



AGENDA

Ordinary Council Meeting

25 August 2020

06.00pm

Electronic Meeting

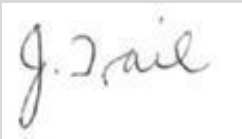
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SHIRE OF COOLGARDIE

NOTICE OF ORDINARY MEETING OF COUNCIL

Dear Elected Member

The next Ordinary Meeting of the Shire of Coolgardie will be held on Tuesday 25 August 2020 Electronically commencing at 06.00pm.

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

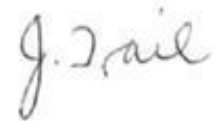
JAMES TRAIL
CHIEF EXECUTIVE OFFICER

ORDINARY COUNCIL MEETING**25 August 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

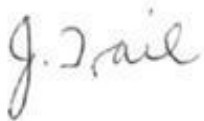
INFORMATION FOR PUBLIC ATTENDING COUNCIL MEETINGS

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 12:30pm on the day of the meeting. A summary of each question and response is included in the Minutes.

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

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

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

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

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

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

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

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

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

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

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

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

Local Government (Administration) Regulations 1996

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

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

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

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

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

Local Government (Administration) Regulations 1996

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

2. Public Inspection of Unconfirmed Minutes (Reg 13)

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

NOTE:**10.3 Unopposed Business**

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

QUESTION TIME FOR THE PUBLIC

(Please Write Clearly)

DATE: _____

NAME: _____

TELEPHONE: _____

ADDRESS: _____

QUESTION TO THE PRESIDENT:-

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

ITEM NO: _____ PAGE NO: _____

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

SHIRE OF COOLGARDIE

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

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

TUESDAY _____	2020
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Where indicated by the word 'YES' in column 6, I will be seeking a determination (under Section 5.68) by the meeting, for reasons I will expand on.

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

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

ITEM	PAGE No.	TYPE	REASON

For inclusion for interest declaration

Interests Affecting Impartiality: Disclosing Statement

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



APPLICATION FOR LEAVE OF ABSENCE

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

Dates, From _____ to _____

Signed Cr: _____

Date _____

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- 1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**
- 2 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE**
- 3 DECLARATIONS OF INTEREST**
 - 3.1 Declarations of Financial Interests – Local Government Act Section 5.60A**
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 - 3.3 Declarations of Impartiality Interests – Administration Regulation 34C**
- 4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**
 - Nil
- 5 PUBLIC QUESTION TIME**
- 6 APPLICATIONS FOR LEAVE OF ABSENCE**
- 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**
 - 7.1 Ordinary Council Meeting - 28 July 2020**

OFFICER RECOMMENDATION

That the minutes of the Ordinary Council Meeting held on 28 July 2020 be confirmed.

8 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**8.1 PRESIDENT'S REPORT - AUGUST 2020****Date: 20 August 2020****Author: Malcolm Cullen, President**

During the past months of July and August, it is becoming increasingly noticeable the Goldfields-Esperance Region has weathered the brunt of the Covid-19 pandemic reasonably well. With our Mining and associated Construction and Service Industries maintaining their production and employment levels, I believe will place the economy in this region in good stead for future years.

This week in the Mining Talk report, several of the major companies have announced record profits and share dividends on the back of the spectacular recent Gold Price rise. Added to this news, is the recent announcement from Mincor of their successful fund raising venture to secure sufficient finance to reopen former Nickel Mines in Kambalda, as well as the new deposit at Cassini just south of Widgiemooltha. This should see a flurry of activity in our region early next year.

I feel confident the resurrection of these mines along with the current gold operations will bring many positive benefits to the Shire of Coolgardie.

The CEO, Senior Directors and I met with Development WA(formerly Land Corp)representatives in Kalgoorlie last week, whereby they informed us there had been several successful sales of Industrial Land Lots in Kambalda following the State Government's land stimulus promotion last month. Along with renewed interest in residential properties in our towns, this also gives some indication that interest in this region is Definitely on the rise.

As a result of the Shire and Goldfields Nullarbor Bio-security Group partnership to manage and eradicate the Hudson Pear Cacti growing in many locations within the Coolgardie Town site, a staff training workshop was held on site on the 13th August with GNRBA CEO Michelle Donaldson. The control measures using a cochineal bug introduced to the affected areas will spread throughout the area in the coming warmer months to hopefully eradicate this harmful plant species from the townsite.

Shire Management and Staff hosted a LEMC Workshop at the Coolgardie Recreation Centre on August 19th with the purpose of developing an emergency training exercise and to learn about procedures and protocol for management of future emergency situations that may occur in the Shire. Presented by DFES Regional Emergency Management Co-ordinator Yvette Grigg, the workshop was very well attended by stakeholders throughout the Shire who all enjoyed the event and commending the Shire initiative by stating this was a very worthwhile exercise to have attended.

On a social and community note, I would like to report there has been increased activity within both our communities over the last few weeks, with our recreation staff reporting excellent participation from all members of the community at events and functions being held,as well as increasing gym memberships now that they have been reopened.

Of great interest in Coolgardie was the return of the Barefoot Bands Group who have been granted use of and have now set up a recording studio at the old Railway Station Building. It is great to see this historic building back in use once again and going by the amount of interest shown by both our residents and visitors, this venture will provide a huge opportunity to our budding musicians to try out and record their music interests. I was informed attendances during the week numbered between twenty and thirty musicians each day.

The Shire Community wellness checks as well as the meals on wheels service to our elderly residents continues to be gratefully received and appreciated by our senior residents. I have been informed from staff members that

they have met many members of our community during these visits and phone calls than they had ever previously heard from, which has been a great outcome for all concerned.

Council Meetings and Briefing forums continue to be held by electronic means for the time being, with this decision made month by month until there is more certainty from the State Government on the introduction of Stage 5 of the State Covid-19 Plan. Should any members of our communities wish to raise any issues that may arise, there are several avenues to approach or contact Shire Staff or your Councillors.

These are all available on the Shire Website or alternately Shire Offices and Recreation Centres.

