



# **AGENDA**

**Ordinary Council Meeting**

**26 April 2023**

**2:00pm**

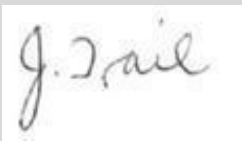
**Council Chambers, Bayley Street, Coolgardie**

**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 Wednesday 26 April 2023 commencing at 2:00pm.

A handwritten signature in cursive script that reads "J. Trail". The signature is written in black ink on a white rectangular background.

**JAMES TRAIL  
CHIEF EXECUTIVE OFFICER**

**ORDINARY COUNCIL MEETING****26 April 2023**

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

The dates, times and locations of the Ordinary Council Meetings for 2023 are listed hereunder.

<u>Day</u>	<u>Date</u>	<u>Time</u>	<u>Venue</u>
Tuesday	January 2023	N/A	-
Tuesday	28 February 2023	6.00pm	Coolgardie
Tuesday	28 March 2023	6.00pm	Kambalda
Wednesday	26 April 2023	2.00pm	Coolgardie
Tuesday	23 May 2023	6.00pm	Kambalda
Tuesday	27 June 2023	6.00pm	Coolgardie
Tuesday	25 July 2023	6.00pm	Kambalda
Tuesday	22 August 2023	6.00pm	Coolgardie
Tuesday	26 September 2023	6.00pm	Kambalda
Tuesday	24 October 2023	6.00pm	Coolgardie
Tuesday	28 November 2023	6.00pm	Kambalda
Tuesday	19 December 2023	6.00pm	Coolgardie



James Trail  
Chief Executive Officer

## COUNCIL MEETING INFORMATION NOTES

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**Local Government (Administration) Regulations 1996**

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

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

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

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

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

**Local Government (Administration) Regulations 1996**

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

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

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

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

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

**QUESTION TIME FOR THE PUBLIC**

*(Please Write Clearly)*

DATE: \_\_\_\_\_

NAME: \_\_\_\_\_

TELEPHONE: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

**QUESTION TO THE PRESIDENT:-**

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

ITEM NO: \_\_\_\_\_ PAGE NO: \_\_\_\_\_

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**PLEASE PASS TO THE CHIEF EXECUTIVE OFFICER FOR REFERRAL TO THE PRESIDENT BY 10.30AM ON THE DAY OF THE MEETING AT THE KAMBALDA OFFICE, IRISH MULGA DRIVE, KAMBALDA OR AT THE COOLGARDIE OFFICE, BAYLEY STREET, COOLGARDIE.**



**Order Of Business**

<b>1</b>	<b>Declaration of Opening / Announcement of Visitors .....</b>	<b>11</b>
<b>1.1</b>	<b>Welcome to Country Announcement .....</b>	<b>11</b>
<b>2</b>	<b>Declaration of Council Members .....</b>	<b>11</b>
<b>3</b>	<b>Record of Attendance / Apologies / Approved Leave of Absence.....</b>	<b>11</b>
<b>4</b>	<b>Declarations of Interest .....</b>	<b>11</b>
4.1	Declarations of Financial Interests – Local Government Act Section 5.60A .....	11
4.2	Declarations of Proximity Interests – Local Government Act Section 5.60B.....	11
4.3	Declarations of Impartiality Interests –Shire of Coolgardie Code of Conduct for Council Members, Committee Members and Candidate for Election, Code of Conduct for Employees.....	11
<b>5</b>	<b>Response to Previous Public Questions taken on Notice.....</b>	<b>11</b>
	Nil	
<b>6</b>	<b>Public Question Time .....</b>	<b>11</b>
<b>7</b>	<b>Applications for Leave of Absence .....</b>	<b>11</b>
<b>8</b>	<b>Confirmation of Minutes of Previous Meetings.....</b>	<b>12</b>
8.1	Minutes of the Annual Electors Meeting held on 31 January 2023.....	12
8.2	Minutes of the Ordinary Council Meeting held on 28 March 2023 .....	13
<b>9</b>	<b>Announcements by Presiding Person without Discussion.....</b>	<b>14</b>
9.1	President's Report - April 2023.....	14
<b>10</b>	<b>Petitions / Deputations / Presentations / Submissions .....</b>	<b>16</b>
	Nil	
<b>11</b>	<b>Reports of Committees.....</b>	<b>16</b>
	Nil	
<b>12</b>	<b>Reports of Officers .....</b>	<b>17</b>
<b>12.1</b>	<b>Executive Services .....</b>	<b>17</b>
12.1.1	Local Government Act Changes.....	17
12.1.2	Petition .....	21
<b>12.2</b>	<b>Operation Services.....</b>	<b>24</b>
12.2.1	Haulage Campaign - Focus Minerals - May 2023.....	24
12.2.2	Coolgardie RSL Sub-Branch - Sign Approval .....	27
12.2.3	Bluebush Village Expansion .....	29
12.2.4	List of Payments - March 2023.....	34
12.2.5	Monthly Financial Statements for the period ending 31 March 2023 .....	36
<b>12.3</b>	<b>Economic Development.....</b>	<b>39</b>
	Nil	
<b>12.4</b>	<b>Commercial Services .....</b>	<b>39</b>

