe approaches are implemented holistically moving forward.

The scope of this report addresses only the historical element of institutional child sexual abuse through the National Redress Scheme.

Whilst there have been no known incidents of child sexual abuse involving the Shire of Coolgardie the Shire has run a number of facilities and programs in the past (and continues to) where it is possible that this abuse could have taken place. Acknowledging that the likelihood of a claim is small there is the risk that the Shire could find itself liable to provisions within this Act.

National Redress Scheme

The Royal Commission's Redress and Civil Litigation (September 2015) Report recommended the establishment of a single National Redress Scheme (the Scheme) to recognise the harm suffered by survivors of institutional child sexual abuse.

The Scheme acknowledges that children were sexually abused, recognises the suffering endured, holds institutions accountable and helps those who have been abused access counselling, psychological services, an apology and a redress payment.

The Scheme commenced on 1 July 2018, will run for 10 years and offers eligible applicants three elements of redress:

- A direct personal response (apology) from the responsible institution, if requested;
- Funds to access counselling and psychological care; and
- A monetary payment of up to \$150,000.

All State and Territory Governments and many major non-government organisations and church groups have joined the Scheme and the State started participating from 1 January 2019.

Under the National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth), local governments may be considered a State Government institution¹ for the purpose of the Act.

Comment:

Details:

After signing up to the Scheme the State has consulted with the Local Government sector and has made the following resolutions (December 2019):

- Noted the consultations undertaken to date with the WA local government sector about the National Redress Scheme;
- Noted the options for WA local government participation in the Scheme;
- Agreed to local governments participating in the Scheme as State Government institutions, with the State covering payments to the survivor; and
- Agreed to the Department of Local Government, Sport and Cultural Industries (DLGSC) leading further negotiations with the WA local government sector regarding local government funding costs, other than payments to the survivor including counselling, legal and administrative costs.

The following will be covered for local governments participating in the Scheme as a State Government institution and part of the State's declaration:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination of requests for information and record keeping in accordance with the State Records Act 2000); and
- Trained staff to coordinate and facilitate a Direct Personal Response (DPR – Apology) to the survivor if requested (on a fee for service basis with costs to be covered by the individual local government – see below for further explanation).

State financial support for local government participation in the Scheme, as set out, will ensure that redress is available to as many WA survivors of institutional child sexual abuse as possible.

Individual local governments participating in the Scheme as a State Government institution, with the State will be responsible for:

- Providing the State with the necessary (facilities and services) information to participate in the Scheme;
- Resources and costs associated with gathering their own (internal) information and providing that information (Request for Information) to the State (if they receive a Redress application); and
- Costs associated with the delivery of a DPR (apology), if requested (based on a standard service fee, plus travel and accommodation depending on the survivor's circumstance). The State's decision includes that all requested DPR's will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice, on every occasion.

The WALGA State Council meeting of 4 March 2020:

1. Acknowledged the State Government's decision to include the participation of Local Governments in the National Redress Scheme as part of the State's declaration;
2. Endorsed the negotiation of a Memorandum of Understanding and Template Service Agreement with the State Government, and
3. Endorsed by Flying Minute the Memorandum of Understanding prior to execution, in order to uphold requirements to respond within legislative timeframes.

State agencies (led by DLGSC), WALGA and Local Government Professionals WA will support all local governments to prepare to participate in the Scheme from 1 July 2020.

As an independent entity and for absolute clarity, the State has requested that the Shire of Coolgardie formally indicates via a decision of Council, the intention to be considered a State Government institution (for the purposes on the National Redress Scheme) and be included in the State's amended participation declaration.

The financial and administrative coverage offered by the State will only be afforded to WA local governments that join the Scheme as a State Government institution.

As of 11 June 2020, 100 of the 137 Local Governments whom have taken this item to Council have all resolved to join the National Redress Scheme. Furthermore of the approx. 900 elected members that have voted only two have voted against. These two were from two different Local Governments.

Options

Option 1

As per Officer's recommendation.

Option 2 That Council by SIMPLE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to REJECT the offer from the State Government to participate in the National Redress Scheme as a State Government institution and be included as part of the State Government's declaration.

CONCLUSION

The National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth) commenced on 1 July 2018 and offers eligible applicants redress in the forms of an apology, funds towards counselling and psychological care and a monetary payment of up to \$150,000. The Shire is required to operate under the provisions of this Act.

The State Government are a participant of the Scheme and have offered for Local Governments to be included and covered financially by the State for any claims in accordance with the Act. For Local Governments to take advantage of this offer they need to formally opt in and be considered as a State Government institution for the purposes of the Act.

Attachments:

1. Attachment National Redress S Cheme [11.1.1.1 - 20 pages]

Consultation:

The State, through the Department of Local Government, Sport and Cultural Industries (DLGSC), consulted with the WA local government sector and other key stakeholders on the Royal Commission into Institutional Responses to Child Sexual Abuse (in 2018) and the National Redress Scheme (in 2019).

Statutory Environment:

If the Council agrees to join the Scheme, the Shire is required to adhere to legislative requirements set out in the National Redress Scheme for Institutional Child Sexual Abuse Act 2018 (Cth).

Authorisation of an appropriately appointed person to execute a service agreement with the State, if a Redress application is received, will be in accordance with s.9.49A(4) of the Local Government Act 1995.

Policy Implications:

There are no policy implications

Financial Implications:

The State's decision will cover the following financial costs for local governments, including:

- Redress monetary payment provided to the survivor;
- Costs in relation to counselling, legal and administration (including the coordination or requests for information and record keeping); and
- Trained staff to coordinate and facilitate a Direct Personal Response (DPR – Apology) to the survivor if requested (on a fee for service basis with costs to be covered by the individual local government – see below).

The only financial cost for the Shire will be the payment of the DPR's, which is on an 'as requested' basis by the survivor. This will be based on the standard service fee of \$3,000 plus travel and accommodation depending on the survivor's circumstances. All requested DPR's will be coordinated and facilitated by the Redress Coordination Unit – Department of Justice.

The State's decision also mitigates a significant financial risk to the local government in terms of waiving rights to future claims. Accepting an offer of redress has the effect of releasing the responsible participating organisation and their officials (other than the abuser/s) from civil liability for instances of sexual abuse and related non-sexual abuse of the person that is within the scope of the Scheme. This means that the person who receives redress through the Scheme, agrees to not bring or continue any civil claims against the responsible participating organisation in relation to any abuse within the scope of the Scheme.

There is no current budget allocation for matters of this type.

Strategic Implications:**Accountable and Effective Leaders**

Developing strategic partnerships with regional, State and Federal governments

Voting Requirement: Simple Majority

Officer Recommendation:

That Council, by SIMPLE Majority pursuant to Section 3.18 of the Local Government Act 1995 RESOLVES to ENDORSE the participation of the Shire of Coolgardie in the National Redress Scheme as a State Government institution and be included as part of the State Government's declaration.

11.1.2 Long Term Financial Plan 2020 - 2030

Location:	Shire Coolgardie
Applicant:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	18 June 2020
Author:	Chief Executive Officer, James Trail

Summary:

To consider the draft Long Term Financial Plan for the period 2019/20 to 2033/34.

Background:

Section 5.56(1) of the Local Government Act 1995 requires a local government in Western Australia to plan for the future of the district. To assist local governments to meet the strategic planning responsibilities pursuant to this section, the Department of Local Government has developed an Integrated Planning and Reporting (IPR) Framework.

As part of the development of the Integrated Strategic Planning Framework, Council is required to adopt a Long Term Financial Plan (LTFP). The LTFP is a ten-year rolling financial plan and is created on the basis of a series of assumptions that consider strategic direction, priorities and services identified throughout the Shire's Strategic Community Plan and Corporate Business Plan.

The LTFP integrates with other important strategic documents such as rating strategies (differential rating), the capital expenditure program, asset management plan and workforce plan. The LTFP identifies the Shire's long term financial sustainability, allows early identification of financial issues and their longer term impacts, shows the linkages between specific plans and strategies, and enhances the transparency and accountability of the Council to the community.

Comment:

Financial sustainability is a key challenge facing local governments due to a number of factors including increased demand for services beyond those traditionally provided, anticipated population growth, cost shifting from other levels of government, ageing infrastructure and constraints on revenue growth. The financial challenges identified in the LTFP have emerged over a number of years and can be attributed to:

- the need to remain financially sustainable and generate sufficient funding to renew and expand essential community assets;
- Local Government costs continually increasing at a higher rate than CPI which combined with additional costs associated with the remoteness of the region provides a funding challenge for ensuring sustainability and meeting increasing community expectations and environmental standards;
- Population growth forecasts vary significantly making it difficult to calculate market demand for facilities and services;

- Reduction in State and Federal Grants as they are based on population and capacity to generate rates and revenues;
- Impact of demand for additional facilities and services identified through the Strategic Community Plan.

The LTFP aims to improve the 7 key financial ratios which form the Shire's local government Financial Health Indicator ("FHI"). The overall FHI score increases from 70 in 2018/19 to 94 in 2033/34. A significant impact on the FHI score is the Shire's poor Operating Surplus Ratio result. This ratio is impacted significantly by the Shire's reliance on obtaining grants for Capital Works, however it should be noted that this ratio steadily improves throughout the duration of the plan.

The LTFP is based on the Shire operating a balanced budget for all years up to 2033/34, where an operating surplus is forecast. The LTFP shows Unrestricted Cash of \$300,000 - \$1,700,000 over the period of the plan. Council acknowledge that the Shire's optimum Unrestricted Cash target is in the vicinity of \$1,500,000 - \$2,000,000.

From an annual cash flow perspective, this target amount allows the Shire to have the capacity to comfortably meet all financial commitments in the months leading up to the collection of rates each financial year. As such, Council have identified as a priority the importance of striving to achieve this optimum level of unrestricted cash.

The table below shows the forecast FHI score for the Shire over the 15 year period of this plan.														
The Shire's ability to maintain and improve the FHI score is a result of the financial strategies on which this LTFP is based.														
				2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2034
Financial Health Indicator (FHI) Result				70	59	50	64	64	71	76	83	86	77	94

Conclusion

The LTFP is a ten-year rolling financial plan and is created on the basis of a series of assumptions that consider strategic direction, priorities and services identified throughout the Shire's Strategic Community Plan and Corporate Business Plan.

A base case (business as usual) scenario over the life of the LTFP results in a positive operating surplus, sound capacity to meet short-term financial obligations, an improving trend in rates coverage and ability to generate sufficient cash to cover debt payments. The base case scenario also demonstrates consistent improvement in financial sustainability measures over the life of the LTFP.

Attachments:

1. Shire of Coolgardie LTFP 2020-2034 Draft [11.1.2.1 - 38 pages]

Consultation:

No community consultation is required however the LTFP reflects community feedback obtained through the Community Survey and incorporated in the Strategic Community Plan.

Consultation has taken place with relevant Officer's in reviewing the detail contained within the LTFP. Councillors have been consulted regarding the ten year Capital Program and the key revenue and expenditure assumptions used to inform the LTFP.