Meetings - Workshops attended this period:

- Deputy President and I attended the Regional Council meeting in Laverton on July 24th.
- July 27th Ben Prior Park project site visit discuss relocation of Jack Cairns Camp with contractors.
- Meeting with GNRBA CEO in Kalgoorlie to discuss Cacti and Camel Industry Projects.
- Met with representatives from Department of Communities in Coolgardie to discuss public and Government Agency housing issues.
- July 30th attended an Infrastructure WA presentation in Kalgoorlie RE the State Plan for major regional projects.
- August 2nd attended Barefoot Bands launching in Coolgardie At the Railway Station.
- Attended WA Premier's and Minister for Mines visit to the DMIRS Core Library in Kalgoorlie on August 4th.
- Meeting in Kambalda with CEO and BHP representatives to discuss future partnerships opportunities in the Shire.
- Shire Local Emergency Management meeting August 5th.
- Teleconference with Ravim-BC consultants RE the Shire Organisational Review.
- August 11th WALGA Infrastructure Policy Team zoom meeting RE Infrastructure WA Submission.
- Site meeting at Road Train Assembly Park RE entry - exit signage as well as no through road signage on nearby local roads.
- August 13th GNRBA training workshop RE Hudson Pear in Coolgardie.
- Meeting with Director Economic and Community Services and Focus Minerals Representative RE future operations in the Shire.
- August 17th ABC radio interview RE local news and events occurring in the Shire.
- Camel Industry working group zoom meeting.
- August 19th Shire - DFES - LEMC training workshop Coolgardie Recreation Centre.
- WALGA State Council zoom briefing RE Draft Local Government Act review report.
- August 20th GVROC agenda briefing via zoom RE WALGA State Council September meeting.
- Visit by WALGA CEO and President in Coolgardie Office.

Malcolm Cullen
Shire President.

- 9 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**
- 10 REPORTS OF COMMITTEES**

11 REPORTS OF OFFICERS**11.1 Executive Services****11.1.1 UPDATED CODE OF CONDUCT FOR COUNCIL MEMBERS, COMMITTEE MEMBERS AND CANDIDATES**

Location: Shire of Coolgardie
Applicant: Nil
Disclosure of Interest: Nil
Date: 10 August 2020
Author: Steve Tweedie, Consultant

SUMMARY

Every local government is required to adopt a Code of Conduct for Council members, committee members and employees, and the Shire of Coolgardie has done so.

With “imminent” changes to the structure and content of the Code of Conduct the administration held off proposing some changes to address new gift provisions.

However, it seems likely that the “imminent” changes, are still some time away and therefore that some amendments to the Code of Conduct are appropriate to reflect the October 2019 new gift provisions applying to Council members and the CEO.

BACKGROUND

By a report to Council in November 2019 advice was provided of proposed changes to the format and content of the Code of Conduct.

It was proposed by the Department of Local Government that there will be a mandatory code of conduct with three parts and apply to council members, committee members and candidates running for election.

1. Part A – principles – overarching behaviours that council members, committee members and candidates must take into consideration in their role as public representatives, or potential public representatives.
2. Part B – behaviour – sets out standards of behaviour which enable and empower council members to meet the principles outlined in Part A. Behaviour is expected to be managed at the local level by local government, so Part B also deals with how complaints are to be managed.
3. Part C – rules of conduct – matters that negatively affect the honest or impartial performance of a council member or involve a breach of trust placed in the council member or involve the misuse of information or material.

Local governments must adopt the Code within three months of the amendments taking effect. Until the Code is adopted, the model Code applies.

Local government cannot amend Parts A and C, may amend B, if not inconsistent with Code.

In addition, the Council would make the Code of Conduct for Council members, committee members and the CEO (although there were some contradictions about which version would apply to the CEO).

In October 2019 new gifts provisions commenced, applying to Council members and the CEO, and the intention was that new gift provisions applying to employees would follow.

On that basis, a significant rewrite was likely to be necessary to address the new legislative requirements and commencement of the proposed provisions was awaited.

COMMENT

With the delay in new provisions regarding employee gift provisions and the new structure and format of the Code(s) of Conduct it is important to update the current Code to ensure its accuracy in reflecting the October 2019 new gift provisions relating to Council members and the CEO.

The attached revised Code of Conduct updates the relevant gift provisions and “tidies” up some matters within the Code, without adding any significant new obligations.

The CEO arranged for employees to receive training on “Accountable and Ethical Decision Making” which will focus on 6 conduct areas in relation to the Shire Code of Conduct. This training is rescheduled for September 2020.

CONSULTATION

Chief Executive Officer

STATUTORY ENVIRONMENT

In accordance with s5.103 of the Local Government Act 1995 every local government is to prepare and adopt a code of conduct to be observed by Council Members, Committee Members, and employees.

The Code sets out principles and standards of behaviour Council Members, Committee Members and employees must observe when performing their duties and is intended to promote accountable and ethical decision-making.

However, the Code does not establish a rule for every situation a Council Member, Committee Member or employee may face while performing their role and understanding their duties on a daily basis.

The Code must read in conjunction with the Local Government Act 1995, the Local Government (Administration) Regulations 1996, the Local Government (Rules of Conduct) Regulations 2007 and other legislation that affect Council Members, Committee Members and employees while performing their role and duties and the Code does not override or affect those provisions or requirements.

POLICY IMPLICATIONS

Attached is the proposed new Code of Conduct which is also Policy 01 – it is noted that the index to the Policy Manual, along with the order of some Policies, and content, needs to be reviewed – this is currently being addressed with a complete Policy Manual to be produced in conjunction with the annual review of the Register of Delegations.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Accountable and effective leaders**

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. Code of Conduct - Draft August 2020

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council

- 1. Adopt the draft Code of Conduct for Council Members, committee members and employees, noting that the major effect is the inclusion of the new gift provisions as they apply to Council members and the CEO, along with some minor redrafting.**
- 2. Undertake a complete review of the Code of the proposed legislation takes effect.**
- 3. Welcomes the training provided to employees on accountable and ethical decision making, based on the Shire Code of Conduct.**

11.1.2 OFFICE OF AUDITOR GENERAL (OAG) - REPORT ON WORKING WITH CHILDREN CHECKS - MANAGING COMPLIANCE

Location: Shire of Coolgardie
Applicant: Nil
Disclosure of Interest: Nil
Date: 17 August 2020
Author: Steve Tweedie, Consultant

SUMMARY

The Office of the Auditor General (OAG) has recently published a Report on Working with Children Checks – Managing Compliance - https://audit.wa.gov.au/wp-content/uploads/2020/07/Report1_Working-with-Children-Checks-%E2%80%93-Managing-Compliance.pdf

Although there were only 3 State Government agencies examined, and no local governments, the findings and recommendations are appropriate for examination by local government and the Shire of Coolgardie.