Nil

<b>13</b>	<b>Items for Information Only .....</b>	<b>39</b>
	Nil	
<b>14</b>	<b>Elected Members Motions of Which Previous Notice has been Given .....</b>	<b>39</b>
	Nil	
<b>15</b>	<b>New Business of an Urgent Nature Introduced by Decision of Meeting .....</b>	<b>39</b>
15.1	Elected Members.....	39
15.2	Council Officers .....	39
<b>16</b>	<b>Matters Behind Closed Doors.....</b>	<b>40</b>
16.1	Kambalda Airport Lease .....	40
<b>17</b>	<b>Closure of Meeting.....</b>	<b>41</b>

**1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS****1.1 WELCOME TO COUNTRY ANNOUNCEMENT**

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

**2 DECLARATION OF COUNCIL MEMBERS**

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

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

Nil

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

**8 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

**8.1 MINUTES OF THE ANNUAL ELECTORS MEETING HELD ON 31 JANUARY 2023**

**Date:** 30 March 2023

**Author:** Kasey Turner, Executive Assistant

**ATTACHMENTS**

Nil

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION**

That Council receive the Minutes of the Annual Electors Meeting, noting that there were no resolutions arising which require the consideration of Council.

**8.2 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 28 MARCH 2023**

**Date:** 30 March 2023

**Author:** Kasey Turner, Executive Assistant

**ATTACHMENTS**

Nil

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION**

That the Minutes of the Ordinary Council Meeting held on 28 March 2023 be confirmed as a true and accurate record.

**9 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION****9.1 PRESIDENT'S REPORT - APRIL 2023****Date:** 19 April 2023**Author:** Malcolm Cullen, President

The Shire's annual community verge waste collection for 2023 will commence this month, firstly with Kambalda East pickups from April 17th - 23rd, followed by Kambalda West commencing on April 24th - 30th, then Coolgardie pickups from May 1st - 3rd and finishing with Widgiemooltha on May 5th. I would urge all residents in our communities to take advantage of this opportunity to clean up their property and dispose of all unwanted goods and household waste, by placing it out onto the front verge in the days leading up to the pickup dates listed.

At the Ordinary Meeting of Council on March 28th, Councillors have voted unanimously to abolish the use of household Tip Passes that have been in place in the Shire for some years and introduce a "No Fee" household waste disposal program commencing on May 1st.

In taking this action Council have listened to the concerns expressed by ratepayers and residents alike and acknowledge there have been circumstances in the past whereby landlords and in particular the Department of Housing have not passed on the Shire's household passes to tenants renting houses and other property in our towns.

It is to be noted, that items such as tyres, asbestos, paint oils and building rubble will continue to attract the Shire's fees and charges, therefore residents should check with Shire Staff to ensure eligibility with their loads to the landfill facilities.

By implementing this program, Council is hopeful the illegal and unsightly disposal of rubbish in bush land surrounding out towns will reduce dramatically.

Shire Staff have been working through the proposed upgrades to the Coolgardie Waste Water Facility with engineered designs and costings of the project being compiled prior to going out to tender in the coming weeks. These upgrades will be partly funded by the mining companies that are constructing the workers accommodation villages on Gnarlbine Road.

The upgrades of the Waste Water Facility, when completed will have the dual benefit for our community with an upgraded facility for the longer term, as well as the sale of surplus reuse water to the mining industry and for use in road building and maintenance programs.

The long planned freshwater standpipe will be installed at the south end of the Coolgardie Road Train Assembly Park next month for commercial users. Water Corp have approved the water connection at the site ,with the tanks and other infrastructure to be installed during May.

The increasing commodity prices of late have seen a marked increase in the amount of activity from the mining and resources sector within the Shire of Coolgardie and the Goldfields Region in general.

Our staff have been meeting with various mining company representatives fielding inquiries ranging from the use of the Shire Road networks for haulage to worker accommodation and land availability in the Shire.

Focus Minerals are currently refurbishing the Three Mile Hill treatment plant, with the intent to be treating ore in July this year.

There is also some firm discussion regarding the development of the Mungari Industrial Estate, which should this go ahead will be a significant economic boost for our Shire.