Statutory Environment:

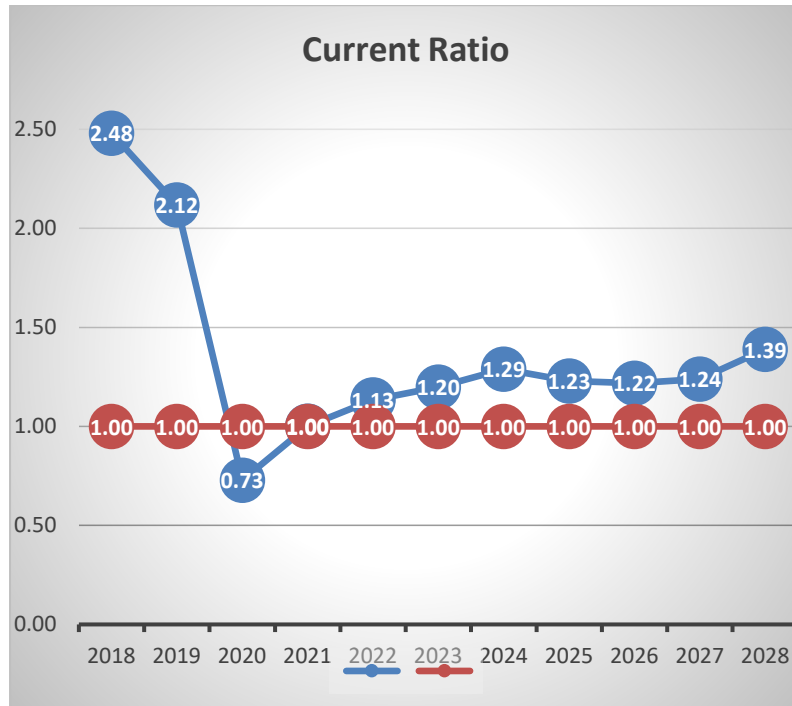
Section 5.56 Local Government Act 1995 provides that a local government is to plan for the future of the district.

Policy Implications:

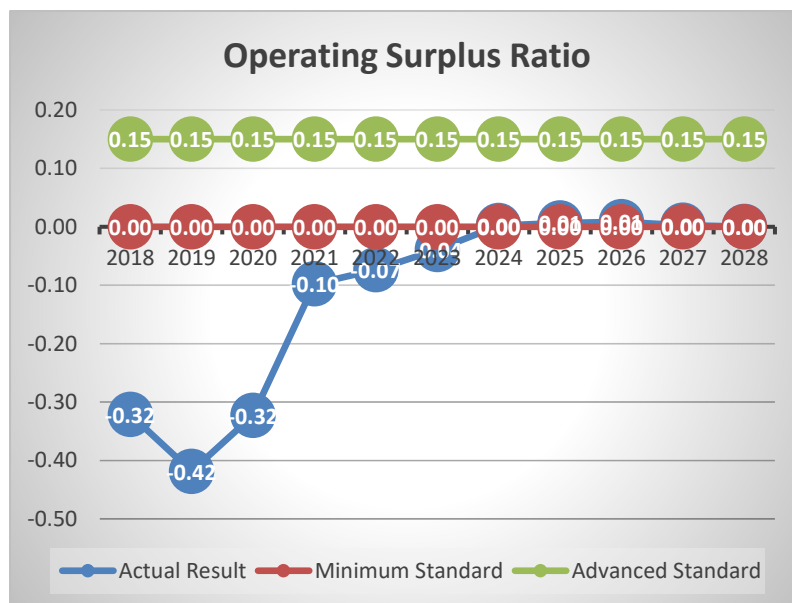
There are no policy implications.

Financial Implications:

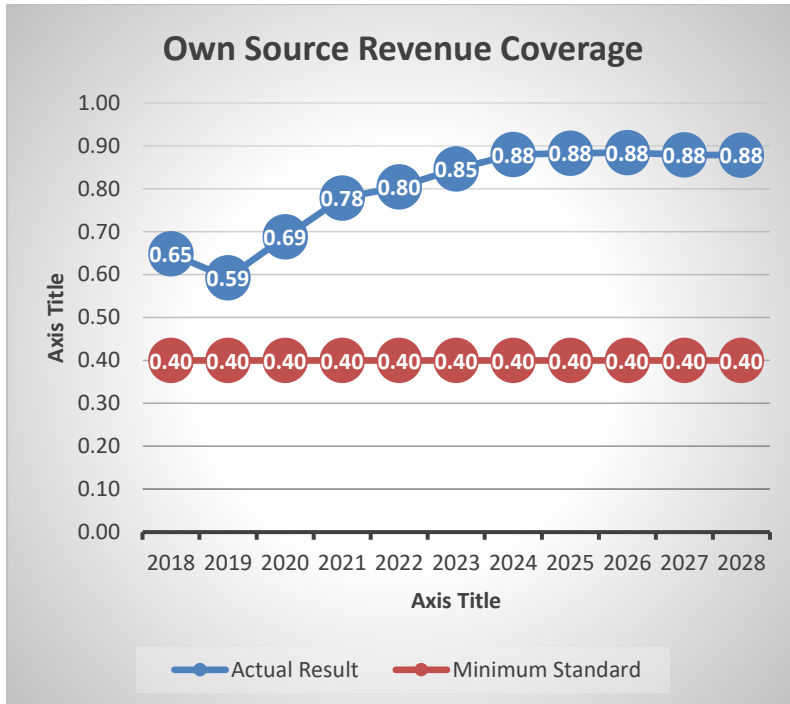
The following graphs provide a snapshot of the City’s consistent improvement in financial sustainability measures over the life of the LTFP based on the base case scenario:



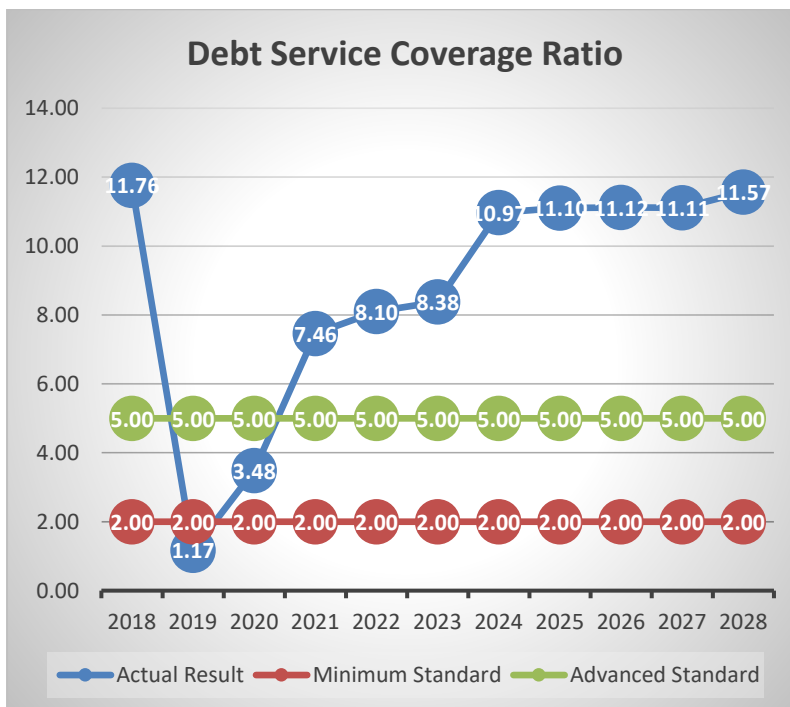
The Current Ratio measures the capacity of Council to meet its short term financial obligations from available funds. Council will retain a Current Ratio of greater than 1.0 for the life of the LTFP



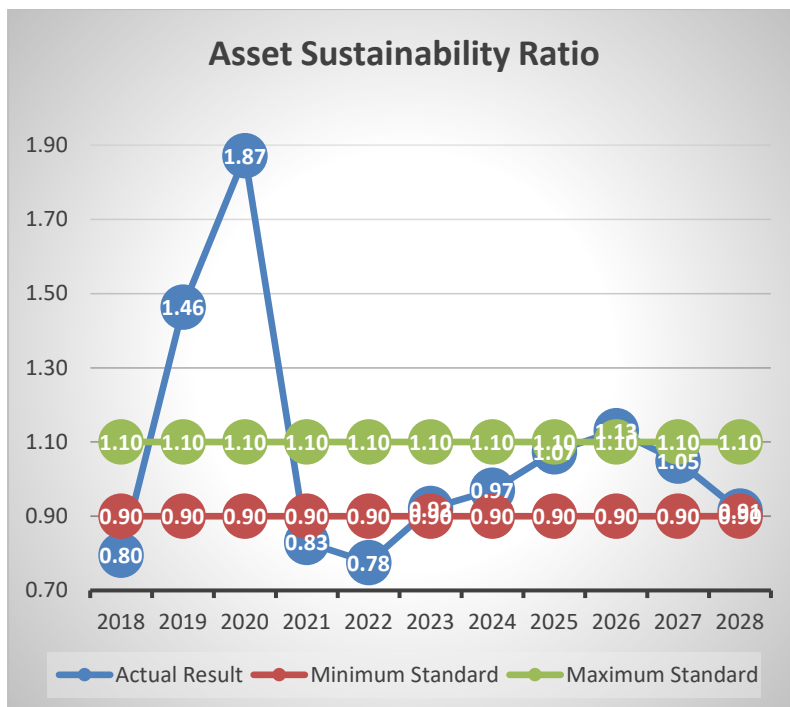
The Operating Surplus Ratio indicates the extent to which revenue raised not only covers operational expenses, but also provides for Capital Funding.



A measure of the local governments ability to cover its operating costs through revenue generated from its own sources (ie. no grants)



A measure of the local governments ability to repay its debt based on how much cash it can access compared to total amount of its debt obligations. The Shire meets the basic standard for all 15 years. Importantly, these standards are still met with the Shire borrowing funds for major projects in the LTFP.



The Asset Sustainability Ratio indicates the extent to which assets managed by Council are being renewed or replaced as they reach the end of their useful lives. The Shire’s Asset Management Plan covers the first five years of the LTFP, it is anticipated that as the LTFP evolves that additional renewal requirements will be identified in the outer years in order to meet asset sustainability requirements.

Strategic Implications:

Accountable and Effective Leaders

- Demonstrating sound financial management and plans for the Shire’s long term financial sustainability
- Ensuring the Shire of Coolgardie is well positioned to meet future needs
- High quality corporate governance, accountability and compliance
- Maintain integrated strategic and operational plans

Voting Requirement: Simple Majority

Officer Recommendation:

That Council, by SIMPLE Majority pursuant to Section 5.56 of the Local Government Act 1995 RESOLVES to ADOPT the Long Term Financial Plan 2019/20 – 2033/34 (as attached).

11.1.3 Corporate Business Plan 2020-2024

Location:	Shire Coolgardie
Applicant:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	15 June 2020
Author:	Chief Executive Officer, James Trail

Summary:

This report recommends that Council adopt the Shire of Coolgardie Corporate Business Plan 2020-2024.

Background:

The Corporate Business Plan (“CBP”) is a key component of the Integrated Planning and Reporting (IPR) Framework and Guidelines that were introduced in Western Australia as part of the State Government’s Local Government Reform Program. The intent of the Integrated Planning Framework was to ensure improved strategic, financial and asset management planning across the WA local government sector and all local governments were required to have their first suite of IPR documents in place by 1 July 2013.

Under Section 5.56 of the Local Government Act 1995 (the “Act”) all local governments are required to plan for the future of their district. [Regulations](#) under Section 5.56(2) of the Act outline the minimum requirements to achieve this. The minimum requirement of the Plan for the Future is the development of a Strategic Community Plan and a Corporate Business Plan.