The Shire has 17 employees holding (and required to hold, as a condition of their employment) Working with Children Checks at our recreation centres and swimming pools.

BACKGROUND

The OAG comments – “Working with Children Checks are an important part of every organisation’s suite of controls to protect the children in their care. The public has every right to expect that public sector entities demonstrate the highest standards in implementing these controls to help keep children safe.” and “...we found gaps in processes, errors in record keeping, and shortcomings in performance monitoring.

These gaps increase the risk that entities may not be able to ensure everyone who needs a Working with Children card, has one...”

Key issues include:

1. The Working with Children Check is a compulsory screening strategy in Western Australia for individuals who work with children.
2. Individuals apply for a Card through Department of Communities
3. Cards expire after 3 years, and individuals must renew their Card before it expires to keep working with children
4. Employers must not employ people in child-related work:
 - (a) if they do not have a valid Card or application in process
 - (b) if they are aware the person has an interim negative notice or if the person has worked for them for more than 5 days in a year without a Card.
5. Employers must:
 - (a) identify which positions require a Card under the Act
 - (b) meet all the requirements of section 22 of the Act
 - (c) ensure all students over 18, contractors and volunteers working with children on site have valid Cards

- (d) check with Dept of Communities that Cards of new employees are still valid
- (e) notify Dept of Communities when hiring new employees, so Dept of Communities can notify them if it revokes an employee's Card
- (f) maintain accurate and complete records of Cards and applications for all individuals on site to meet the requirements of section 42 of the Act. Section 42 requires employers to provide Dept of Communities with evidence that they have complied with the Act, if requested.

Dept of Communities provides guidance on working with children obligations and templates for recordkeeping, which entities and individuals can access through the Department's website.

An assessment of how the Shire of Coolgardie compares with the issues and recommendations has been completed and is attached.

The assessment indicates substantial compliance with the issues and recommendations raised in the Report and the CEO has directed that priority is to be attached to ensuring complete compliance, as relevant and appropriate for the Shire of Coolgardie.

COMMENT

Nil

CONSULTATION

Chief Executive Officer

Manager Executive Services

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Policy 12 – Recruitment and Selection.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

A thriving local economy

Accountable and effective leaders

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. **Working with Childrens Report**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council

- 1. Note the advice provided by the CEO, of substantial compliance, in relation to the recent OAG Report on Working with Children Checks – Managing Compliance,**

- 2. Note the CEO’s assurance of the priority attached to ensuring compliance with any issues and recommendations not currently fully implemented at the Shire, as relevant and appropriate to the Shire.**

11.1.3 OFFICE OF AUDITOR GENERAL (OAG) REGULATION OF CONSUMER FOOD SAFETY BY LOCAL GOVERNMENT ENTITIES

Location: Shire of Coolgardie
Applicant: Nil
Disclosure of Interest: Nil
Date: 18 August 2020
Author: Steve Tweedie, Consultant

SUMMARY

The Office of the Auditor General (OAG) has recently published a Report REGULATION OF CONSUMER FOOD SAFETY BY LOCAL GOVERNMENT ENTITIES - https://audit.wa.gov.au/wp-content/uploads/2020/06/Report_28_Regulation-of-Consumer-Food-Safety-by-Local-Government-Entities.pdf
Two local governments were examined, and the findings and recommendations are appropriate for examination by local government and the Shire of Coolgardie.

The Shire of Coolgardie has 36 food premises and maintenance of standards via regulatory inspections and registration is vital to maintain public confidence and health and safety.

OAG "...found many inspections were overdue, recordkeeping was poor, and follow-up and enforcement was not always completed or consistent. These weaknesses increase the risk that unsafe food practices are not rectified, and the public consumes hazardous food..."

Also "...While the 2 LG entities were conducting inspections, there were shortcomings in the compliance activities they used to regulate food safety in businesses. Many inspections were overdue, recordkeeping was poor, and follow-up and enforcement of compliance with food safety standards was not always consistent or completed. These shortcomings may lead to unsafe food practices going undetected or left unaddressed..."

Also "...Nearly 30% of high and medium risk food business inspections were overdue..."

"...Additionally, businesses are paying annual fees for inspections not performed and they may miss out on receiving information and advice on their food safety practices..."

"...We found instances where both LG entities had incomplete records of inspections and inaccurate business register data. We also found limited system functionality and compliance reporting. Quality records and reporting support good decision-making and help LG entities effectively and efficiently allocate limited resources..."

"...Neither LG entity reported on inspections that were due or overdue. Compliance reporting provides management with oversight of inspections required and completed, and EHO workload..."

"...Both LG entities were not following up instances of identified non-compliance in a consistent way, to ensure food safety issues were fixed..."

BACKGROUND

An assessment of how the Shire of Coolgardie compares with the issues and recommendations will form part of the report to the Ordinary Meeting of Council.

COMMENT

Nil

CONSULTATION

Geoff Harcombe, Environmental Health Consultant

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

It is possible that an outcome of the assessment of the issues in the Report will be changes to some internal policies and procedures.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Accountable and effective leaders**

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. **OAG Regulation of Consumer Food Safety by LG Entities**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION**That Council**

1. **Note the advice provided by the CEO in relation to the recent OAG Report - REGULATION OF CONSUMER FOOD SAFETY BY LOCAL GOVERNMENT ENTITIES,**
 2. **That Council note the CEO's assurance of the priority attached to ensuring compliance with any issue and recommendations not currently fully implemented at the Shire, as relevant and appropriate to the Shire.**
- .