WML Consulting Engineers have been engaged by the Shire to prepare several road and intersection designs, so that these may be included in this year's budget proposals, as well as identifying other funding sources that may be available.

The Seniors Staying Connected program in the Goldfields trialled the first regional outing in March, with over 60 senior residents from Kambalda, Coolgardie and Kalgoorlie/Boulder enjoying a very successful assisted tour of Coolgardie's historic facilities, including the Museum, Ben Prior Park and Warden Finnerty's for a Devonshire Tea and Scones afternoon.

It is of great credit to our Shire Staff to engage with our seniors and facilitate these events and outings for our senior residents throughout the year.

Cr Malcolm Cullen

Shire President.

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

Nil

**11 REPORTS OF COMMITTEES**

Nil



**12 REPORTS OF OFFICERS****12.1 Executive Services****12.1.1 LOCAL GOVERNMENT ACT CHANGES**

<b>Location:</b>	<b>Shire of Coolgardie</b>
<b>Applicant:</b>	<b>Nil</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Date:</b>	<b>05 April 2023</b>
<b>Author:</b>	<b>Steven Tweedie, Consultant</b>

**SUMMARY**

There are a few matters, relevant to the operations of the Council, the Shire and its engagement with the community, that are now clear in the Bill (although some related matters will only become clear when Regulations are finalised).

Unless Council feels aggrieved by any of these matters, and even then it is unlikely that Amendments will occur, Council should ensure that progress of the Bill, and any impact of regulations is monitored by the CEO and drawn to its attention.

WALGA will, of course assist to that end as well, with guidance to the sector.

**BACKGROUND**

Council has previously been briefed (and made a submission) in relation to changes proposed by the Hon Minister for Local Government to the Local Government Act (LGA).

The Bill to give effect to the changes was read a Second Time on Feb 23 2023 and has passed initial stages in the legislative Assembly and is now before the Legislative Council.

It is understood that the Minister has attached sufficient priority to the Bill to ensure that when State Parliament resumes early in May 2023, that the Bill will progress quickly.

A substantial amount of work needs to be done drafting Regulations and it is understood that work has commenced (to the extent possible).

The Bill is generally consistent with the proposals canvassed with the sector but there are some additional matters to draw to the attention of Council, which may be relevant to Council, and the Shire.

**COMMENT**

Matters that are new, or now have detail, not originally available to the sector, and of direct relevance to the Shire of Coolgardie include provisions relating to:

- Election caretaker period will commence at the close of nominations and only applies at ordinary elections (plus some specific election circumstances),
- Leave of absence by council members by permitting a council member to take parental leave where the council member gives birth or adopts a child, for a period up to 6 months on each occasion,
- The general function of local government to include:
  - the promotion of the three pillars of sustainability (being economic, social and environmental sustainability) for the district;
  - to plan for and mitigate risks associated with climate change;
  - to make decisions with consideration of the potential long-term consequences for future generations.
  - to have regard to the particular interests of Aboriginal people and involve Aboriginal people in their decision-making processes.
  - to have regard to the need to consider collaboration with other local governments in providing good government.
- Mandatory election caretaker policy will set out the matters which cannot be implemented during the period (with exemptions),
- The current 80% Council offices still filled, in relation to deferral of extraordinary election will be deleted,
- The way that non-resident, occupier enrolment claims are addressed will be changed – relevant to CEO who must prepare the Owner/Occupier roll,
- The date for nominations to be brought forward by 7 days, to provide more time for postal voting,
- A quorum will automatically be reduced if a Council Member takes parental leave, but an Absolute Majority does not change,
- All individual votes at Council meetings must be recorded (except in certain circumstances)
- Increasing the number of signatures required to reconvene a special electors meeting from 100 to 300 and empowers a mayor or president to decide not to hold a special electors meeting or permit a particular matter to be discussed at a special electors meeting if a meeting has already been held in the last 12 months on the subject, in whole or in part, or if a special electors meeting has already been convened for that purpose. When this power is exercised the mayor or president is required to raise the matter to be discussed at the next ordinary meeting of council. A local government is likewise required to give local public notice of the decision of the mayor or president and the reasons for it,
- By Regulation, include powers for the exclusion of council or a committee members, or members of the public who fail to comply with directions of the person presiding or whose conduct is offensive or disruption to a meeting and the steps to be taken if that person refuses to leave,
- By Regulation, deal with how members of the public who raise questions are to be dealt with in meeting documents. This may include how the person is recorded in meeting minutes in relation to their question,
- CEO performance criteria must be made public,
- Council Member professional development funding provision, cannot be delegated and must be determined by Council,
- A requirement that a local government prepare and adopt a community engagement charter which will set out the things to be done by a local government to engage with its community. This charter must be published on the local government's website. Regulations may prescribe requirements regarding community engagement charters,