In September 2016, the Department of Local Government and Communities released updated Framework and Guidelines for Integrated Planning and Reporting. An extract of this document relating to the suggested content for the Corporate Business Plan is attached for Council information.

Council adopted the previous version of the Corporate Business Plan 2019-2023 at the May 2019 Ordinary Meeting.

Comment:

The Corporate Business Plan 2020-2024, together with the Strategic Community Plan 2018-2028, which was adopted by Council in June 2018, is the Shire’s Plan for the Future and has been prepared to achieve compliance with the Local Government (Administration) Regulations 1996.

The CBP is responsible for translating the strategic direction of the Shire articulated within the Shire’s Community Strategic Plan 2018-2028. Achieving the community’s aspirations and goals requires development of these strategies contained within the Community Strategic Community Plan.

Due to the limitation of financial resources, careful operational planning and prioritisation is required to implement these strategies. This planning process is formalised in this Corporate Business Plan and puts the Strategic Community Plan into action via the Annual Budget.

In accordance with Local Government (Administration) Regulation 19DA, the Corporate Business Plan 2020-2024 will be reviewed annually to assess the progress of projects and realign actions and priorities with current information and available funding. Actions requiring funding will only be undertaken once approved within the statutory budget and subject to funding availability.

The Corporate Business Plan aligns with goals identified in the Community Strategic Plan. These goals contained aspirations and objectives with performance measures that assisted to evaluate progress whilst achieving the Shire's vision. However, these were all developed prior to the COVID-19 Pandemic.

As a consequence, the Shire's goals will change significantly given the expectation in which Local Government will conduct future business throughout the economic recovery phase of the COVID-19 Pandemic.

Nothing will be more important coming out of the COVID-19 Pandemic than for the Shire to ensure financial sustainability and flexibility and the ability to develop good strategy and decide actions rapidly where it matters most. Objectives, actions and key performance indicators (KPI's) will need to align to the economic stimulus required during the recovery phase.

The Shire will no longer be able to achieve all of the Community's aspirations and priorities in the Community Strategic Plan 2018-2028. This Corporate Business Plan starts the process to map out how the Shire will progress towards coming out of the COVID-19 Pandemic.

Some of the challenges faced include;

Facilitating local/regional "Recovery" by Adopting a 20/21 Budget with the Single Purpose of Stimulating Local Economic Development

This will be achieved by;

- adopting shovel ready projects for State/Federal Government funding;
- progressing Council's capital works and major projects; and
- assisting/supporting the community with job creation initiatives.

Informing our Community

Maintaining a resilient and vibrant community by continuing to invest in resources to keep the community informed and safe.

Maintaining community facilities

Ensuring that, as Shire facilities reopen, the strict management of COVID 19 safe measures and practices are adhered to; including additional resources and consumables.

Looking after our assets

The Shire has assets with a replacement value of \$147 million and maintaining these assets will continue to be a priority. A significant portion of this value is allocated to the road network. There will continue to be increased pressure on the Shire's road network due to the continued growth of mining in the region. Asset management planning will be critical in regards to the maintenance and renewal of roads and other infrastructure.

Supporting the local economy

Continued opportunities for people to live and work locally will be essential. The preparation of an economic stimulus strategy will assist in trying to maintain a resilient economy.

Sustain service delivery in an affordable way

Demands will increase on Shire services, existing roads and community facilities such as pools, playgrounds and parks. The Shire will continue to be innovative with its service delivery review implementation as it engages in best practice to maintain service standards and keep costs to a minimum.

Opportunities to develop alternative revenue streams, less pressure on rates

The COVID-19 Pandemic will place substantial pressure on Shire rates, fees and charges and other revenue for 2020-21 and beyond. Consequently, the impact on the operating surplus ratio will be significant.

It will be critical for the Shire to diversify its revenue base with the development of the Coolgardie Tip Site to a Class 3 Waste Facility. This offers the Shire a significant strategic opportunity to diversify its revenue base and in turn, positively impact on its operating surplus ratio.

Our Priorities

Sustain Cashflow

Each year, the Shire aims for a balanced budget with any additional surplus allocated to fund new projects and repaying loans borrowed for new infrastructure.

The Shire's finances will be severely impacted by no estimated increases in rate revenue, a reduction in fees and charges and the bringing forward of capital works in 2020-21.

Consequently, there will be a negative impact on the Shire's seven Financial Health Indicator (FHI) ratios - in particular, the operating surplus ratio and the current ratio.

As a result, the FHI is expected to decrease closer to 60 during 2020-21.

Shire amenities and lifestyle

Facilities must be suitable for the Shire's residents and provide safe enjoyment for the community. Assets and infrastructure will be managed to cater for the impacts of COVID-19.

Endeavour to assist and sustain community groups, clubs and organisations

The Shire will endeavour to support and promote community groups, clubs and organisations as they adapt independently and retain a strong sense of community amidst the changing dynamics impacting social connections, health and wellbeing post-COVID19. This may include reducing and or waiving fees, charges, and lease payments.

Our natural areas

We will continue to protect, preserve and promote natural environment places of cultural significance.

Integrated transport network

The Shire will continue to maintain roads to a safe and accessible standard.

Govern effectively

Demonstrate strong and effective leadership which focuses on maintaining a resilient community post COVID-19.

Given the significant way the Shire must shift and change its approach to the way we will do business; new knowledge and logic will be required.

Strong Leadership;

- Demands courage to change the future
- Requires a wealth of knowledge. When applied to tasks that are new, it becomes Innovation
- Will be defined by results not attributes
- Requires a continuity of strategic and steadfast decisions based on data and facts

Entrepreneurship and knowledge will be essential to stimulate the economy post COVID-19 Pandemic. The Council will ensure greater engagement and collaboration with the mining industry and business as it realigns to assist reshape the economy and the way the Shire does business.

Key Projects

The Shire of Coolgardie has several infrastructure projects in the investigative phases of development. A number of these projects are subject to external funding, government support, the Shire's resource capacity and the Long-Term Financial Plan.

The aim of these infrastructure projects is to stimulate economic development and activate Shire facilities for the benefit of the community.

Coolgardie Community, Cultural and Business Hub

The Shire of Coolgardie's aim is to transform the internal areas of a significant historical building to develop a 'heart of the town.' The project will reinvigorate Coolgardie's economic opportunities – achieved through the attraction of visitors, stimulation of new business and jobs, and opportunities to experience the local Aboriginal culture and history. The Hub will provide the community with areas to conduct cultural and social workshops, training and other creative and business activities.

Future Residential Land Development

The Shire of Coolgardie is investigating options for the subdivision of the Coolgardie Horse Blocks, a 110-hectare block of land that is located west of Coolgardie. The subdivision will see the creation of large residential land parcels for semi-rural operations. The project will respond to the lack of residential land parcels for these purposes within and outside the district, whilst maintaining the amenities and facilities of the area.

Kambalda Waste Transfer Station

The Shire has finished the construction of a transfer station at the Kambalda Tip Site. This will allow for better waste control and public safety at the existing landfill site and support improved recycling and reduction of waste to landfill.

Future Industrial Land Development

The Shire has allocated 200 hectares of land towards the development of an industrial estate which will suit a range of industries including downstream processing. The lots will range between 2,500m² to 6+ hectare sites and be complemented by access to power, water, and telecommunications.

The sites will offer dual-road frontage lots for easy access suitable for triple road trains. Industry will have direct logistical access to the Great Eastern Highway (connection to East and Western States), Esperance Port and Northern Goldfields.

The objectives contained within the Scheme and Local Planning Strategies, aim to develop and enhance the amenity and economic prosperity of the Shire and facilitate the release of suitably zoned and unconstrained land for development.

Coolgardie Tip Site

The Coolgardie tip site has been identified as a strategic waste management asset. The Shire proposes to redevelop the land fill site into a 30,000 tonne per annum Class III Waste Management Facility.

The facility would process municipal solid waste, commercial and industrial waste and/or pre-sorted construction and demolition waste with a potential stream for the recycling of mixed plastics.

The Class III Waste Management Facility and Waste to Energy Research and Development Hub will present opportunities to:

- value add to the management of waste streams in the Goldfields region
- protect the environment
- generate employment and stimulate the economy

Attachments:

1. Corporate Business Plan 2020-2024 18-06-20 [11.1.3.1 - 27 pages]

Consultation:

Shire Councilor's
Shire Staff & Management Team

Statutory Environment:

Local Government Act 1995

5.56. Planning for the future

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

6.2. Local government to prepare annual budget

(2) In the preparation of the annual budget the local government is to have regard to the contents of the plan for the future of the district made in accordance with section 5.56 and to prepare a detailed estimate for the current year of —

- (a) the expenditure by the local government; and
- (b) the revenue and income, independent of general rates, of the local government; and
- (c) the amount required to make up the deficiency, if any, shown by comparing the estimated expenditure with the estimated revenue and income.

Local Government (Administration) Regulations 1996

19DA. Corporate business plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.

- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A corporate business plan for a district is to —
 - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
 - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
- (4) A local government is to review the current corporate business plan for its district every year.
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.
*Absolute majority required.
- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

Policy Implications:

Integrated Planning and Reporting – Framework & Guidelines

Financial Implications:

The Corporate Business Plan is the key driver for the Annual Budget and the Long-Term Financial Plan. This linkage ensures that community priorities are adequately funded and that appropriate rating strategies are in place to allow any financial impact on the community to be carefully considered.

Strategic Implications:

Accountable and Effective Leaders

Ensuring the Shire of Coolgardie is well positioned to meet future needs
High quality corporate governance, accountability and compliance
Maintain integrated strategic and operational plans

Voting Requirement: Absolute Majority

Officer Recommendation:

That Council,

- 1. Adopts the Corporate Business Plan 2020 – 2024, and**
- 2. Gives local public notice advising of the endorsement of the Corporate Business Plan 2020-2024**

11.1.4 Financial Activity Statement For The Period Ended 31 May 2020

Location:	Financial Activity Statement For The Period Ended 31 May 2020
Applicant:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	16 June 2020
Author:	Martin Whitely, Consultant

Summary:

This report recommends that the Monthly Statement of Financial Activity report for the period ending 31 May 2020 is presented to Council for adoption.

Background:

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

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

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

Comment:

Attached for consideration is the completed Monthly Financial Report.

The document attached includes Statements of Financial Activity by Program, and Nature and Type, Notes to the financial statements, an explanation of material variance as well as a summary of bank account balances at 31 May 2020, loan repayments, and reserve account status.

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

Attachments:

1. Monthly Financial Report - May 2020 [11.1.4.1 - 29 pages]
2. Management Report - May 2020 [11.1.4.2 - 2 pages]

Consultation:

James Trail, Chief Executive Officer
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:

Accountable and Effective Leaders

High quality corporate governance, accountability and compliance

Maintain integrated strategic and operational plans

Voting Requirement: Simple Majority

Officer Recommendation:

That Council,

That the Monthly Financial Activity Statement for the period 1 July 2019 to 31 May 2020 be received.

11.1.5 List of Payments - May 2020

Location:	Nil
Applicant:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	16 June 2020
Author:	Senior Finance Officer, Nav Kaur

Summary:

For council to receive the list of accounts for May 2020.