11.1.4 ROAD CLOSURE - TINDALS ROAD COOLGARDIE

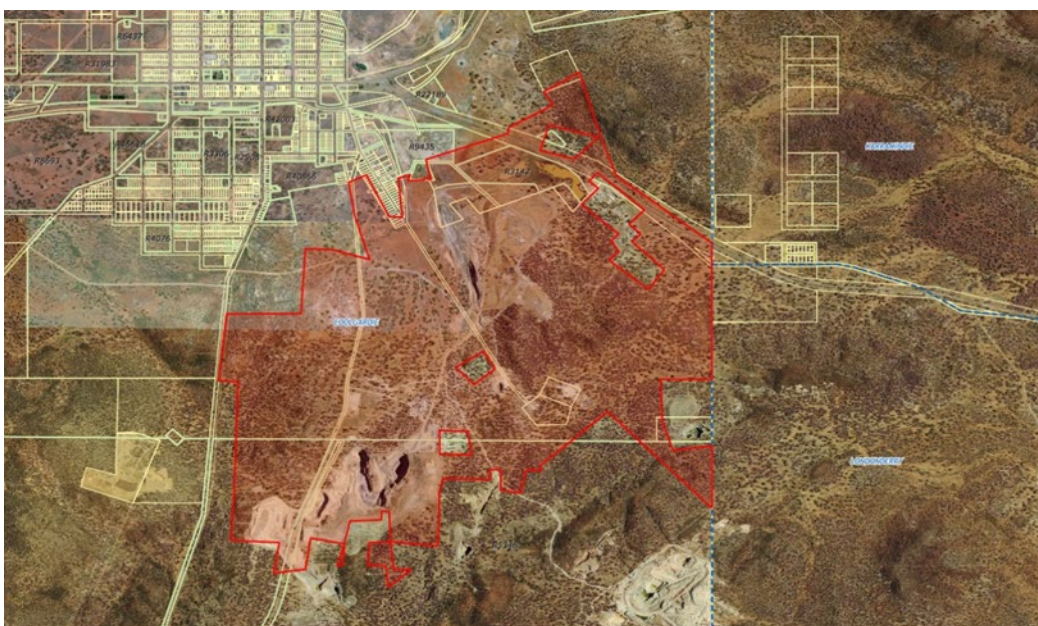
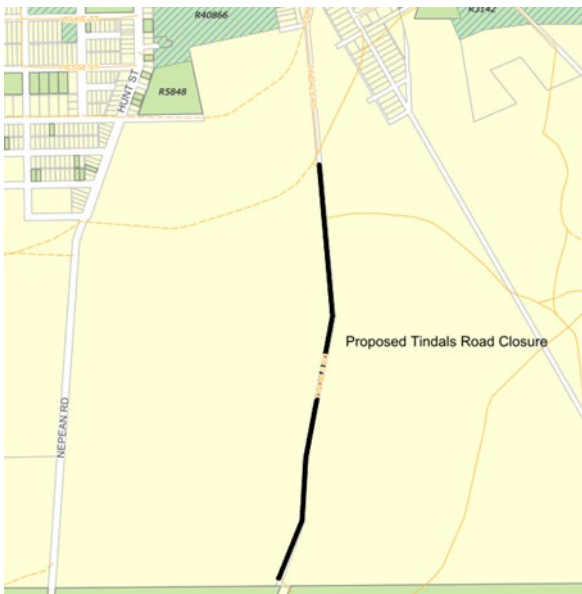
Location: Tindals Road, Coolgardie
Applicant: Nil
Disclosure of Interest: Nil
Date: 18 August 2020
Author: Francesca LeFante, Consultant

SUMMARY

The Shire is nearing the final actions to close a portion of Tindals Road and requires an updated resolution to be provided to the Department Lands, Planning and Heritage consistent with the legislative provisions.

BACKGROUND

The southern portion of Tindals Road Coolgardie is the portion to be closed as identified on the map below. The northern portion will remain as a gazetted road and form part of the network connecting to Nepean Road.



On 13 March 2013 the Council resolved to endorse

1. Release of road reserve from the Southern Section of the intersection of Tindals Road and the Mine Bypass Road in accordance with Council Plan 12-056 Ladyloch Road Preliminary Plan as demonstrated on plan three of the drawing set.
2. All costs associated with advertising and survey as part of the disposal to be borne by Focus Minerals Pty Ltd.
3. That Council indemnifies the Minster for Lands against any costs or compensation claims arising from the dissolution of land, Tindals Roads, within the Shire of Coolgardie, on the plan approved by the Manager of Technical Services.

In May 2015 public advertising of the proposed road closure was undertaken

On 14 March 2016 the Shire wrote to the Department of Lands seeking the closure of Tindals Road.

On 27 May 2016 the Department advised the Shire that Tindals Road is not connected to the existing road network and suggests it would be of benefit to close all the remaining portion of Tindals Road.

On 30 June 2016 the Shire advised the Department that it is constructing new road asset within the nominated section of Londonderry Street road reserve, connecting Ladyloch Road to the remaining portion of Tindals Road.

On 14 July 2016 - The Department advised that this portion of Londonderry Street is not dedicated. The Shires will need to provide a plan, with dimensions and a comply with sections 56(1) and 56 (4) of the LAA.

23 August 2016 - Shire advised that the new road to be within the designated road reserve and therefore that area is already under Shire of Coolgardie control.

15 December 2016 – Department provided a copy of document E659584 showing the portion of Londonderry Road closure. Council resolution Meeting on 14 February under section 288A of the former Local Government Act 1960 has been complied with. To have the subject land re-dedicated as a road, Council will need to comply with section 56 of the Land Administration Act 1997.

On 7 February 2017 Focus Minerals provided support for the road closure form Primary Gold, which wholly owns subsidiary MacPhersons Reward.

