



AGENDA

Ordinary Council Meeting

27 October 2020

6.00pm

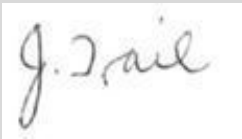
Kambalda

SHIRE OF COOLGARDIE

NOTICE OF ORDINARY MEETING OF COUNCIL

Dear Elected Member

The next Ordinary Meeting of the Shire of Coolgardie will be held on Tuesday 27 October 2020 Electronically commencing at 6.00pm.

A rectangular box containing a handwritten signature in cursive script that reads "J. Trail".

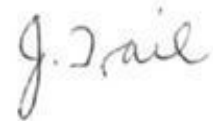
JAMES TRAIL
CHIEF EXECUTIVE OFFICER

ORDINARY COUNCIL MEETING**27 October 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

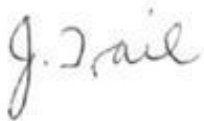
INFORMATION FOR PUBLIC ATTENDING COUNCIL MEETINGS

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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- 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 - 22 September 2020**

OFFICER RECOMMENDATION

That the minutes of the Ordinary Council Meeting held on 22 September 2020 be confirmed.

8 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**8.1 PRESIDENT'S REPORT - OCTOBER 2020****Date:** 22 October 2020**Author:** Malcolm Cullen, President

The month of October has seen some major developments in the Goldfields Region ,with the announcement that Mincor will be commencing an immediate restart of their nickel operations in Kambalda, with up to five mines operational within the next twelve months.

This is exiting news for our Shire in that Mincor are promoting a largely residential workforce that should see a substantial increase in the Shire population during the next five to ten years.

Together with this was the merger of the Kalgoorlie Super Pit owners, Northern Star Resources and Saracen Limited, to form a super company with mining operations in both the Shire of Coolgardie and City of Kalgoorlie/Boulder. The expansion of the Super Pit is also expected to create many local jobs.

We have also heard that the Lynas Rare Earth Plant 5kms west of Kalgoorlie is about to commence with 500 jobs while being constructed, then over 100 permanent jobs after that.

The Shire hosted 25 Mining Company representatives at our annual Mining Stakeholders Forum in Perth on September 24th. Also invited were the CEOs and Mayors of the Cities of Karratha and Kalgoorlie/Boulder. As they are part of the Regional Cities Alliance in WA, the aim was to give mining companies in our Shire an overview to how other LGAs interacted and collaborated with stakeholders in their Regions.

The presentations from the Mayor and CEO of Karratha, and the BHP Community Relations Manager ,were particularly captivating for all

Parties sitting around the table. The manner in which they engage both Governments and Industry in collaborating together for the benefit of their communities gave our CEO and Director of Economic Development many good ideas to work with and collaborate with mining stakeholders in our Shire in future Years.

I attended a Tourism Roundtable Forum in Kalgoorlie with the Tourism Minister Paul Papalia and CEO of Tourism WA providing details of the WA Government proposed stimulus packages to promote tourism throughout WA. One of these being the "Wander out Yonder" promotion targeting regional employment.

With the Shire about to launch our own Tourism Strategy ,I believe our Shire ,situated where we are is in a great position to enhance and promote our history to the ever growing numbers of travellers passing through the Towns.

The recent upgrade to Ben Prior Park has already captured many travellers ,and once new signage is installed and walk paths completed, will certainly assist in keeping tourists in town for longer periods of time.

Along with several other Local Government Members, I attended the State Governments Budget Launch in Kalgoorlie on October 9th,hosted by the GEDC and Minister for Housing Peter Tinley. The Minister announced a raft of funding initiatives for funding projects and infrastructure in the Goldfields, however there was not a lot of new money in this announcement. Subsequent and after the launch I was able to have a 30 minute meeting with the Minister to sound him out on a number of issues affecting our Shire ,namely public and GROH housing matters that we have been investigating for some time. From this meeting there will be a report to Council will the aim of progressing these matters in the new year.

Shire Staff have been busy developing a collaborative model with Goldfields Women Health Centre and Goldfields St Ives to provide therapy and counselling services supporting mental and physical health and wellbeing of women and children in our Shire.

The service will operate once per fortnight commencing of Wednesday October 28th,with bookings available on 90218266 or email : counsellor@gwhcc.org.au

This is a great initiative by our staff, and I know both they and the Ladies from GWHCC are extremely excited about the commencement of this project in our community.