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 2020 include Invoice for Acorp Constructions Pty Ltd – Kambalda Pool Upgrade Progress Claim 11; Roadtech Constructions – Upgrade, Formation, Cement Stabilising of Coolgardie North Road; Goldfields Toyota – Two RAV 4'S.

Attachments:

1. May 2020 List of Payments [11.1.5.1 - 10 pages]

Consultation:

Nil

Statutory Environment:

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

Policy Implications:

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

Financial Implications:

Nil

Strategic Implications:

Accountable and Effective Leaders

Maintain integrated strategic and operational plans

Voting Requirement: Simple Majority

Officer Recommendation:

That Council, receive listing (attached) of accounts paid during the month of May 2020 by the Chief Executive Officer under delegated authority of Council.

1. Municipal accounts totalling \$1,330,546.72 on Municipal vouchers EFT17396 – EFT17623, cheques 52265 - 52278, and direct payments made during the month of May 2020.
2. Trust payments totalling \$0.00 on cheques for the month of May 2020.
3. Credit card payments totalling \$7,777.82 for the month of May 2020.

11.1.6 Occupational Safety and Health Manual - DRAFT

Location:	Shire of Coolgardie
Applicant:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	16 June 2020
Author:	Manager Executive Services, Bec Horan

Summary:

That Council note the DRAFT Shire of Coolgardie Occupational Health and Safety Manual.

Background:

Council at its Ordinary Meeting held on 27 August 2019 resolved the engagement of Core Business Australia for the preparation of a comprehensive OSH Management System (Task 1 and 2) for \$50,373.40.

Comment:

Over the past 8 months Core Business have been working alongside staff and the safety committee to get the manual to a final DRAFT.

This is a live document and we will be reviewing each document on a practical basis with the Safety Committee and staff over the coming months.

The executive management team were also provided the opportunity to provide feedback on the initial draft manual.

Attachments:

1. Coolgardie OSH Manual (DRAF T) v 1.21 [11.1.6.1 - 227 pages]

Consultation:

Nic Tynan, Core Business
Safety Committee
Executive Management Team

Statutory Environment:

Occupational Safety and Health Act 1984;
Occupational Safety and Health Regulations 1996;

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:

Accountable and Effective Leaders

High quality corporate governance, accountability and compliance

Voting Requirement: Simple Majority

Officer Recommendation:

That Council note the DRAFT Shire of Coolgardie Occupational Health and Safety Manual.

11.1.7 Review of Register of Delegations 2019/2020

Location:	Shire Coolgardie
Applicant:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	16 June 2020
Author:	Steven Tweedie, Consultant

Summary:

That Council,

1. Adopts, by Absolute Majority, the amendments to Register of Delegations
2. Adopts, by Absolute Majority, the Register of Delegations 2019 – 2020, describing delegations and authorisations by the Council, as the local government.
3. Notes the Sub Delegations by the CEO to other employees, and others.
4. Notes the Authorisations by the CEO.
5. Notes the Appointments.

Background:

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

In 2019 the Shire moved to a “one stop shop” approach and the Register now addresses all delegations relevant to the Shire of Coolgardie in an easy to read format.

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

Council should note that proposed legislative amendments to a few Acts and Regulations likely to take effect later in the year will simply and standardise the process of appointing Authorised Persons. At that time Council will be invited to consider those matters which affect appointments it is required to make.

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

The Register also adopts several principles:

- The CEO should hold every delegation from Council, wherever possible, and in addition to any other employee so designated
- The CEO is the only employee authorised to commence legal action on behalf of the local government
- Where rights of appeal or objection exist, or related avenues such as withdrawal of a Notice or delaying the due date, only the CEO will be able to make such determinations. Thus, another

employee will be delegated authority to make the initial decision, with the CEO, as their superior, making subsequent decisions. If it were the other way around, then one of the CEO's subordinates would be making decisions to overrule the CEO or vary his decisions and that is inappropriate.

- The Register has had a number of amendments since its adoption in total in June 2019, most of which relate to matters to address COVID 19 – many of these delegations are temporary during the States of Emergency for the pandemic and will either cease to have effect, or will be deleted by Council (and/or CEO decision) when the States of Emergency end.
- During the last 18 months the CEO has provided training and advice to employees who hold delegated authority and this support will continue to be provided to ensure delegates are aware of their precise delegations, the limits to such delegations and their obligations, as a consequence including, record keeping, identifying and declaring interests and providing Primary and Annual Returns.

Comment:

The Register for consideration and adoption includes a further matter which the CEO has determined to be appropriate for consideration and inclusion.

In May 2020 Council was provided advice and a summary of matters arising from 3 Reports of the Office of the Auditor General, with a view to the CEO reviewing the advice and recommendations in the Reports to determine those matters relevant to the Shire of Coolgardie and how they would be addressed and implemented.

One of those Reports - Local Government Contract Extensions and Variations highlighted some matters which bear early addressing by Council, not because current delegations are incorrect but because OAG identified some conditions which should reasonably be attached to the exercise of delegations by the CEO and employees regarding contract variations and extensions.

Currently, the CEO (under direct delegation) and both Directors and the Commercial Manager hold delegations (as sub delegations from the CEO) to vary contracts (within limits) and extend contracts (within limits). It is proposed to attach clear conditions to the exercise of such delegations.

The proposed amendments to the Register are detailed below in relation to 1.11:

Contract variations under r20 and 21A of Local Government (Functions and General) Regulations 1996 are subject to:

- prior budget provision having been made, or
- being to give effect to a Council decision to accept a variation of a contract entered into, or
- the intentions and purposes of the contract are not substantially altered,
- an assessment, in writing, of the reasons for the variation, as determined by the CEO, either generally or specifically in relation to a contract
- consideration is given to the cumulative impact of variations, to ensure that the scope of the original contract is not significantly altered, and that a separate procurement process is not required, and
- where the effect on the total contract is –
- a reduction or
- the cumulative value remains below the tender threshold or

- likely increase in cost to a cumulative total of \$40,000 ex GST or 10% whichever is the greater, where the adjusted total contract payment remains within Budget provision: or
- is a reasonable and unforeseen increase in duration of the contract.

Contract extensions under r20 and 21A of Local Government (Functions and General) Regulations 1996 are subject to:

- prior budget provision having been made, or
- being to give effect to a Council decision to extend a contract entered into, or
- the intentions and purposes of the contract are not substantially altered, and
- the original contract including provisions which permit an extension
- an assessment, in writing, of the merits of extending the contract, as determined by the CEO, either generally or specifically in relation to a contract
- any extension taking effect prior to the expiration of the original contract
- written evidence that the terms of the contract extension have been mutually agreed by the Shire and the contractor.

The CEO will ensure similar conditions are attached to sub delegations determined by him to both Directors and the Commercial Manager.

In addition, delegation 1.12 (and sub delegation 1.12A) in relation to Panels of Pre-Qualified Suppliers for Goods and Services has a limit of \$149,000 whereas Council agreed to lift the limit for CEO procurement to \$249,999 (and the CEO via sub delegations accordingly) in Delegation 1.11 and 1.11a and in that delegation agreed to lift the limit for Panels of Pre-Qualified Suppliers for Goods and Services to \$249,999 but this decision was not mirrored in Delegation 1.12 and 1.12a.

Accordingly Delegation 1.12 (and sub delegation 1.12a) are proposed to amended by changing references to \$149,000 to \$249,999 to provide consistency with Delegations 1.11 and 1.11a.

Attachments:

1. Draft Delegations Register - 2019 2020 review June OCM ST v 1 [11.1.7.1 - 225 pages]

Consultation:

Shire Staff
Contractor
Council

Statutory Environment:

Local Government Act 1995

5.46. Register of, and records relevant to, delegations to CEO and employees

(1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.

(2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.

Policy Implications:

The Policy Manual, which supports the Register of Delegations will be reviewed later in the year (and at the same time, the Register also) when the States of Emergency end.

Financial Implications:

Nil

Strategic Implications:

Accountable and Effective Leaders

High quality corporate governance, accountability and compliance

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

5.42. Delegation of some powers and duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —
 - (a) this Act other than those referred to in section 5.43; or
 - (b) the Planning and Development Act 2005 section 214(2), (3) or (5).

* Absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

Officer Recommendation:

That Council,

1. Adopts, by **Absolute Majority**, the following amendments to Register of Delegations:

Delegation 1.11:

Contract variations under r20 and 21A of Local Government (Functions and General) Regulations 1996 are subject to:

- prior budget provision having been made, or
- being to give effect to a Council decision to accept a variation of a contract entered into, or
- the intentions and purposes of the contract are not substantially altered,
- an assessment, in writing, of the reasons for the variation, as determined by the CEO, either generally or specifically in relation to a contract
- consideration is given to the cumulative impact of variations, to ensure that the scope of the original contract is not significantly altered, and that a separate procurement process is not required, and
- where the effect on the total contract is –
 - a reduction or
 - the cumulative value remains below the tender threshold or
 - likely increase in cost to a cumulative total of \$40,000 ex GST or 10% whichever is the greater, where the adjusted total contract payment remains within Budget provision: or
 - is a reasonable and unforeseen increase in duration of the contract.

Contract extensions under r20 and 21A of Local Government (Functions and General) Regulations 1996 are subject to:

- **prior budget provision having been made, or**
- **being to give effect to a Council decision to extend a contract entered into, or**
- **the intentions and purposes of the contract are not substantially altered, and**
- **the original contract including provisions which permit an extension**
- **an assessment, in writing, of the merits of extending the contract, as determined by the CEO, either generally or specifically in relation to a contract**
- **any extension taking effect prior to the expiration of the original contract**
- **written evidence that the terms of the contract extension have been mutually agreed by the Shire and the contractor.**

Delegation 1.12:

Delete \$149,000 and replace with \$249,999.

2. **Adopts, by Absolute Majority, the Register of Delegations 2019 – 2020, describing delegations and authorisations by the Council, as the local government.**
3. **Notes the Sub Delegations by the CEO to other employees, and others.**
4. **Notes the Authorisations by the CEO.**
5. **Notes the Appointments.**

11.1.8 Proposed Shire of Coolgardie Public Places and Local Government Property Amendment Local Law

Location:	Shire of Coolgardie
Applicant:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	16 June 2020
Author:	Chris Liversage, Consultant

Summary:

The Shire has recently replaced or amended all its local laws.

As part of the process to make a local law, local laws must be submitted to the WA Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL) for review. Amongst other things, the role of the JSCDL is to scrutinise local laws and request amendments, failing which it can recommend that Parliament disallows the local law.

The Committee has requested an amendment to the *Shire of Coolgardie Public Places and Local Government Property Local Law 2019*. The amendment relates to a clause which the JSCDL considered is a 'determination'

The requested amendment to the local law should be agreed to. A draft *Shire of Coolgardie Public Places and Local Government Property Amendment Local Law 2020* is attached.

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

Background:

The Shire of Coolgardie Public Places and Local Government Property Local Law 2019 was published in the Government Gazette on 12 March 2020.