In February 2017 Council resolved to: -

1. Support the finalisation of the closure of Tindals Road, Coolgardie pursuant to Section 58 of the *Land Administration Act 1997*, comprising the
 - a) Release of road reserve from the Southern Section of the intersection of Tindals Road and the Mine Bypass Road in accordance with Council Plan 12-056 Ladyloch Road Preliminary Plan.

- b) All costs associated with advertising and survey as part of the disposal to be borne by Focus Minerals Pty Ltd.
 - c) That Council indemnifies the Minister for Lands against any costs or compensation claims arising from the dissolution of land, Tindals Roads, within the Shire of Coolgardie, on the plan approved by the Manager of Technical Services.
- 2) Advise the Department of Lands that the Shire of Coolgardie is pursuing the re-dedication of the land referred to as the former Londonderry Road in accordance with Section 56 of the Land Administration Act 1997.

COMMENT

Section 55 (3) (a) of the Land Administration Act 1997, suspends the operation of the Mining Act as it relates to the road reservation until such time as the relevant road is closed under Section 56.

The Council has completed the majority of the steps to close this portion of Tindals Road as detailed in Section 58 of the *Land Administration Act 1997* and Regulations 9B of the *Land Administration Regulations 1997*, which are summarised as follows: -

- Council resolves to initiate the road closure process – in March 2013.
- Public Advertising of the proposal for a period of 35 days – completed in October 2015.
- Preparation of sketch plans and survey documents.
- Written request for the road closure. Letter dated March 2016.
- The closed portion of Tindals Road is within the Focus mining tenement.

The Department has advised that an update of the road graphics and council resolution and indemnity is required to finalise the road closure.

CONSULTATION

Statutory public advertising for 35 days - Completed in September 2015.

Various Shire Officers

DPLH officers

STATUTORY ENVIRONMENT

Land Administration Act 1997 - S58

Land Administration Regulation – Regulation 9B

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Accountable and effective leaders**

High quality corporate governance, accountability and compliance

Effective management of infrastructure, heritage and environment

Facilitating urban and rural planning and development

Supporting the development of diverse housing and land options

ATTACHMENTS

1. Smartmaps Proposed Road Closure - Tindals Road

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council resolves to request the Minister for Lands to close that portion of Tindals Road as described on the graphic (Attach 1) pursuant to Section 58 of the Land Administration Act 1997 and that Council will indemnify and keep indemnified the Minister for Lands against any costs and/or compensation that may arise from the Shires request to close the road.

11.1.5 LOCAL GOVERNMENT ACT - REVIEW PANEL REPORT

Location: Shire Coolgardie
Applicant: Shire Coolgardie
Disclosure of Interest: Nil
Date: 20 August 2020
Author: James Trail, Chief Executive Officer

SUMMARY

In August 2020, the Review Panel established regarding the Local Government Act reported with 65 Recommendations.

WALGA has provided a summary of the Recommendations and its views on almost all of them and held a webinar on August 19 for all Mayors/Presidents and CEOs – CEO “attended”.

LG Professionals has also determined views on many of the Recommendations, mostly in agreement with WALGA, but some not.

WALGA has sought LG views in time for State Council on Sept 2.

It is likely that WALGA Zones will consider the Panel Report in due course, although possibly not prior to State Council, and certainly some Councils will be unable to do so.

BACKGROUND

The Chair of the Panel in the foreword to the Report stated:

“...Since the 1995 Act was proclaimed, our society and the technologies we use continue to change at an unstoppable pace, and with this change, community needs and expectations of local government are also increasing.

These demands on the sector will continue to expand, especially in the aftermath of, and recovery from, the COVID-19 pandemic.

The recommendations in this review are a road-map to more agile and inclusive local governments, with a clear purpose to deliver for the enhanced wellbeing of their communities.

A new legislative framework that ensures community consultation and integrated planning is a centrepiece of a local government’s operations, as well as an emphasis on regional and intergovernmental collaboration.

The recommended renewed focus on integrity, self-regulation and accountability will give local governments the tools to ensure good governance and continuous improvement...”

COMMENT

The State Government should be congratulated on its determination to advance the review of the Act.

With the State election due early 2021 it seems unlikely that much progress will be made, other than sector consultation and perhaps some preliminary policy positions determined by the State Government.

Thus, the earliest any draft legislation might be ready to be presented to Parliament would be later in 2021, and certainly not in time for any LG election related matters to be implemented for the October 2021 LG elections.

Attachments:

Matrix of Panel Recommendations, WALGA and LG Professionals view and recommendations, and recommended position for SOC.

WALGA (and in many of the same cases, LG Professionals) supports the Panel's Recommendations, in other cases, conditionally.

There are several where either WALGA has no firm position (although it may emerge from this consultative process), and Council needs to determine its view, or where there might be grounds for Council to form a different view to that of WALGA.

It should be noted that the Recommendations in the attached Report are those of the Governance Consultant and as such may not represent prior determined views of the Council.

CONSULTATION

CEO

STATUTORY ENVIRONMENT

Local Government Act 1995 and Regulations

POLICY IMPLICATIONS

There are no direct policy implications of the Recommendations at this stage, as they are only recommendations.

FINANCIAL IMPLICATIONS

There are no direct financial implications of the Recommendations at this stage, as they are only recommendations.

STRATEGIC IMPLICATIONS**Accountable and effective leaders**

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. Local Government Review Panel Report
2. WALGA Local Government Panel Review Report
3. Local Government Review Panel Report 05-08-2020

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That resolve to:

1. support WALGA's positions and Recommendations on Panel Recommendations 1,2,3,6,7,9,10,11,12,13,14,15,16,17,18,19,20,21,23,24,25,26,27,28,29,30,31,32,33,34,35,36,37,38,39,40,41,42,43,44,45,46,47,48,49,50,51,52,53,54,55,56,57,58,59,60,61,62,63,64,65.
2. support WALGA and LG Professionals positions and Recommendations on Panel on Recommendations 4,5.
3. support the Panel's Recommendations 8.