Meetings Workshops attended this period:

- WALGA Regional Road Group Chairs meeting via zoom, discuss RRG road funding .
- September 22nd Mincor Resources presentation to Council and Staff.
- Monthly Council Meeting.
- Mining Stakeholder Forum in Perth September 24th.
- WALGA AGM on September25th in Perth.
- October 1st Mt Walton IWDF community liaison meeting in Coolgardie.

- Meeting with owner of Twin City Cabs RE opportunity of a taxi service to Kambalda and Coolgardie.
- GQDTA Board meeting in Kalgoorlie.
- WA Tourism Roundtable Forum with Minister Tourism Paul Papalia. October 3rd.
- October 6th CEO and I met with Kyle McGinn Member for Mining and Pastoral to discuss funding opportunities for Shire projects.
- Attended State Budget Launch in Kalgoorlie with Minister Tinley hosting. October 9th.
- October 13th Zoom meeting with CEO and GVROC EO discuss GVROC matters.
- Briefing with MRWA regarding RRG meetings in October and November RE Local Road Funding.
- Attended Community Emergency Preparedness workshops in Kambalda and Coolgardie October 14 and 15th.
- October 16th attended RRG Technical Officers meeting in Kalgoorlie RE local road funding applications.
- Teleconference meeting with Goldfields LGAs and Rick Wilson RE Extending the CDC trial to permanent.
- October 21st Attended the media release of the Goldfields Women's Health initiative in Kambalda.

Cr Malcolm Cullen

Shire President.

9 PETITIONS / DEPUTITIONS / PRESENTATIONS / SUBMISSIONS

Nil

10 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

11 REPORTS OF COMMITTEES

12 REPORTS OF OFFICERS**12.1 Executive Services****12.1.1 LEGISLATIVE COUNCIL SELECT COMMITTEE INQUIRY INTO LG**

Location:	Shire of Coolgardie
Applicant:	Nil
Disclosure of Interest:	Nil
Date:	1 October 2020
Author:	Steve Tweedie, Consultant

SUMMARY

The Legislative Council established the Select Committee into Local Government (Committee) on 26 June 2019 and tabled its Final Report on September 22 2020.

The Report addresses a wide range of matters which need to be considered in the context of other recent related Reports, because some Reports propose different approaches to the same issues:

- Report of Panel of Inquiry into Perth City Council
- Report of LG Act Review Panel

A matrix has been developed highlighting all the Findings and Recommendations of the Select Committee and identifying which relate to or have implications for the Shire of Coolgardie.

The Committee was not able to address a number of matters, including:

- amalgamation or other structural reform of local government boundaries
- methods of voting in local government elections
- whether mayors or presidents should be elected by their council or by popular vote
- local government involvement in the Development Assessment Panel system
- third party appeals regarding planning and development decisions
- regulation of donations to council members
- issues relating to the use of social media by council members

BACKGROUND

The Shire of Coolgardie lodged a submission with the Select Committee and the Shire President and CEO both appeared before it, in support of the Shire submission.

The Select Committee Report references the Shire of Coolgardie via:

- Shire of Coolgardie submission – page 152, 156, 164, 166 re role of DLGSCI, page 176, 179 re WALGA enhanced role taking pressure off DLGSCI, page 366 re lodgement of submission
- CEO evidence - pages 32 - 33 re size and scale, 61-63 re non metro LGs providing services, 94 re road funding, page 346 re LGIS,
- Shire President – pages 58 - 59 re provision of medical facilities and services, page 60 re childcare and other services, page 277 re LGSP, page 346 re LGIS,

COMMENT**CONSULTATION**

Chief Executive Officer

STATUTORY ENVIRONMENT**POLICY IMPLICATIONS**

At this stage, and until the State Government decides which recommendations, from which Reports, will be adopted as Government Policy and proceeded with, it is not possible to identify specific policy implications.

FINANCIAL IMPLICATIONS

At this stage, and until the State Government decides which recommendations, from which Reports, will be adopted as Government Policy and proceeded with, it is not possible to identify specific financial implications.

STRATEGIC IMPLICATIONS

At this stage, and until the State Government decides which recommendations, from which Reports, will be adopted as Government Policy and proceeded with, it is not possible to identify specific strategic implications.

ATTACHMENTS

1. **Legislative Council Select Committee Inquiry into LG**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

1. That Council note the summary of the Report of the Legislative Council Select Committee into Local Government, and its possible implications for the Shire of Coolgardie.
2. That the CEO continue to monitor the recommendations of the Select Committee, the PCC Panel and the LG Act Review Panel as they are assessed, and progressed (or not).