- Prescribe requirements regarding surveys to be conducted by local governments to ascertain feedback from their community on prescribed matters, or otherwise receive feedback on prescribed matters. Regulations may also prescribe how, when and what is to occur and for publications of the results,
- Require local governments to implement a communications agreement. New section 5.92A requires a local government to have a communications agreement which is a written agreement between the CEO and the council. This agreement will regulate communications between the council, the CEO and the local government administration and address matters such as:
  - how council members request and obtain information; and
  - how communications occur between council and committee members and employees.
- Requiring a local government CEO to keep registers which must be published on the local government's website. These regulations may include the form of the register and requirements for timely updating. It is intended for these registers include:
  - a register of leases the local government is party to;
  - a register of grants and sponsorship given by a local government;
  - a register of all the contracts for goods and services the local government has entered into: and registers of matters relating to the function of the local government under the Planning and Development Act 2005.
- Allowing committee members who are not council members or employees (e.g., independent committee members) to receive fees and expenses for their services,
- Creating new matters which constitute a minor breach,
- Allow the Minister to grant exemptions from compliance with the Act, in an emergency,
- Extend representation reviews from the current 8 years to 10 years,
- Fill extraordinary vacancies, arising within 12 months of an election, by "recount/countback",

## CONSULTATION

James Trail, CEO

## STATUTORY ENVIRONMENT

Local Government Act 1995 and Regulations

## POLICY IMPLICATIONS

It is not possible to state the policy implications at this stage, until the Bill proposals become an Act, and Regulations are drafted to commence.

At the very least the Shire will be required to amend, make, or adopt:

- Election caretaker policy,
- Communication policy – reflecting Act/Regs requirements,
- Community engagement charter

## FINANCIAL IMPLICATIONS

It is not possible to state the financial implications at this stage, until the Bill proposals become an Act, and Regulations are drafted to commence.

**STRATEGIC IMPLICATIONS**

It is not possible to state the strategic implications at this stage, until the Bill proposals become an Act and Regulations are drafted to commence.

**ATTACHMENTS**

Nil

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION**

**That Council, by SIMPLE MAJORITY notes the report of the CEO and requests ongoing advice, by way of briefings or Council agenda items, submitted by the CEO advising of the progress of the Bill and Regulations, and what actions, if any, Council, and the Shire need to take to give effect to new legislation.**

### 12.1.2 PETITION

**Location:** Shire of Coolgardie  
**Applicant:** NIL  
**Disclosure of Interest:** Nil  
**Date:** 17<sup>th</sup> April 2023  
**Author:** Steven Tweedie, Consultant

#### SUMMARY

A petition has been lodged, by Deborah Ovens (totalling 27 electors of the Shire), and complies with the requirements of cl 6.10 of the Shire of Coolgardie Meeting Procedures Local Law 2019:

- ***be addressed to the President;*** - is so addressed
- ***be made by electors of the district;*** - purports to be so, and addresses given by petitioners appear to be electors of the Shire
- ***state the request on each page of the petition;*** does so
- ***contain the name, address and signature of each elector making the request, and the date each elector signed;*** - does so
- ***contain a summary of the reasons for the request;*** - does so ***and***
- ***state the name of the person to whom, and an address at which, notice to the petitioners can be given.*** – does so.

In accordance with the Meeting Procedures Local Law, the Shire President, having received the petition, has forwarded it to the CEO to be the subject of a Report to Council.

The Council is unable to deal with any matter on the agenda that relates to the petition, until it has considered the petition, and its merits, or otherwise.

This agenda item serves to:

- acknowledge the petition, its request and reason, and
- formalise Council's resolution in regard to the petition, thus enabling Council to further consider any matters on the agenda, that pertain to the petition, pursuant to the Meeting Procedures Local Law.

#### BACKGROUND

The petitioners state their request to be:

**“That Council cease approving all accommodation applications, regardless of size, including camps”.**

And the reason for the request is stated to be:

**“Because Council consistently fails in its duty and priority of effectively communicating (sic) with the community especially when projects are in direct competition with existing businesses”.**

#### COMMENT

The Request

**“That Council cease approving all accommodation applications, regardless of size, including camps”.**

The Council, and employees are bound to address all applications, primarily, in accordance with the Planning and Development Act 2005, the Shire of Coolgardie Town Planning Scheme, and Policies, of the Council and under the Scheme.

Council, or employees under delegated authority, must determine all applications for accommodations - whether single, or multiple residential dwellings, boarding houses, hotel/motel, caravan parks, or for short/long term mining camps, accordingly, and therefore a “blanket refusal” of any, and every accommodation application is not possible.