4. opposes the Panel's Recommendations 22 and advocates retention of the current arrangements

11.2 Operation Services**11.2.1 SALT LAKE MINING - HAULAGE, DURKIN RD****Location: Kambalda****Applicant: Karora Resources T/A Salt Lake Mining****Disclosure of Interest: Nil****Date: 27 July 2020****Author: Mel Nowlan, Engineering Administration****SUMMARY**

For Council to consider a CA07 renewal application (IRD34341) from Salt Lake Mining to utilise 1.5kms of Durkin Road, Kambalda. Haulage campaign - from 01 October 2020 to 31 March 2021.

BACKGROUND

(Parent Company) Karora Resources T/As Salt Lake Mining Resources have written to the Shire of Coolgardie requesting that the Shire allow Salt Lake Mining to use the Durkin Road access for ore haulage from Beta Hunt operation to Higginsville. 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 – Salt Lake Mining - needs to apply to the Shire of Coolgardie for use of the Shire of Coolgardie road network.

At Council's Ordinary meeting held 24 March 2020, Council decided;

COUNCIL RESOLUTION: # 42/20**Moved: Councillor, T Rathbone****Seconded: Councillor, S Botting****That Council,**

- 1. Endorses the proposal from Salt Lake Mining Resources to utilise 1.5 km of Durkin Road for a six (6) month haulage campaign from 01/04/2020 to 30/09/2020 comprising of up to 45,000 tonnes per month (320kt per the period) in accordance with Policy 044 Haulage Campaigns and Policy 045 Heavy Vehicles Conditions for use on Shire Roads.**
- 2. Request a capital contribution of \$36960 inc GST to Account 11202750 – 170.**

CARRIED ABSOLUTE MAJORITY 7/0

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

Salt Lake Mining have requested use of Durkin Road, Kambalda and renewal of their existing approvals for a hauling period of 01 October 2020 to 31 March 2021. KBD Haulage Pty Ltd have confirmed their vehicle type as 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 vehicle configurations for this section of Durkin Rd.

The annual haulage tonnage is approximately 590,000 tonnes and previous Council Resolution #42/20 requested 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 590kt over 1.5km \$68,145 (inc GST) or

Maintenance Contribution at \$0.04 per tonne per km at 590kt over 1.5km \$38,940 (inc GST)

Consultation

Krishna Vanderweide – Karora Resources

Simon Gash – KBD Haulage PL

Statutory Environment

Road Traffic Act 1974 Section 85

Local Government Act 1995, Section 3.5

Policy Implications

Council Policy 045 Heavy Vehicle Conditions for use on Shire Roads

Council Policy 044 Haulage campaigns

Financial Implications

Any contribution received will be placed in the road construction reserve account for use on the relevant road infrastructure.

Strategic Implications**A thriving local economy**

Supporting and encouraging mining and processing industries

Accountable and effective leaders

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. **Salt Lake Mining (renewal) Haulage Campaign - Durkin Road**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council,

1. **Endorse the proposal from Karora Resources T/As Salt Lake Mining to use 1.5km of Durkin Road as part of their haulage campaign comprising of 590kt from 01 October 2020 to 31 March 2021.**
2. **Request a capital contribution at \$0.07 per tonne per km at 590kt over 1.5km = \$68,145 (inc GST). Contribution to Account 11202750-170 (Limited Cartage Campaign).**

11.2.2 PLANNING POLICY - SEA CONTAINERS

Location: All areas
Applicant: Nil
Disclosure of Interest: Nil
Date: 18 August 2020
Author: Francesca LeFante, Consultant

SUMMARY

To consider the outcome of the advertising period and final adoption of the planning policy on sea containers within the Shire.

BACKGROUND

The Shire is receiving enquiries and requests for the placement of sea-containers on properties.

Sea containers can offer a sturdy, secure method of storage. They are readily available and often a less expensive option than a shed. Sea containers have therefore become a popular form of storage facility. Due to their bulk, industrial nature, condition and appearance, sea containers can have a negative visual impact on the surrounding area, particularly when used in residential areas.

Council at its meeting on 25 February 2020 resolved to:

1. APPROVE the proposed draft Local Planning Policies - Sea Containers as contained in the Attachment 1
2. AUTHORISE public advertising of the draft policy for public comment for a minimum period of 21 days in accordance with deemed clause 4 of the Planning and Development (Local Planning Schemes) Regulations 2015.

COMMENT

This policy provides further provisions to ensure that sea containers are appropriately located, screened and upgraded to ensure that they do not adversely impact on the amenity, streetscape, and character of the area (**refer attachment 1**). The policy supports the provisions contained with the Local Planning Scheme No 5.

Public advertising of the proposed policy for a period of 21 day, in accordance with *Planning and Development (Local Planning Schemes) Regulations 2015*, closing on 3 August 2020. Advertising of the Policy included notice on the Shire website, at Shire offices and in the newspaper (**refer attachment 2**)

No submissions were received at the close of advertising.

The policy has been developed to provide guidance on the Shires requirements including: -

1. That planning approval is required for all sea-containers, including those proposed to be used for storage or sheds.
2. ensure that the use of sea containers does not detract from the amenity, character and established or intended streetscape of an area.
3. provide additional guidance and requirements in addition to those contained in Local Planning Scheme No. 5 and R-Codes.

The proposed policy is recommended for final approval in accordance with the legislative procedures.

CONSULTATION

Public Advertising in accordance with legislative requirements

STATUTORY ENVIRONMENT

Planning and Development (Local Planning Scheme) Regulations 2015

Planning and Development Regulations 2009

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Public advertising costs

STRATEGIC IMPLICATIONS**A thriving local economy**

Supporting and encouraging mining and processing industries

Effective management of infrastructure, heritage and environment

Facilitating urban and rural planning and development

ATTACHMENTS

1. Proposed Policy - Sea Containers
2. Advertising Notice

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council APPROVE Local Planning Policies - Sea Containers' as contained in the Attachment 1

11.2.3 KAMBALDA AQUATIC FACILITY

Location:	Kambalda Aquatic Facility
Applicant:	Nil
Disclosure of Interest:	Nil
Date:	18 August 2020
Author:	Robert Hicks, Director of Operations

SUMMARY

The significant refurbishment of the Kambalda Aquatic Facility triggered a requirement for the whole complex to meet a range of statutory provisions under various legislation, such as Health, Building, pool access et al.