12.1.2 SHIRE OF COOLGARDIE PUBLIC PLACES AND LOCAL GOVERNMENT PROPERTY LOCAL LAW

Location:	Shire of Coolgardie
Applicant:	Nil
Disclosure of Interest:	Nil
Date:	7 October 2020
Author:	Chris Liversage, Consultant

SUMMARY

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

As part of the process to make a local law, local laws must be submitted to the WA Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL) for review. The Committee requested an amendment to the *Shire of Coolgardie Public Places and Local Government Property Local Law 2019*. The amendment relates to a clause which the JSCDL considered is a 'determination'

A draft Amendment local law was adopted by Council on 23 June 2020 and advertised for comment. None were received and subject to a minor amendment can now be made.

BACKGROUND

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

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

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

(a) specifying any conditions of use which apply to that property; and

(b) for any other purpose relevant to this local law, including giving notice of a breach of clause 4.4 and substituting a sign for flora that has been removed, damaged or interfered with contrary to clause 4.4.

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

COMMENT

The amendment requested by the JSC was duly included in the draft Shire of Coolgardie Public Places and Local Government Property Local Law 2020 and advertised for public comment. A copy was also sent to the Minister for Local Government but returned to the Shire and re-sent on 8th September 2020.

There were no comments received from the public the Department of Local Government, Sporting and Cultural Industries made a minor suggestion in relation to a date and format of the proposed Amendment Local Law which should be agreed to and the local law amended.

CONSULTATION

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

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS**Accountable and effective leaders**

Demonstrating that decisions are developed through inclusive community engagement

ATTACHMENTS

1. **Shire of Coolgardie Public Places and Local Government Property Amendment Local Law 2020**

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council:

- (1) In accordance with section 3.12(4) of the Local Government Act 1995, adopts the *Shire of Coolgardie Public Places and Local Government Property Amendment Local Law 2020* subject to various minor amendments as 'marked up' on the attachment to the report to Council;
- (2) In accordance with s3.12(5) of the Local Government Act 1995, directs the CEO to cause the local law be published in the Government Gazette and a copy sent to the Minister for Local Government;
- (3) After Gazettal, in accordance with s3.12(6) of the Local Government Act 1995, directs the CEO to give local public notice:
 - a. Stating the title of the local law;
 - b. Summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - c. Advising that copies of the local law may be inspected or obtained from the Shire office.
- (4) Following Gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, directs that a copy of the local law and a

duly completed explanatory memorandum signed by the Shire President and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

12.1.3 SHIRE OF COOLGARDIE MEETING PROCEDURES AMENDMENT LOCAL LAW

Location: Shire of Coolgardie
Applicant: Nil
Disclosure of Interest: Nil
Date: 7 October 2020
Author: Chris Liversage, Consultant

SUMMARY

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

As part of the process to make a local law, local laws must be submitted to the WA Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL) for review. The Committee requested an amendment to the *Shire of Coolgardie Meeting Procedures Local Law 2019* to delete a repeated word.

A draft Amendment local law was adopted by Council on 23 June 2020 and advertised for comment. None were received and subject to a minor amendment can now be made.

BACKGROUND

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

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

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

5.3 Motions of which previous notice has been given

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

(Proposed deletion shown struck through).w

COMMENT

The amendment requested by the JSC was duly included in the draft Shire of Coolgardie Meeting Procedures Amendment Local Law 2020 and advertised for public comment. A copy was also sent to the Minister for Local Government but returned to the Shire and re-sent on 8th September 2020.

There were no comments received from the public the Department of Local Government, Sorting and Cultural Industries made a minor suggestion in relation to a date and format of the proposed Amendment Local Law which should be agreed to and the local law amended.

CONSULTATION

Local laws and amendments to them are made using the process set out in section 3.12(3) of the Local Government Act 1995. Amongst other things this requires a local government to give public notice stating that

it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears. This has been undertaken and the Amendment Local Law can now be made.