Furthermore, Council would look foolish in refusing every such application, when its Planning Scheme may clearly allow it, under certain conditions and circumstances, and it is likely that an appeal to the State Administrative Tribunal would be successful.

All such applications must be considered on sound planning grounds.

### The Reason

**“Because Council consistently fails in its duty and priority of effectively communicating (sic) with the community especially when projects are in direct competition with existing businesses”.**

Council, and senior executive, do not accept the validity of the statement, that it consistently fails in its duty and priority of effectively communicating with the community...

The Shire of Coolgardie endeavours to engage proactively with electors, residents, and stakeholders on a range of platforms including the regular newsletter, Shire open days, Shire website, Shire social media, by media statements and via media comment by the Shire President and CEO, whenever appropriate.

Consistent with the prior comments regarding orderly planning, the Council, and employees with delegated authority, must determine applications, primarily on their planning merits and cannot preserve monopolies, or “prevent” competition with existing commercial enterprises.

## **CONSULTATION**

James Trail, Chief Executive Officer

## **STATUTORY ENVIRONMENT**

Shire of Coolgardie Meeting Procedures Local Law

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Nil

## **STRATEGIC IMPLICATIONS**

### **Accountable and effective leaders**

High quality corporate governance, accountability and compliance

**ATTACHMENTS****1. Petition****VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION**

**That Council, by Simple Majority:**

- 1. Acknowledge the petition delivered by Ms Deborah Ovens, and appreciates the interest shown by the electors, in signing the petition, but respectfully disagrees:**
  - a. with the petitioners' request "that Council cease approving all accommodation applications, regardless of size, including camps", on the basis that Council, and employees holding delegated authority, cannot determine such applications, other than in accordance with the Planning and Development Act 2005, and its Planning Scheme and Policies,**
  - b. with the petitioners' reason that Council consistently fails in its duty and priority of effectively communicating with the community especially when projects are in direct competition with existing businesses, on the basis that the Shire has a broad, multi-faceted approach to its engagement with electors, residents, and stakeholders, and cannot preserve monopolies, or prevent competition between commercial enterprises.**
- 2. Request Ms Ovens to convey Council's resolution to the petitioners, and thanks them for their engagement with Council, and that Council Members, and the CEO are always available to discuss matters of concern, or to clarify processes and legislative requirements.**

**12.2 Operation Services****12.2.1 HAULAGE CAMPAIGN - FOCUS MINERALS - MAY 2023**

**Location:** Kambalda  
**Applicant:** Focus Minerals Ltd  
**Disclosure of Interest:** Nil  
**Date:** 24 March 2023  
**Author:** Robert Hicks, Deputy Chief Executive Officer

**SUMMARY**

For Council to consider a CA07 application from Focus Minerals Ltd to utilise Ladyloch Road, Coolgardie, for a gold ore parcel of 200,000 tonnes (haulage campaign) to Greenfields Processing Plant from 21 May 2023 to 30 October 2023.

**BACKGROUND**

As per Council Policy Number 3.11 (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 Principal needs to apply to the Shire of Coolgardie for use of the Shire of Coolgardie road network. MLG will be utilised for hauling and vehicle registration numbers have been provided to the Shire. The Main Roads Mapping Tool shows the suitability of the RAV network required (ie RAV 7.3 to 5.3).

Note conditional approval for short term campaigns has been given on the basis that Tindals Road, Coolgardie, is not yet a RAV rated road. The applicant (principal of campaign) accepts all risk and liability for that section of road.

	<b>Ladyloch Road 1.62 kms</b>	<b>Ladyloch Road 1.62 kms</b>
<b>Total Haulage</b>	200,000	200,000
<b>Road length</b>	1.62 km	1.62 km
<b>Contribution Type</b>	Maintenance	Capital
<b>Contribution Rate</b>	\$0.04	\$0.07
<b>Contribution Cost</b>	\$12,960	\$22,680
<b>GST</b>	\$1,296	\$2,268
<b>TOTAL</b>	<b>\$14,256.00</b>	<b>\$24,948.00</b>

**COMMENT**

Ladyloch Road, Coolgardie

Maintenance Contribution at \$0.04 per tonne per km at 200,000 tonnes over 1.62 kms \$14,256.00 (inc GST)



Capital Contribution of \$0.07 per tonne per km at 200,000 tonnes over 1.62 kms \$24,948.00 (inc GST)

## CONSULTATION

Brad Woodland (Mining Manager) Focus Minerals Limited

Shire of Coolgardie staff

## STATUTORY ENVIRONMENT

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

## POLICY IMPLICATIONS

Policy #3.11 – Haulage Campaigns

Policy #3.12 – 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**

Encouraging and attracting new investment and advocating for local employment

### **Accountable and effective leaders**

Developing strong partnerships with stakeholders for the benefit of our community