In short this means that any exemptions that previously applied to the operation of the facility no longer apply and the Shire, and all its lessees, tenants and user groups will need to fully comply with the current statutory environment, which will result in operation changes and additional training and development for staff and tenants.

BACKGROUND***Aquatic Facility Refurbishment***

The \$4.75 million refurbishment of the Kambalda Aquatic Facility (Lot 2 on Plan 17965, CT Volume 1898 Folio 888) is due to be reopened to the public in October 2020. As part of these works, an additional \$140,000 was budgeted to refurbish the kiosk. This has resulted in the need for additional compliance and regulatory obligations to be met, and therefore, several changes will be required to be made to the operations of the pool and associated facilities, including the kiosk.

Lessees, Tenants & User Groups

The current kiosk lessee's 5-year lease term is due to expire on 30 April 2021, with an option for a further 5-year term expiring 2026. Rent is charged at \$100 per annum (excluding GST), is payable in advance and is required to be reviewed annually on the anniversary of the commencement date by CPI, in every year of the term and any further term.

The permitted purpose is to operate the kiosk and collect entry fees on behalf of the Shire as patrons enter the Centre. The current obligations of the lessee are to collect, reconcile and forward pool entry fees to the lessor in accordance with the financial management controls specified by the CEO, and to record and forward patronage numbers to the lessor (Shire). The lessee agrees not to place or store any furniture, fixtures, fittings, signs, rubbish, refuse, disused materials, or any other items outside of the premises, without the prior written consent of the lessor. The lessee agrees that it shall not install or erect, or suffer to be installed or erected, any signs whatsoever on or surrounding the premises unless the prior written consent of the lessor is first obtained.

Advice from the Shire's Environmental Health Consultant is that regulations have changed over the years and therefore there is the need for compliance of the Building and Health Department standards to operate a food premises.

Compliance Environment

A Code of Practice has been developed to ensure public aquatic facilities are operated to consistently high health and safety standards, by minimising the occurrence of disease, injury and other health-related complaints associated with the use of these facilities. The Code is divided into 12 sections, which include administrative provisions, design and construction requirements, water treatment, chemical safety, water quality, management and supervision, operational and sanitary requirements, plus requirements for special facilities such as spas, hydrotherapy pools, waterslides and water spray grounds / interactive water features. The Code is aimed primarily at designers, builders, and operators of aquatic facilities, together with the agencies responsible for

administration of the Health (Miscellaneous Provisions) Act 1911 (WA), such as State and Local Government, Authorised Officers, and associated practitioners. The Code is published by the Chief Health Officer (CHO) under the provisions of section 344A (2) of the Health (Miscellaneous Provisions) Act and is to be read in conjunction with the Health (Aquatic Facilities) Regulations 2007. It replaces the previous Health (Swimming Pools) Regulations 1964. Premises classified as aquatic facilities by the Health (Aquatic Facilities) Regulations 2007 are required to comply with these provisions. Although this Code of Practice is intended to be a comprehensive document, pool applicants need to be aware that they may need approval from other regulatory mechanisms not documented herewith. Section 344A(2) of the Health (Miscellaneous Provisions) Act, also enables the CHO to amend the Code from time to time and thus it is intended that the Code is a living document, which will maintain high industry and workplace standards, cater for emerging technologies and innovations and promote best practice within Australia and internationally.

COMMENT

The current kiosk lease is governed by and is to be interpreted in accordance with the laws of Western Australia and, where applicable, the laws of the Commonwealth of Australia. In this respect, the Shire has statutory and regulatory obligations that must be met. The Aquatic Facilities Manager is aware of those obligations and provides the CEO with advice in respect of these obligations.

CONSULTATION

CEO

Planning Consultant

Aquatic Facilities Manager

Environmental Health Consultant

STATUTORY ENVIRONMENT

AS4674-2004, standards 3.2.2, 3.2.3

Health (Miscellaneous Provisions) Act 1911 (WA)

Section 344A (2) of the Health (Miscellaneous Provisions) Act

Health (Aquatic Facilities) Regulations 2007

POLICY IMPLICATIONS

Aquatic operating procedure and safety standards, Code of Practice, managing risk associated with the aquatic environment

FINANCIAL IMPLICATIONS

Nil

Note: The Aquatic Facility and Kiosk refurbishments form part of separate 2020/21 budget allocations.

Strategic Implications Accountable and effective leaders

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

High quality corporate governance, accountability and compliance

Maintain integrated strategic and operational plans

An inclusive, safe and vibrant community

Delivering and developing sport and recreation activities

Effective management of infrastructure, heritage and environment

Maintaining and renewing infrastructure and building assets

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council

1 - Note that the substantial refurbishment of the Kambalda Aquatic Facility requires compliance with all Statutory provisions including building, health and safety provisions across all aspects of the Aquatic Facility's operations and programmes.

2. Endorses the actions of the CEO to liaise with all lessees, tenants, and user groups, of the implications and practice changes required to adhere and comply with under the relevant statutory environment.

11.2.4 LIST OF PAYMENTS - JULY 2020

Location: Nil
Applicant: Nil
Disclosure of Interest: Nil
Date: 19 August 2020
Author: **Nav Kaur, Manager Finance**

SUMMARY

For council to receive the list of accounts for July 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 July 2020 are Diverseco Pty Ltd - Coolgardie Refuse Site - Weighbridge 1st instalment (30% Of Total) \$58129.50 ; Nature Playgrounds - Ben Prior Park -Renovation

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**

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. List of Payments - July 2020

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

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

1. Municipal accounts totalling \$491,600.99 on Municipal vouchers EFT18935 – EFT18989, cheques 52355 - 52359, and direct payments made during the month of July 2020.
2. Credit card payments totalling \$18,612.19 for the month of July 2020.

11.2.5 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 31 JULY 2020

Location: Nil
Applicant: Nil
Disclosure of Interest: Nil
Date: 20 August 2020
Author: **Martin Whitely, Consultant**

SUMMARY

This report recommends that the Monthly Statement of Financial Activity report for the period ending 31 July 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 July 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.