As noted above, local laws must be submitted to the WA Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL). Amongst other things, the role of the JSCDL is to scrutinise local laws and request amendments, failing which it can recommend that parliament disallows the local law. The JSCDL has advised that it considers clause 4.7(1) of the local law to be a 'determination device'. The clause provides that:

The CEO or authorised person may erect a sign on a local government property:

- (a) specifying any conditions of use which apply to that property; and*
- (b) for any other purpose relevant to this local law, including giving notice of a breach of clause 4.4 and substituting a sign for flora that has been removed, damaged or interfered with contrary to clause 4.4.*

The Committee advises that the words 'The CEO or authorised person' allow a staff member of the Shire to make determinations about conditions which apply to local government property. The Committee considers that if determinations are included in local laws, that the Council makes the determinations, and not the CEO or authorised person and has requested that the words 'The CEO or an authorised person' be replaced with 'The local government' in clause 4.7(1).

Comment:

The amendment requested by the JSC in the table above should be agreed to and the local law amended.

Attachments:

1. So C Places and LG Prop Amendment LL V 1 16 Jun 2020 [11.1.8.1 - 1 page]

Consultation:

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

The purpose and effect of the amendment local law is:

Purpose

To amend the Shire of Coolgardie Public Places and Local Government Property Local Law 2019 to deal with determination clauses.

Effect

The Shire of Coolgardie Public Places and Local Government Property Local Law 2019 is amended.

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

Statutory Environment:

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

Policy Implications:

Nil

Financial Implications:

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

Strategic Implications:

Accountable and Effective Leaders

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

Voting Requirement: Simple Majority

Officer Recommendation:

That:

1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State wide and local public notice be given stating that:
 - a. It is proposed to make a Shire of Coolgardie Public Places and Local Government Property Amendment Local Law, and a summary of its purpose and effect;
 - b. Copies of the proposed amendment local law may be inspected at the Shire offices;
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;
3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it;
4. The results of the public consultation be presented to Council for consideration of any submissions received; and
5. The WA Parliamentary Joint Standing Committee on Delegated Legislation be advised that:
 - a. The Shire undertakes to make a *Shire of Coolgardie Public Places and Local Government Property Amendment Local Law* to amend the *Shire of Coolgardie Public Places and Local Government Property Local Law 2019* to deal with the queries raised by it;
 - b. The Shire will not enforce the *Shire of Coolgardie Public Places and Local Government Property Parking Local Law 2019* contrary to this undertaking; and
 - c. A copy of the Amendment Local Law will be sent to the JSCDL.

11.1.9 Proposed Shire of Coolgardie Parking Amendment Local Law

Location:	Shire of Coolgardie
Applicant:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	16 June 2020
Author:	Chris Liversage, Consultant

Summary:

The Shire has recently replaced or amended all its local laws.

As part of the process to make a local law, local laws must be submitted to the WA Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL) for review. Amongst other things, the role of the JSCDL is to scrutinise local laws and request amendments, failing which it can recommend that Parliament disallows the local law.

The Committee has requested a number of amendments to the *Shire of Coolgardie Parking Local Law 2019*. The amendments relate to 'determinations' and the extent to which a local government can change parking restrictions 'by resolution'.

Parking control in the Shire is a relatively minor issue and the requested amendments to the local law should be agreed to. A draft *Shire of Coolgardie Parking Amendment Local Law 2019* is attached.

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

Background:

The Shire of Coolgardie Parking Local Law 2019 was published in the Government Gazette on 12 March 2020.

As noted above, local laws must be submitted to the WA Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL). Amongst other things, the role of the JSCDL is to scrutinise local laws and request amendments, failing which it can recommend that parliament disallows the local law. The JSCDL has advised that:

The Local Law contains five determination clauses. The Committee finds determination clauses to be problematic because they avoid scrutiny by the Parliament as section 3.12 of the Local Government Act 1995 is not required to be followed, in order to make, repeal or amend a determination. A determination clause also by-passes the requirements of section 42 of the Interpretation Act 1984 in relation to publication of the determination in the Gazette, tabling in both Houses of Parliament and disallowance. The Committee has accepted the use of some determination devices in parking local laws, but requires that the Council make each determination and that the determination be adequately signposted.

To this end the JSCDL has requested a number of amendments to the *Shire of Coolgardie Parking Local Law 2019*:

Clause	Amendment required (changes shown bolded)
<p>Clause 1.10 <i>The local government may, prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region but must do so consistently with the provisions of this local law.</i></p>	<p>Clause 1.10 should be amended to read as: <i>The local government may, by resolution, prohibit or regulate by signs or otherwise, the stopping or parking of any vehicle or any class of vehicles in any part of the parking region but must do so consistently with the provisions of this local law.</i></p>
<p>Clause 2.1 (1) <i>(1) The local government may constitute, determine and vary and also indicate by signs, metered spaces and metered zones. (2) In respect of metered spaces and metered zones the local government may determine, and may indicate by signs – (a) permitted times and conditions of parking depending on and varying with the locality; (b) classes of vehicles which are permitted to park; (c) the amount payable for parking; and (d) the manner of parking.</i></p>	<p>Clause 2.1 should be amended to read as: <i>(1) The local government may, by resolution, constitute, determine and vary, metered spaces and metered zones. (2) In respect of metered spaces and metered zones the local government may, by resolution, determine – (a) permitted times and conditions of parking depending on and varying with the locality; (b) classes of vehicles which are permitted to park; (c) the amount payable for parking; and (d) the manner of parking. (3) Where the local government makes a determination under subsections (1) or (2) it shall erect signs to give effect to the determination</i></p>
<p>Clause 2.5 <i>The local government may from time to time declare that the provisions of clauses 2.2 and 2.4 shall not apply during the periods and days specified.</i></p>	<p>Clause 2.5 should be amended to:</p> <ul style="list-style-type: none"> • Delete the words 'from time to time' after 'may', and • And add the following: <i>(1) The local government may, by resolution, declare that the provisions of clauses 2.2 and 2.4 shall not apply during the periods and days specified. (2) Where the local government makes a determination under subsection (1) it shall erect signs to give effect to the determination.</i>
<p>Clause 3.1 <i>The local government may constitute, determine and vary and also indicate by signs – (a) parking stalls; (b) parking stations; (c) permitted time and conditions of parking in parking stalls and parking stations which may vary with locality; (d) permitted classes of vehicles which may park in parking stalls and parking stations;</i></p>	<p>Clause 3.1 should be amended to:</p> <ul style="list-style-type: none"> • Delete the words 'and also indicate by signs' after 'vary and' • Add the following: <i>The local government may, by resolution, constitute, determine and vary – (a) parking stalls; (b) parking stations;</i>

<p>(e) permitted classes of persons who may park in specified parking stalls or parking stations; and (f) the manner of parking in parking stalls and parking stations.</p>	<p>(c) permitted time and conditions of parking in parking stalls and parking stations which may vary with locality; (d) permitted classes of vehicles which may park in parking stalls and parking stations; (e) permitted classes of persons who may park in specified parking stalls or parking stations; and (f) the manner of parking in parking stalls and parking stations. (2) Where the local government makes a determination under subsection (1) it shall erect signs to give effect to the determination</p>
<p>Clause 3.4 <i>The local government may declare that the provisions of clause 3.3 do not apply during periods on particular days in relation to particular parking stations as specified.</i></p>	<p>Clause 3.4 should be amended to read: (1) The local government may, by resolution, declare that the provisions of clause 3.3 do not apply during periods on particular days in relation to particular parking stations as specified. (2) Where the local government makes a determination under subsection (1) it shall erect signs to give effect to the determination.</p>

In addition, the Committee 'notes that clause 10.1 contains a maximum penalty of \$5,000 in relation to breaches of the Local Law and has requests further information as to why the Shire has decided to institute such a high maximum penalty for infringements of a parking local law. The Committee notes that the WALGA model parking local law contains a maximum penalty of \$1,000.'

In response to this query:

1. This is the maximum penalty that can be applied if a person is prosecuted - not for an infringement (known as a 'modified penalty' or on the spot fine) and is found guilty of an offence under the local law.
2. The Shire rarely issues modified penalties (on the spot fines) and while prosecutions would be even less likely, are not inconceivable. The penalty if a person is convicted is decided by the presiding magistrate who has discretion to impose a penalty below this maximum amount and award costs. While \$5,000 is the maximum allowed under s3.10 of the Local Government Act 1995, it is unlikely to be imposed but including it avoids imposition of a penalty by a magistrate which does not reflect the time and effort required to instigate a prosecution (let alone costs) if the maximum is only \$1,000 given that it is likely to be under this amount.
3. The local law is not based on the WALGA model, which in any event has not been amended for some time (2014). The maximum penalty of \$1,000 and modified penalties of between \$40 and \$55 in that model are considered too low to act as a sufficient deterrent for breach of a local law.
4. While local laws must be reviewed at least every 8 years under s3.16 of the Act, this local law is likely to remain unchanged for some time – in itself it replaces a local law that was made in 1953. The maximum penalty that may be imposed for a prosecution under the local law is also likely to remain unchanged, and given the time and cost required to change it the Shire should use the maximum allowed under the Act.

Comment:

Parking control is a relatively minor matter in the Shire. The amendments requested by the JSC in the table above should be agreed to and the local law amended.

No change to the maximum penalty that can be imposed for a prosecution of an offence under the local law is recommended however.

Attachments:

1. So C Parking Amendment LL V 1 16 Jun 2020 [11.1.9.1 - 2 pages]

Consultation:

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

The purpose and effect of the amendment local law is:

Purpose

To amend the Shire of Coolgardie Parking Local Law 2019 to deal with determination clauses.

Effect

The Shire of Coolgardie Parking Local Law 2019 is amended.

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

Statutory Environment:

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

Policy Implications:

NIL

Financial Implications:

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

Strategic Implications:**Accountable and Effective Leaders**

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

High quality corporate governance, accountability and compliance

Voting Requirement: Simple Majority

Officer Recommendation:

That:

- 1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State wide and local public notice be given stating that:**
 - a. It is proposed to make a Shire of Coolgardie Parking Amendment Local Law, and a summary of its purpose and effect;**
 - b. Copies of the proposed amendment local law may be inspected at the Shire offices;**
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;**
- 2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;**
- 3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it;**
- 4. The results of the public consultation be presented to Council for consideration of any submissions received; and**
- 5. The WA Parliamentary Joint Standing Committee on Delegated Legislation be advised that:**
 - a. The Shire undertakes to make a *Shire of Coolgardie Parking Amendment Local Law* to amend the *Shire of Coolgardie Parking Local Law 2019* to deal with the queries raised by it;**
 - b. The Shire will not enforce the *Shire of Coolgardie Parking Local Law 2019* contrary to this undertaking;**
 - c. A copy of the Amendment Local Law will be sent to the JSCDL; and**
 - d. The maximum penalty that may be imposed for a successful prosecution under the *Parking Local Law 2019* is set at \$5,000 in the *Shire of Coolgardie Parking Local Law 2019* for the reasons outlined in the report to Council.**

11.1.10 Proposed Shire Of Coolgardie Meeting Procedures Amendment Local Law

Location:	Shire of Coolgardie
Applicant:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	16 June 2020
Author:	Chris Liversage, Consultant

Summary:

The Shire has recently replaced or amended all its local laws.

As part of the process to make a local law, local laws must be submitted to the WA Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL) for review. Amongst other things, the role of the JSCDL is to scrutinise local laws and request amendments, failing which it can recommend that Parliament disallows the local law.

The Committee has requested a minor amendment to the *Shire of Coolgardie Meeting Procedures Local Law 2019*. The amendment requests deletion of a repeated word.