### **Effective management of infrastructure, heritage and environment**

Maintaining and renewing infrastructure and building assets

## ATTACHMENTS

1. Focus CA07 Application May 2023
2. Focus Haul Road May 2023
3. Focus Minerals May 2023

## VOTING REQUIREMENT

Simple majority

## OFFICER RECOMMENDATION

That Council,

1. **APPROVE**, in accordance with Policy 3.11 Haulage Campaigns, the proposal from Focus Minerals Limited (Principal) to use 1.62 kms of Ladyloch Road, Coolgardie for a campaign comprising of 200,000 tonnes from 21 May 2023 to 30 October 2023 for a Capital Contribution (at \$0.07 p/tonne p/km; at 200,000 tonnes over 1.62 kms) = \$24,948 (inc GST) to Account/Job #11202750 (Limited Cartage Campaign) conditional on:
  - a) 100% payment prior to campaign start date.
  - b) Twice daily watering.

- c) At Shire direction, maintenance grade sections of the Shire owned gravel haulage route and intersection.
  - d) Maximum vehicle speed of 40kmph.
  - e) Zero tolerance to the use of exhaust braking in townsites.
2. AUTHORISE the CEO to determine any request from the Company to amend the dates applicable to the request, but only on the basis that the relevant Council Policies be applied accordingly and that where any such applications are made and approved by the CEO, that suitable local public notice is given.

**12.2.2 COOLGARDIE RSL SUB-BRANCH - SIGN APPROVAL**

**Location:** Coolgardie  
**Applicant:** Coolgardie RSL Sub-Branch  
**Disclosure of Interest:** NIL  
**Date:** 18 April 2023  
**Author:** Terri Angel, Coolgardie Place Manager

**SUMMARY**

As per the Community User Agreement with the Shire, the Coolgardie RSL has requested Council approval to erect a sign on the Shire owned Coolgardie Bowling Club building located at 75 Sylvester Street, Coolgardie.

**BACKGROUND**

At the 28 March 2023 meeting, Council approved the Community User Agreement with the Returned & Service League WA Branch Incorporated & the Coolgardie RSL sub-branch for the use of portions of Reserve R41891-Lot 2248 Sylvester Street & Lefroy Road, Coolgardie WA 6429 for a term of two years.

**COMMENT**

The Community User Agreement states that the RSL sub-branch is to *“Ensure no signs shall be erected without first obtaining the Council’s consent in writing”*.

The sign size, design and content is considered by Shire officers to be acceptable in terms of it not creating a risk nor controversy for Council.

**CONSULTATION**

Coolgardie RSL sub-branch

**STATUTORY ENVIRONMENT**

N/A

**POLICY IMPLICATIONS**

NIL

**FINANCIAL IMPLICATIONS**

NIL

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

Advocating for services that support our community needs

**An inclusive, safe and vibrant community**

Developing varied community and multicultural events and services

**Effective management of infrastructure, heritage and environment**

Encouraging cultural and historical community projects and activities

**ATTACHMENTS**

1. Coolgardie RSL - Photo Attachements
2. Coolgardie RSL - Letter to Council

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION**

That Council **APPROVE** the erection of the Coolgardie RSL Sub-Branch sign in accordance with the Community User Agreement.

**12.2.3 BLUEBUSH VILLAGE EXPANSION**

**Location:** Lots 500 & 501 on DP424604 Bluebush Road, Kambalda West  
**Applicant:** Shire of Coolgardie  
**Disclosure of Interest:** Nil  
**Date:** 18 April 2023  
**Author:** Francesca LeFante, Town Planning Consultant

**SUMMARY**

Council Approval is sought for the expansion of the Kambalda Village to accommodate a further 120, rooms for workers accommodation. The development comprises:

- New constructed accommodation units in pods, which contain 4 bedrooms each layout in rows connected by walkway.
- The buildings are transportable with colorbond wall lining, include verandas. All rooms have private amenities.
- The communal facilities including dry mess, laundries, parking are within the existing village.
- The site is to include external fencing and landscaping within the site and along to the street frontage and verge.

The site plans for the proposal are **Attachment 1 & 2**.

**BACKGROUND**

Council at its meeting on 24 May 2022 approved the proposed Workforce Accommodation at Lot 562 Bluebush Road, Kambalda West subject to various conditions.

The subject site comprises portion Lot 562 Reserve R47229 Bluebush Road, Kambalda West with an area of 22,598 sqm. The existing Kambalda Village is subject to a Crown Lease for workforce accommodation.