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

ATTACHMENTS

1. Monthly Financial Report - July 2020
2. Management Report - July 2020

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

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

11.3 Economic Development

11.3.1 REVIEW OF POLICY 23 COMMUNITY ASSISTANCE FUND

Location: Shire of Coolgardie

Applicant: Shire of Coolgardie

Disclosure of Interest: The Author has no interest in this matter

Date: 31 July 2020

Author: Mia Hicks, Director of Economic and Community Development

SUMMARY

For Council to endorse the proposed amendments to Policy 23 Community Assistance Fund to enable community groups and individuals apply for funding throughout the financial year.

BACKGROUND

The Community Assistance Fund is currently open to assessments between 1 September until 1 May of each year. This prohibits organisations and outstanding individuals from seeking support from the Shire outside of these dates for projects, events and other activities which would benefit the community.

The section in Policy 23 Community Assistance Fund that applies to the timeline is as follows –

4. Applications

Applications will only be considered if they are submitted on the CAF Application Form and completed in full. Projects are expected to be conducted within the Shire of Coolgardie with possible exception of funding to outstanding individuals.

Assessment of applications will be open from 1 September until 1 May of each year. Applications that exceed a delegation will be required to be tabled as an Agenda item at Council Meetings for Council to decide upon. For applications to be considered within a month of a Council meeting they must be submitted by COB of the second Monday of each month.

Applications will not be considered outside of nominated periods to allow for processing for end of financial year and budget adoption

COMMENT

It is appropriate that the assessment dates for Policy 23 Community Assistance Fund be amended to ensure support for community groups and outstanding individuals throughout the financial year.

CONSULTATION

Management

Various Community Groups

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Policy 23 – Community Assistance Fund will be amended to include new changes.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**An inclusive, safe and vibrant community**

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

ATTACHMENTS**1. Community Assistance Fund Policy****VOTING REQUIREMENT**

Simple majority

OFFICER RECOMMENDATION

That Council endorse the following amendments made to Policy 23 – Community Assistance Fund.

Applicants must carefully read the Guidelines to ensure the project and event is eligible.

Applications will only be considered if they are submitted on the CAF Application Form and completed in full. Projects are expected to be conducted within the Shire of Coolgardie with possible exception of funding to outstanding individuals.

Applications that exceed a delegation will be required to be tabled as an Agenda item at Council Meetings for Council to decide upon. For applications to be considered within a month of a Council meeting they must be submitted by COB of the second Monday of each month.

Applications are open all year round and will continue to be accepted until the allocated funding has been exhausted.

11.3.2 COAG WASTE EXPORT BAN FUNDING

Location: COAG Waste Export Ban Funding
Applicant: Shire of Coolgardie
Disclosure of Interest: The author has no interest in this matter
Date: 17 August 2020
Author: Mia Hicks, Director of Economic and Community Development

SUMMARY

For Council to note the Shire of Coolgardie's Expression of Interest (Confidential) submission to the Department of Water and Environmental Regulation's COAG Waste Export Ban Funding.

BACKGROUND

In March 2020, the Council of Australian Governments (COAG) agreed to phase out exports of certain waste materials. The COAG decision followed increasing community concern about the impact of exported Australian waste on developing countries and changes to the local recycling industry resulting from import restrictions on waste.

The COAG waste export bans agreed on 13 March 2020 are planned to come into force from 1 January 2021 for glass; 1 July 2021 for mixed plastics; 1 July 2022 for single resin/polymer plastics which have not been reprocessed; 1 December 2021 for tyres; and 1 July 2024 for mixed paper and cardboard.

The Prime Minister announced that the Australian Government would co-invest in recycling infrastructure with state and territory governments and industry, to address waste currently being exported.

The Australian Government has invited state and territory governments to submit funding proposals for new plastics and tyres processing. These proposals need to be for economically viable projects which utilise best-practice methodology, know-how and technology, achieve value for money and maximise industry financial contributions.

On 7 July 2020, the Department of Water and Environmental Regulation (the Department) requested Expressions of Interest to participate in a controlled grant funding process to support the development of sufficient new plastics and tyres processing infrastructure to manage all of the plastics and tyres currently collected in Western Australia and exported.

The Shire of Coolgardie was invited to participate in this process and submitted the required documentation on 17 August 2020.

COMMENT

The Shire of Coolgardie is currently investigating the development of a Class 3 waste facility at the Coolgardie tip site which has a relatively deep-water table, which renders it suitable for Class I and III waste disposal. It is also strategically located near a major regional population centre and significant mineral processing operations. The Coolgardie site has been identified as a strategic waste management asset for the Goldfields-Esperance region.

As part of the Class 3 waste facility, the Shire is investigating the development of a waste reprocessing centre that will recycle and reuse waste tyres, plastics, and municipal solid waste. The Shire has engaged with

technology providers to further understand waste to energy and reprocessing technologies and to understand the best suited and best practice technologies for the region to be situated in the waste management site.

CONSULTATION

Goldfields Voluntary Organisation of Councils

State and Federal Representatives

Technology providers, operators, and energy off-takers

Mining Industry Stakeholders

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**A thriving local economy**

Encouraging and attracting new investment and advocating for local employment

ATTACHMENTS

1. EOI Improvng waste plastics and tyres processing capacity in Western Australia - Confidential
2. EOI Apendix A - Confidential
3. EOI Appendix B - Confidential

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council **NOTE** the Shire of Coolgardie's Expression of Interest – Improving Waste Plastics and Tyres Processing Capacity in Western Australia (Confidential Attachment).

11.4 Commercial Services

Nil

12 ITEMS FOR INFORMATION ONLY

12.1 OUTSTANDING RESOLUTIONS

Date: 19 August 2020

ATTACHMENTS

- 1. Outstanding Resolutions**

13 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

14.1 Elected Members

14.2 Council Officers

15 MATTERS BEHIND CLOSED DOORS

OFFICER RECOMMENDATION

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

15.1 Gratuity Payment

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

16 CLOSURE OF MEETING