The requested amendment to the local law should be agreed to. A draft *Shire of Coolgardie Meeting Procedures Amendment Local Law 2020* is attached.

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

Background:

The Shire of Coolgardie Meeting Procedures Local Law 2019 was published in the Government Gazette on 12 March 2020.

As noted above, local laws must be submitted to the WA Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL). Amongst other things, the role of the JSCDL is to scrutinise local laws and request amendments, failing which it can recommend that parliament disallows the local law.

The JSCDL has noted that the word 'may' is repeated in clause 5.3(4)(a). It should be deleted so that it reads:

5.3 Motions of which previous notice has been given

...

(4) The CEO -

(a) ~~may~~, with the concurrence of the President, may exclude from the notice paper any notice of motion deemed to be, or likely to involve, a breach of any of these Local Laws or any other written law;

(Proposed deletion shown struck through).

Comment:

The amendment requested by the JSC in the table above should be agreed to and the local law amended.

Attachments:

1. So C Meeting Procedures Amendment LL V 1 16 Jun 2020 [11.1.10.1 - 1 page]

Consultation:

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

The purpose and effect of the amendment local law is:

Purpose

To delete a repeated word in clause 5.3(4)(a) of the Shire of Coolgardie Meeting Procedures 2019 to deal with determination clauses.

Effect

The Shire of Coolgardie Meeting Procedures Local Law is amended.

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

Statutory Environment:

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

Policy Implications:

Nil

Financial Implications:

Nil

Strategic Implications:**Accountable and Effective Leaders**

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

Voting Requirement: Simple Majority

Officer Recommendation:**That Council:**

1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, State wide and local public notice be given stating that:
 - a. It is proposed to make a Shire of Coolgardie Meeting Procedures Amendment Local Law, and a summary of its purpose and effect;
 - b. Copies of the proposed amendment local law may be inspected at the Shire offices;

- c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;
2. In accordance with s3.12(3)(b) of the Act, as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;
3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it;
4. The results of the public consultation be presented to Council for consideration of any submissions received; and
5. The WA Parliamentary Joint Standing Committee on Delegated Legislation be advised that:
 - a. The Shire undertakes to make a *Shire of Coolgardie Meeting Procedures Amendment Local Law* to amend the *Shire of Coolgardie Meeting Procedures Local Law 2019* to deal with the queries raised by it;
 - b. The Shire will not enforce the *Shire of Coolgardie Meeting Procedures Local Law 2019* contrary to this undertaking; and
 - c. A copy of the Amendment Local Law will be sent to the JSCDL.

11.1.11 Department of Economic and Community Development COVID 19 Actions and Outcomes

Attachments:

1. Economic and Community Development - June 2020 [11.1.11.1 - 5 pages]

11.1.12 BRPC augmentation for LGs - Additional funding opportunity

Location:	Shire Coolgardie
Applicant:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	18 June 2020
Author:	Chief Executive Officer, James Trail

Summary:

The Shire of Dundas, Coolgardie and City of Kalgoorlie Boulder to be part of the proposed funding to Develop for a written BRM Plan, including the communication strategy.

This proposed funding from State Government is approved through the Minister Fran Logan Office through DFES to Engage key stakeholders in the process and provide guidance and advice to stakeholders in development of the BRM Plan and subsequent treatment schedule, including BFAC/LEMC this position will engage all stakeholders including Ngadju Traditional owners through their organisations.

Background:

Below is a draft program for discussion and approval to have this implemented through this program

Establishing a Process (Draft)

Region	# BRPC positions funded	Proposed Host LG	Year 2019/20	Year 2020/21 LGs supported	Year 2021/22 LG supported
Goldfields-Midlands	1	Dundas (2019-2021)	Dundas	Dundas Coolgardie	
		Coolgardie (example only host 2021/22)			Coolgardie Kalgoorlie

Comment:

This newly created position of the Bushfire Risk Planning Coordinator (BRPC) position will work to Submit the draft BRM Plan to Bushfire Risk Management Branch (BRMB) and Office of Bushfire Risk management (OBRM) for quality assurance and endorsement before adoption by all stakeholders. Apart from the accommodation and Office space this position will be fully funded through a Grant.

Attachments:

1. CONFIDENTIAL ATTACHMENT - BRPC augmentation for LGs - Additional funding opportunity

Consultation:

Shire President
DFES
Shire of Dundas
Shire of Coolgardie
City of Kalgoorlie Boulder
LEMC

Statutory Environment:

Local Government Act 1995
Bush Fire Act 1954

Policy Implications:

N/a

Financial Implications:

The cost for this position will be covered by DFES

Strategic Implications:**Accountable and Effective Leaders**

High quality corporate governance, accountability and compliance

Voting Requirement: Simple Majority

Officer Recommendation:

That Council, authorise the Chief Executive Officer to sign the Bushfire Risk Management Planning Program Grant Agreement between the Department of Fire and Emergency Services, Shire of Dundas, City of Kalgoorlie – Boulder and Shire Coolgardie as attached (Confidential)

11.1.13 Draft 2020-21 Differential Rates Model

Location:	Shire of Coolgardie
Applicant:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	18 June 2020
Author:	Chief Executive Officer, James Trail

Summary:

For Council to consider revoking its recent decision to advertise and invite submissions on the draft differential rates model for the 2020/21 financial year in light of the Local Government (COVID-19 Response) Order 2020 made by the Minister for Local Government.

Background:

At a Special Council Meeting held on 7th April 2020 Council considered a range of initiatives to support local businesses and individuals in need due to the impact of the COVID- 19 pandemic. This included a commitment to not increase rates for the 2020/21 financial year.

Following that decision, at the Special Council Meeting held 5th May 2020 Council resolved;

COUNCIL RESOLUTION: #76/20

Moved: Councillor, N Karafilis
Seconded: Councillor, S Botting

That Council, pursuant to Section 6.36 of the Local Government Act 1995 **RESOLVES** to

- 1. Endorse the Rates Objectives and Reasons for Differential Rates**
- 2. Consider any submissions received for Council during the 2020/21 Annual Budget process; and**
- 3. Advertise and Invite submissions regarding the following proposed differential rates in 2020/21 which reflect no increase in the 2019/20 rates**

Proposed Differential Rates 2020/21			
GRV/UV	Differential Rate Categories	Proposed Minimum Rate	Proposed Rate in \$
GRV	Residential	708.00	0.076110
GRV	Commercial	708.00	0.076110
GRV	General Industry, Light Industry, Industrial Area, Light Industrial Area	708.00	0.076110

GRV	Strategic Industry	708.00	0.076110
GRV	Transient Workforce Accommodation / Workforce Accommodation	708.00	0.076110
UV	Pastoral	684.00	0.110510
UV	Mining/Other	437.00	0.220440

Carried Absolute Majority 7 Nil

Comment:

Subsequent to the Council decision, the Minister for Local Government has made an Order under the Local Government Amendment (COVID-19 Response) Act 2020 to deal with issues relating to meetings, access to information and budgetary matters. The Order, which came into effect on 8 May 2020, is intended to assist ratepayers that have been adversely impacted by the COVID-19 pandemic and will directly assist local governments through removing red tape and compliance requirements that are not considered necessary while local governments and the community deal with the pandemic. Specifically, local governments that resolve to freeze their rates in the dollar are being released from the requirement to obtain Ministerial approval for differential rates if they obtained Ministerial approval for the 2019/20 rates. The Order also recognises that the process of advertising and seeking submissions for a minimum of 21 days is 'unnecessary, meaningless and costly in a time when budgets are being negatively impacted' and therefore local governments that resolve to set differential general rates and minimum payments at a level no higher than the 2019/20 rates will not have to comply with this requirement.

As Council's decision on the process for adoption of differential rates for 2020/21 preceded the Ministerial Order, it is necessary for Council to consider revoking its previous decision.

Following Council's decision regarding the proposed differential rates model for 2020/21, the Local Government (COVID-19 Response) Order 2020 has effected amendments to the process for approval of differential general rates. Revocation of the resolution adopted at the Special Council Meeting held on 5th May 2020 will allow Council to adopt the proposed differential rates for 2020/21 with no increase at the Special Meeting of Council to be held on the 7th July 2020 to adopt the 2020-21 Annual Budget.

Attachments:

Nil

Consultation:

Consultation has taken place between Councillors and the Executive Management Team via briefing sessions.

Statutory Environment:

The Local Government (COVID-19 Response) Order 2020 impacts the requirements on local governments to comply with the following provisions of the Local Government Act 1995:

- s6.33 (Differential general rates); and
- s6.36 (Local governments to give notice of certain rates).

Regulation 10 of the Local Government (Administration) Regulations 1996 makes provision for revoking or changing decisions.

Policy Implications:

The Order will also impact the requirement to comply with the Department of Local Government Rating Policy – Differential Rates.

Financial Implications:

Nil

Strategic Implications:

Accountable and Effective Leaders

High quality corporate governance, accountability and compliance

Voting Requirement: Absolute Majority

Officer Recommendation:

1. In accordance with Regulation 10 of the Local Government (Administration) Regulations 1996, the following three Councillors AGREE to CONSIDER revoking Resolution #76/20 adopted at the Special Meeting of Council held on 5th May 2020:
 - a) -----
 - b) -----
 - c) -----

2. That Council by ABSOLUTE MAJORITY pursuant to Regulation 10 of the Local Government (Administration) Regulations 1996, RESOLVES to REVOKE Resolution #76/20 relating to the proposed advertising of differential rates adopted at the Special Meeting of Council held on 5th May 2020 on the grounds that the Minister for Local Government indicated that the process is “meaningless and costly in a time when businesses are being negatively impacted”.

11.1.14 Activity Report May 2020

Attachments:

Nil

11.1.15 Outstanding Resolutions May 2020

Attachments:

1. Outstanding Resolutions Updated for 26 May 2020 [11.1.15.1 - 30 pages]

11.2 Technical Services

11.2.1 Little Industries - Durkin Rd, Kambalda - haulage campaign

Location:	Coolgardie
Applicant:	Little Industries
File Reference:	NAM8187
Disclosure of Interest:	The author has no financial interest in this item
Date:	20 May 2020
Author:	Engineering Administration Officer, Mel Nowlan

Summary:

For Council to consider a CA07 renewal application from Little Industries (IRD33360) for an approximate annual figure of 81,766 tonnes covering 1.5km Durkin Road, 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 2020 to 30 June 2021.

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.

Little Industries have approached the Shire seeking extension of their annual haulage campaign transporting approximately 81766 tonnes (annually) of product utilising 1.5km of Durkin Road, Kambalda. At the Council meeting held 25 June 2019 Little Industries received Council approval for their haulage campaign 2019-2020 (refer to Council Resolution #111/19).

COUNCIL RESOLUTION: #111/19

Moved: Councillor, S Botting

Seconded: Councillor, T Rathbone

That Council,

- 1. Endorse the proposal from Little Industries to use 1.5km of Durkin Road as part of their annual campaign comprising of 83,500 tonnes from 01 July 2019 to 30 June 2020.**
 - 2. Request a capital Contribution at {resolution}.07 per tonne per km at 83,500 tonnes over 1.5km = \$8767.50 ex GST. Contribution to Account 11202750 - 170 (Limited Cartage Campaign).**
- CARRIED SIMPLE MAJORITY 6/0**

All haulage activities undertaken will be in accordance with Council Policy 044 (Haulage Campaigns) which applies to haulage campaigns within the Shire of Coolgardie. All haulage campaigns should be read in conjunction with the Shire's Policy #045 (Heavy Vehicles Conditions for use of Shire Roads). The purpose of both policies aims to ensure safe use on Shire roads by long term haulage campaign users.