**COMMENT**Zoning and Land Use Permissibility

The site is zoned commercial (Amendment 6) Under Local Planning Scheme No 5. The Scheme commercial objectives include: -

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

Workforce accommodation is classified as an A use means that – *“the use is not permitted unless the local government has exercised its discretion by granting development approval after giving notice in accordance with clause 64 of the deemed provisions”*. In this instance discretion is sought under Clause 34 to wavier the requirement of public advertising given mix of surrounding uses.

### Local Planning Strategy

The Shire's Local Planning Strategy was endorsed by WAPC in October 2016. Under the Strategy Coolgardie has potential workers accommodation. This proposal is considered consistent with the strategy. The Shire's Local Planning Strategy supports workers accommodation within proximity of the townsites rather than located remotely, in recognition of the potential benefit to the community and townsite sustainability.

### Scheme provisions

The proposal has been assessed against the scheme and residential development standard that apply, which include setbacks, parking and access, design and streetscape.

Clause 32 of the Scheme sets out provisions for Workforce accommodation including: -

- information and plans indicating showing how the development and use contributes to the amenity of the townsite.
- Temporary structures to provide workforce accommodation shall be accompanied by information and plans, to the local government's satisfaction, indicating how and when the development will be removed, and the site rehabilitated.

### Built Form and Design

The proposed comprises 120 Bed worker accommodation expansion to the existing facility. The proposed buildings are new transportable with verandas and skillion roof to be compatible and complementary to the existing Village.

Each room including a separate shower and bathroom facility (**Attachment 3**). The proposed development has been designed to respond to the local climate and site conditions, including veranda and covered walkways. The amenity of the occupants is enhanced by the central garden and communal area.

The site and development requirements Schedule 2. Within commercial zones the front streets setback is nil which may be varied at the discretion of the Council. The proposal includes: -

- Accommodation units with verandas fronting Bluebush Road setback between 2.0m and 10metres.
- Landscaping on site and on the verge in front
- Continuation of the custom designed front fencing.

Local Planning Scheme No 5 provisions are detailed in Schedule 3. Where a use is not specifically mentioned, the appropriate number of parking bays is to be determined by the local government. There are no prescribed parking standards for workforce accommodation.

### Proximity and impact on other Land Uses

The site is surrounded by a mix of commercial, residential, civic and community uses. The design and streetscape treatments are appropriate in the context and character of the surrounding existing area.

### Parking Traffic, and Access

Local Planning Scheme No 5 parking provisions are detailed in Schedule 3. Where a use is not specifically mentioned, the appropriate number of parking bays is to be determined by the local government. There are no prescribed parking standards for workforce accommodation.

Under the Scheme all service and loading areas shall be located behind the primary street setback and appropriately screened. There are no additional access or services area proposed. All site vehicle access is restricted to the existing Bluebush Road entry and exit point. All site service vehicles and buses associated with the occupants of the proposed units will use the dedicated vehicle exit point.

The Shire has previously accepted that occupants at the Workforce accommodation camps move to and from the site via bus, and other shared transport, and as such parking bays reflect the transport arrangements for the villages.

The Site will be connected to existing town services including water, power, and sewer.

### Options

The following options are Council available: -

Option 1: Approval for the proposal, subject to conditions

Option 2: Refuse the proposal.

Option 3: Defer the proposal for further information.

### Summary

The proposed workforce accommodation is a discretionary use in a Commercial Zone. The development is compatible with the existing Kambalda Village. Access to the site is via the existing controlled vehicle crossover. The proposal will continue to high quality boundary fencing with landscaping both internal and along the frontage and verge to enhance the street interface and streetscape of Bluebush Road.

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

## **CONSULTATION**

Internal Offices

## **STATUTORY ENVIRONMENT**

Local Planning Scheme

Planning and Development Act and Regulations

Deemed Provisions

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

Nil

## **STRATEGIC IMPLICATIONS**

### **A thriving local economy**

Encouraging the development of local business education and support

Supporting local businesses in the Shire

**Accountable and effective leaders**

Developing strong partnerships with stakeholders for the benefit of our community

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

**ATTACHMENTS**

1. Site Plans
2. Floor Plans
3. Elevation & Floor Units and Laundry

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION**

That Council APPROVES the Proposed Kambalda Village Expansion of 120 rooms PA23-36 Bed Workforce Accommodation PA23-07 as shown on the accompanying plans at Lot 500 & 501 Bluebush Road, Kambalda West, subject to the following: -

**Conditions:**

1. This decision constitutes planning approval only and is valid for a period of 4 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. Development shall be in accordance with the attached approved plans and subject to any modifications required as a consequence of any condition(s) of this approval.
3. The exterior design and material of the proposed buildings to comprise:-
  - a. new transportable building with painting and finishes to be compatible with the existing Village
4. Bluebush Road boundary fencing to comprise fencing at a height of 1.8m within the front setback area, consistent in design and material as the existing Village fencing.
5. Prior to commencement of any works a Materials and Finishes schedule, including all buildings, structures and fencing to be provided to the Shire of Coolgardie for approval.
6. Prior to the commencement of any works, a Construction Management Plan approved by the Chief Executive Officer shall be prepared by a suitably qualified person and submitted to the local government for approval. This plan is to detail how construction will be managed to minimise disruption in the area and shall include:
  - a. Construction times;
  - b. Arrangements for the delivery of materials and equipment to the site, including delivery times;
  - c. Storage of materials and equipment on site;
  - d. Parking arrangements for contractors and sub-contractors;
  - e. Any impacts on traffic movement;
  - f. Protection of existing trees on the site and verge;
  - g. Construction waste disposal strategy and location of waste disposal bins;
  - h. Mitigation of wind and/or water borne erosion and sedimentation during and after the works; and
  - i. Any other matters likely to impact on the surrounding properties.



7. Prior to occupation a Noise management plan is prepared, and any mitigation measures identified to be implemented.
8. Prior to occupation or use of the development, an approved landscaping plan by the Chief Executive Officer must be implemented and maintained thereafter to the satisfaction of the local government, and shall comprise:-
  - a. landscaped within the site,
  - b. verge landscaping - a mix of low and medium plants and trees capable of growing to a height of two metres to enhance the streetscape to be considered.

**Advice Notes**

1. This Determination Notice is not a Building Permit or Health Approval, nor authorise such works. All separate applications and approvals must be obtained prior to the commencement of construction on site, whichever occurs first.
2. No building or construction activities shall be carried out before 7.00am or after 7.00pm, Monday to Saturday, and not at all on Sunday or Public Holidays.

**12.2.4 LIST OF PAYMENTS - MARCH 2023**

**Location:** Nil  
**Applicant:** Nil  
**Disclosure of Interest:** Nil  
**Date:** 4 March 2023  
**Author:** Corina Morgan, Senior Finance Officer

**SUMMARY**

For Council to receive the list of accounts for March 2023

**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 March 2023 are:

1. Rangecon – Rental of Accommodation Village Rooms
2. A&M Joint Venture – Kambalda Village Extension
3. Northern Rise Village Services – Management of Bluebush Village

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

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

**POLICY IMPLICATIONS**

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

**FINANCIAL IMPLICATIONS**

Nil

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

Maintain integrated strategic and operational plans

High quality corporate governance, accountability and compliance

**ATTACHMENTS**

1. **List of Payments - March 2023**

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION**

That Council RECEIVE listing (attached) of accounts paid during the month of March 2023 by the Chief Executive Officer under delegated authority of Council.

1. **Municipal accounts totalling \$3,340,614.01 on municipal vouchers EFT24848 – EFT25131, Cheque's 53529-53538 and Direct Debits.**
2. **Credit card payments totalling \$18,750.77**

**12.2.5 MONTHLY FINANCIAL STATEMENTS FOR THE PERIOD ENDING 31 MARCH 2023**

**Location:** Shire of Coolgardie  
**Applicant:** Shire of Coolgardie  
**Disclosure of Interest:** Nil  
**Date:** 18 April 2023  
**Author:** Martin Whitely, Consultant

**SUMMARY**

This report recommends that the Monthly Statement of Financial Activity report for the period ending 31 March 2023 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 March 2023, loan repayments, and reserve account status.

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

**CONSULTATION**

Nil

**STATUTORY ENVIRONMENT**

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

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

(1A) In this regulation —

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

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

## **POLICY IMPLICATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

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

## **STRATEGIC IMPLICATIONS**

### **Accountable and effective leaders**

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

High quality corporate governance, accountability and compliance

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

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

**ATTACHMENTS**

1. Monthly Financial Report - March 2023
2. Management Report - March 2023

**VOTING REQUIREMENT**

Simple majority

**OFFICER RECOMMENDATION**

**That Council:**

**RECEIVE the Monthly Financial Activity Statement for the period 1 July 2022 to 31 March 2023.**

**12.3 Economic Development**

Nil

**12.4 Commercial Services**

Nil

**13 ITEMS FOR INFORMATION ONLY**

Nil

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

Nil

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

**15.1 Elected Members**

**15.2 Council Officers**

**16 MATTERS BEHIND CLOSED DOORS****OFFICER RECOMMENDATION**

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

**16.1 Kambalda Airport Lease**

This matter is considered to be confidential under Section 5.23(2) - c) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.



17 CLOSURE OF MEETING