Comment:

Little Industries have requested use of Durkin Road, Kambalda, and renewal of their existing approvals for a hauling period of 1 July 2020 to 30 June 2021. 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 81,766 tonnes and previous Council Resolution #111/19 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

Capital Contribution of \$0.07 per tonne per km at 81,766 tonnes over 1.5km \$9443.97 (inc GST) or Maintenance Contribution at \$0.04 per tonne per km at 81,766 tonnes over 1.5km \$5396.56 (inc GST)

Attachments:

1. 693 - Shire of Coolgardie Durkin Rd 190520 [11.2.1.1 - 8 pages]
2. 693 - SOC Durkin Rd Haulage Map [11.2.1.2 - 1 page]

Consultation:

Gerald (Joe) Little – Little Industries; Director

Statutory Environment:

Road Traffic Act 1974 Section 85

Local Government Act 1995, Section 3.5

Policy Implications:

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

Developing strong partnerships with stakeholders for the benefit of our community

High quality corporate governance, accountability and compliance

Voting Requirement: Simple Majority

Officer Recommendation:

That Council,

- 1. Endorse the proposal from Little Industries to use 1.5km of Durkin Road as part of their annual campaign comprising of approximately 81,766 tonnes from 01 July 2020 to 30 June 2021.**
- 2. Request a capital Contribution at \$0.07 per tonne per km at 81,766 tonnes over 1.5km = \$9443.97 (inc GST). Contribution to Account 11202750 - 170 (Limited Cartage Campaign).**

11.2.2 Sewerage Tender Coolgardie RFT01/20

Location:	Kambalda
Applicant:	Shire of Coolgardie
File Reference:	NAM8281
Disclosure of Interest:	The Author has no interest in this matter
Date:	15 June 2020
Author:	Commercial Manager, Rod Franklin

Summary:

The purpose of this report is to recommend to Council to accept the preferred tender in response to Request for Tender RFT 01/20 – Coolgardie Town Site Sewer Maintenance & Management Tender.

Background:

The Shire of Coolgardie called for Tender 01/20 – “Coolgardie Town Site Sewer Maintenance & Management Tender”. The tender process was project managed by Core Business Australia Pty Ltd (CORE) and included the preparation of tender documentation, lodgement of advertisements, electronic receipting of tenders (utilising CORE’s secure Tenderlink Tender Portal) and assessment of submitted tenders.

The tender closed on at 2.00 pm Thursday 04 June 2020. Four (4) tenders were received via www.tenderlink.com/corebusiness; all were compliant. A public tender opening was held at 3.00pm WST on Tuesday 04 June 2020 at Core Business Australia’s office at Unit 6, 71 Kent Street, Busselton and via video link to the Shire of Coolgardie’s office in Kambalda. The tender opening was conducted by CORE’s Managing Director Bruce Lorimer who was authorised by the Shire of Coolgardie’s CEO to open tenders in accordance with Regulation 16 (3) (a) (ii) of the Local government (Functions and General) Regulation 1996 and the Shire of Coolgardie’s Commercial Manager, Rod Franklin and Director of Operations, Robert Hicks (both via video link). There were no members of the public that attended the tender opening.

Comment:

The following results were scored using the below weighting criteria by two individual assessors:

A) Relevant Experience In addition to your Referees provided in Section 6.3, please provide a brief overview of your experience relevant to this project, for example completion of flood recovery works in regional or remote areas.	Weighting 20%
B) Proposed Resources Please provide a brief written overview of your proposed Plant and Equipment and Operators you intend to utilise: 1. List of Plant and Equipment and number available 2. List of Key Personnel	Weighting 20%

3. Description of Quality System 4. Description of Safety System 5. etc	
C) Contribution to the Local Economy Please detail how your proposed operation will benefit the local economy. Please detail such things and materials and supplies you intend to source from suppliers located within the Shire of Coolgardie such as Fuel, accommodation, sub-contractors, hire of plant and machinery.	Weighting 10%
D) Price Tenderers must complete the included Microsoft Excel version of the price schedule and update the following "Price Schedule" to match. Before completing the Price Schedule, Tenderers should ensure they have read this entire Request. Tenderers should also check the calculation in the Excel version of the price schedule and make sure these are correct and align with the Shire's Regional Price Preference Policy (if applicable).	Weighting 50%

Tenderer 2 is the recommended contractor to be awarded the *Coolgardie Town Site Sewer Maintenance & Management Tender* for the following reasons:

- One submission did not provide a compliant price schedule
- The price schedule, including price clarification, was rated more competitive than other submissions
- Tender 2 had the best value for money, extensive range of resources and is located locally within the Goldfields Region

Attachments:

1. 746 Coolgardie Sewer Maintenance Tender Price Schedule (Ver 2) [11.2.2.1 - 12 pages]
2. 746 Coolgardie Sewer Maintenance & Management Tender (Ver 2) [11.2.2.2 - 128 pages]
3. CONFIDENTIAL ATTACHMENT - 746 Coolgardie RFT 01 - Sewer Maintenance Management Tender Assessment Report Ver 2 [11.2.1 - 29 Pages]

Consultation:

Bruce Lorimer – Managing Director, Core Business Australia Pty Ltd
Rod Franklin – Commercial Manager
Robert Hicks – Director of Operations

Statutory Environment:

Regulation 16 (3) (a) (ii) of the Local government (Functions and General) Regulation 1996

Policy Implications:

Nil

Financial Implications:

The cost of providing the *Coolgardie Town Site Sewer Maintenance & Management Tender* contract is stipulated within the Shire's Budget 2020-2021.

Strategic Implications:

Accountable and Effective Leaders

High quality corporate governance, accountability and compliance

Effective management of infrastructure, heritage and environment

Maintaining and renewing infrastructure and building assets

Voting Requirement: Absolute Majority

Officer Recommendation:

That Council,

1. Authorise the Chief Executive Officer to award Tender 01/20 to GRB Resources Pty Ltd (Eymjor Services) as per their Price Schedule.
2. Authorise a contract to GRB Resources Pty Ltd, 6 Epis Street, Kalgoorlie WA 6430 for Tender 01/20 - Coolgardie Town Site Sewer Maintenance & Management Tender.
3. Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal in accordance with Part 19.1(2) of the Standing Orders Local Law to any required documentation.

11.2.3 Management of Council Owned Properties in Kambalda

Location:	Shire of Coolgardie
Applicant:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	16 June 2020
Author:	Director of Operations, Robert Hicks

Summary:

For Council to consider the management agreement from Ray White Real Estate for the management of Council owned properties in Kambalda.

Background:

To renew the existing Management Authority. The Shire has been in discussions with Ray White Kambalda in relation to continuing the management agreement for Shire owned real estate in Kambalda.

Comment:

The purpose of this agreement is to manage Shire's real estate in Kambalda to alleviate the Shire's administration department, 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. This will provide efficiencies and equity across the community when dealing with properties. The management agreement is for a period of one year.

Attachments:

1. Ray White Management Authority 2020-21 [11.2.3.1 - 12 pages]

Consultation:

Ray White Real Estate

Statutory Environment:

NIL

Policy Implications:

NIL

Financial Implications:

The costs of the management agreement will be budgeted for annually, approximately \$12,000 a year.

Strategic Implications:

A thriving local economy

Supporting local businesses in the Shire

Effective management of infrastructure, heritage and environment

Maintaining and renewing infrastructure and building assets

Voting Requirement: Simple Majority

Officer Recommendation:

That Council,

Approves the management agreement with Ray White for a 1-year period commencing 1 July 2020 for the following properties:

- 11 Wildflower Court
- Lot 1/11 Barnes Drive
- 1 Gimlet Court
- 4 Eucalypt Court
- Units 1 – 6 Salmon Gum Road
- 11 Goodenia Court

11.2.4 Management of Council Owned Properties in Coolgardie

Location:	Shire of Coolgardie
Applicant:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	16 June 2020
Author:	Director of Operations, Robert Hicks

Summary:

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

Background:

To renew the Management Authority with Zion Real Estate in relation to continuing the management agreement for Shire owned real estate in Coolgardie.

Comment:

The purpose of this agreement is to continue to manage the Shire's real estate in Coolgardie and this will provide efficiencies for the Shire.

The Shire have no issues with the way in which they were managed during the last twelve month term and are satisfied with the information provided from Zion Real Estate on income, expenditure and maintenance.

A Shire Officer will work on refining the communications with Zion Real Estate and establish a single point of contact within the Shire.

The Coolgardie Post Office complex is coming up for repurpose and refurbishment, so the Shire requires the currently vacant areas to remain vacant and there is no requirement of Zion Real Estate to manage these areas.

Last year Council agreed to the use of the Community User Agreement (CUA) for small community groups and taking into consideration the low rent for these agreements (\$400 per annum), the Shire would like to manage those properties internally by a Council Officer.

To remain consistent with the Shire's Community Strategic Plan we would be supporting a local business within the Shire by re-appointing Zion Real Estate.

The management agreement is for a period of one year.

Attachments:

1. Zion Residential Management Authority 2020 - 21 [11.2.4.1 - 14 pages]
2. Zion Commercial Management Authority 2020-21 [11.2.4.2 - 5 pages]

Consultation:

Zion Real Estate

Statutory Environment:

NIL

Policy Implications:

NIL

Financial Implications:

The costs of the management agreement will be budgeted for annually, approximately \$22,000 a year.

Strategic Implications:

A thriving local economy

Supporting local businesses in the Shire

Effective management of infrastructure, heritage and environment

Maintaining and renewing infrastructure and building assets

Voting Requirement: Simple Majority

Officer Recommendation:

That Council,

1. **APPROVE** the management agreement with Zion Real Estate for a one year period commencing 1 July 2020 for the following properties:

Residential

- 56 King Street
- 4/33 Sylvester Street
- 58A Bayley Street (Post office complex 2 storey unit)
- 89 Woodward Street (Flat only)

Montana Homes

- 1/1 Taylor Street
- 3/1 Taylor Street
- 5/1 Taylor Street
- 7/1 Taylor Street
- 9/1 Taylor Street
- 11/1 Taylor Street

Commercial Properties

- 56 Bayley Street (Post Office)
- 58C Bayley Street
- 76 Bayley Street
- 78 Bayley Street

2. **AUTHORISE** the removal from Zion Real Estate management authority for the following properties:

- 56A Bayley Street

- 58B Bayley Street
- 58D Bayley Street
- 60 Bayley Street

3. AUTHORISE the removal from Zion Real Estate management authority those properties leased on a Shire of Coolgardie Community User Agreement:

- 89A Woodward Street
- 75 Sylvester Street

11.2.5 Kambalda West Playgroup Inc

Location:	Shire of Coolgardie
Applicant:	Kambalda West Playgroup Inc
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	18 June 2020
Author:	Director of Operation, Robert Hicks

Summary:

To approve a Club User Agreement for the Kambalda West Playgroup Inc (KWPG) for the use and occupancy of a portion of the Community Kambalda Recreation Facility to provide playgroup sessions for the local the Community.

The KWPG have requested consideration of the following agreement terms:-

- Club User occupancy arrangement for 24 months
- Operating hours of Wednesdays and Fridays 9.00am -11.30am
- Use of the Community Activity Room
- Utilisation of the Toy Library on the condition that the Toy Library Storage Room would only be available to the KWPG during their normal operating hours.

Background:

In August 2019 the Shire approved a Club User Agreement that established simple terms and provided a limited timeframe of up to two years. This model is simple to use and has received positive feedback from the community groups.

The lease expired on the 3 June 2019 and the group have been operating on a month to month basis during this time in order to establish a broader framework and more consistent approach for the use of leased out spaces within the Kambalda Community Recreation Facility.

Comment:

The purpose of the Shire's User Agreements is intended to enable the short-term activation and use of council community buildings by sporting and community clubs and other non-profit groups or organisations that provide social, recreational or community participation that support and sustain community wellbeing, and create community cohesion.

The Shire have had no issues during the prior lease term of five years.

The community would benefit from the playgroup continuing their occupancy and it would be consistent with the Shire's Community Strategic Plan.

This request by the KWPG is supported. Accordingly it is recommended that a Club User Agreement be offered to KWPG containing the following terms and conditions:

- Purpose: Playgroup Sessions
- Facilities: As per plan
- Term: User Group Agreement for 24 months
- Extension terms: Nil
- Annual Occupation Fee: \$400
- Insurances: Public Liability and building content insurance

Attachments:

1. KWPG Leased Area Plan [11.2.5.1 - 1 page]
2. Template Club User Agreement - August 2019 [11.2.5.2 - 14 pages]

Consultation:

Francesca LeFante, Planning Consultant

Statutory Environment:

Local Government Act 1995

Local Government (Administration) Regulations) 1996

Policy Implications:

NIL

Financial Implications:

Occupancy Fee

Strategic Implications:

An inclusive, safe and vibrant community

Attracting funding to support the sustainability and growth of our local Community groups

Voting Requirement: Simple Majority

Officer Recommendation:

That Council,

APPROVES a Community Group User Agreement with KAMBALDA WEST PLAYGROUP INC for use of portion of the Kambalda Community Recreation Facility as shown on the attached plan for the following terms:

- Purpose: Playgroup Sessions
- Term: 24 months
- Extension terms: Nil
- Annual Occupation Fee: \$400
- Insurances: Public Liability and building contents insurance

11.2.6 Asset Management Plan 2020-2040

Location:	Shire Coolgardie
Applicant:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Date:	18 June 2020
Author:	Chief Executive Officer, James Trail

Summary:

That Council, by SIMPLE Majority pursuant to Section 5.56 of the Local Government Act 1995 RESOLVES to ADOPT the Draft Asset Management Plan 2020-2040 (as attached).

Background:

Section 5.56 of the Local Government Act 1995 requires local government authorities in Western Australia to plan for their future. As part of the development of the Integrated Strategic Planning Framework, the Shire is required to integrate matters relating to asset management.

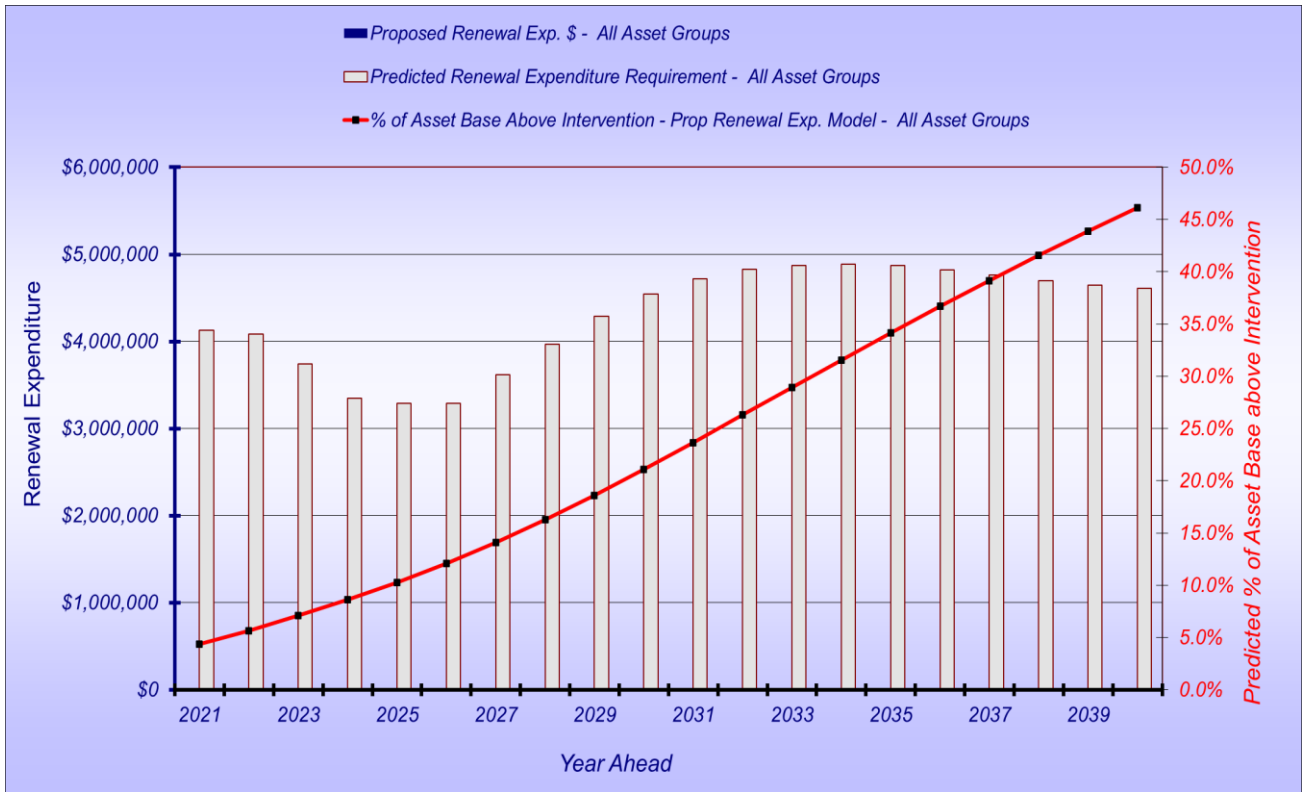
The Asset Management Strategy is a document that outlines how the Shire's asset portfolio will meet the service delivery needs of its communities into the future. In conjunction with the Asset Management Strategy, Asset Management Plans are developed for each asset class to define the current levels of service and the processes used to manage that asset class.

Along with the Long Term Financial Plan and Workforce Plan, the Asset Management Plan acts to inform the Strategic Community Plan and Corporate Business Plan. The current Asset Management Strategy and Plans were adopted by Council in 2013 and have been reviewed to reflect the Shire's current asset portfolio and asset management practices.

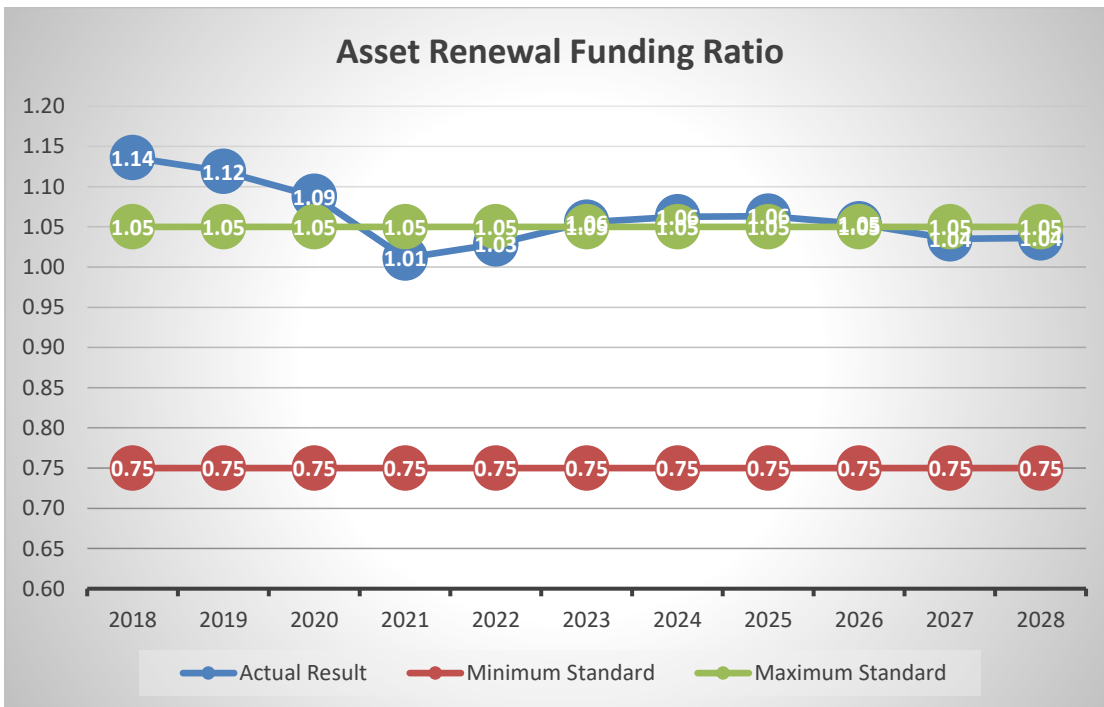
Comment:

A rule of thumb in asset management is that between 2% - 4% of the infrastructure value is needed for asset renewal and maintenance combined. The more that prescriptive renewal can be funded, the lower the maintenance cost. Based on an asset portfolio of \$180.7m of depreciable assets, the Shire would need to be spending between \$3.61m (2%) and \$7.23m (4%), depending on the age and condition of the asset base. The Shire is currently spending greater than \$3.42m per annum on combined maintenance and renewal.

From the modelling it is predicted that Council has a 20 year annual average renewal demand of \$4.3m/annum. As noted above, the Shire is currently spending \$3.42m/annum on asset renewal providing an annual average renewal funding gap over 20 years of the order of \$0.88m/annum.



The Long Term Financial Plan 2020-2034 shows the Shire's capacity to meet its asset renewal funding ratio. The ratio is a measure of the local government's ability to fund asset renewal and replacements in the future.



Attachments:

1. Draft Asset Management Plan 2020-2040 [11.2.6.1 - 126 pages]

Consultation:

Council
Shire Staff
Contractors

Statutory Environment:

Section 5.56 Local Government Act 1995 provides that a local government is to plan for the future of the district.

Policy Implications:

Asset Management Policy 46

Financial Implications:

The Asset Management Plan informs the Long Term Financial Plan and ultimately the Annual Budget.

Strategic Implications:

Accountable and Effective Leaders

Demonstrating sound financial management and plans for the Shire's long-term financial sustainability
Maintain integrated strategic and operational plans

Voting Requirement: Simple Majority

Officer Recommendation:

That Council, by SIMPLE Majority pursuant to Section 5.56 of the Local Government Act 1995 RESOLVES to ADOPT the Draft Asset Management Plan 2020-2040 (as attached).

11.3 Recreation and Community Services

Nil

12 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
Nil

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

13.1 Elected Members

13.2 Council Officers

14 CONFIDENTIAL ITEMS

14.1 Assessment 1072, 3685 and 852

14.2 Rates Write Off

15 CLOSURE OF MEETING