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Accountable and effective leaders

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. Shire of Coolgardie Meeting Procedures Local Law

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council:

- (1) In accordance with section 3.12(4) of the Local Government Act 1995, adopts the *Shire of Coolgardie Meeting Procedures Amendment Local Law 2020* subject to various minor amendments as 'marked up' on the attachment to the report to Council;
- (2) In accordance with s3.12(5) of the Local Government Act 1995, directs the CEO to cause the local law be published in the Government Gazette and a copy sent to the Minister for Local Government;
- (3) After Gazettal, in accordance with s3.12(6) of the Local Government Act 1995, directs the CEO to give local public notice:
 - a. Stating the title of the local law;
 - b. Summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - c. Advising that copies of the local law may be inspected or obtained from the Shire office.
- (4) Following Gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, directs that a copy of the local law and a duly completed explanatory memorandum signed by the Shire President and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

12.1.4 SHIRE OF COOLGARDIE PARKING AMENDMENT LOCAL LAW

Location:	Shire of Coolgardie
Applicant:	Nil
Disclosure of Interest:	Nil
Date:	7 October 2020
Author:	Chris Liversage, Consultant

SUMMARY

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

As part of the process to make a local law, local laws must be submitted to the WA Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL) for review.

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

A draft Amendment local law was adopted by Council on 23 June 2020 and advertised for comment. None were received and subject to a minor amendment can now be made.

BACKGROUND

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

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

COMMENT

The amendments requested by the JSC was duly included in the draft Shire of Coolgardie Parking Amendment Local Law 2020 and advertised for public comment. A copy was also sent to the Minister for Local Government but returned to the Shire and re-sent on 8th September 2020.

There were no comments received from the public the Department of Local Government, Sporting and Cultural Industries made some minor suggestions in relation to the formatting and description of subclauses in the proposed Amendment Local Law which should be agreed to and the local law amended.

CONSULTATION

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

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS**Accountable and effective leaders**

High quality corporate governance, accountability and compliance

ATTACHMENTS**1. Shire of Coolgardie Parking Amendment Local Law 2020****VOTING REQUIREMENT**

Absolute Majority

OFFICER RECOMMENDATION

That Council:

- (1) In accordance with section 3.12(4) of the Local Government Act 1995, adopts the *Shire of Coolgardie Parking Amendment Local Law 2020* subject to various minor amendments as 'marked up' on the attachment to the report to Council;
- (2) In accordance with s3.12(5) of the Local Government Act 1995, directs the CEO to cause the local law be published in the Government Gazette and a copy sent to the Minister for Local Government;
- (3) After Gazettal, in accordance with s3.12(6) of the Local Government Act 1995, directs the CEO to give local public notice:
 - a. Stating the title of the local law;
 - b. Summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - c. Advising that copies of the local law may be inspected or obtained from the Shire office.
- (4) Following Gazettal, in accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister on 12 November 2010, directs that a copy of the local law and a duly completed explanatory memorandum signed by the Shire President and Chief Executive Officer be sent to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.

12.1.5 ADOPTION OF REGISTER OF DELEGATIONS AND AUTHORISATIONS

Location: Shire of Coolgardie
Applicant: Nil
Disclosure of Interest: Nil
Date: 7 October 2020
Author: Rebecca Horan, Manager Executive Services

SUMMARY

The Register of Delegations must be reviewed at least once every financial year (some delegations do not require same, but the approach of the Shire of Coolgardie has been to review all delegations at the same time).

As a result of recent changes in employee titles, changes to, and new policies a review has been undertaken of the Register of Delegations to reflect same.

It has also become necessary to ensure consistency with cross references to the Council Policy Manual.

The Register also includes sub delegations made by the CEO, for completeness of record, authorisations made by Council, the CEO or as of right and appointments, mostly as of right.

BACKGROUND

There are no significant changes, except as they relate to changes of titles of employees, cross references to the Council Policy Manual although some instruments have been amended to provide further clarity.

COMMENT

Nil

CONSULTATION

Chief Executive Officer
Manager Governance and Compliance
Directors

STATUTORY ENVIRONMENT

Local Government Act and Regulations, other Acts which permit delegations.

POLICY IMPLICATIONS

New Register of Delegations and Authorisations to be adopted and implemented.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Accountable and effective leaders**

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. Shire of Coolgardie Delegation Register

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council adopt, by absolute majority, the Register of Delegations and Authorisations and note the sub delegations and authorisations proposed by the CEO.

12.1.6 ADOPTION OF COUNCIL POLICY MANUAL

Location: Shire of Coolgardie
Applicant: Nil
Disclosure of Interest: Nil
Date: 13 October 2020
Author: Rebecca Horan, Manager Executive Services

SUMMARY

That Council:-

1. Adopt, by absolute majority, the Council Policy Manual.
2. Note that the CEO is reviewing the CEO Management Policy Manual and will ensure that Council Policies which need or should be carried forward to that Policy Manual will be duplicated accordingly.

BACKGROUND

The significant changes proposed to the Council Policy Manual include:

- Clarification in the procurement policy that procurement limits exclude GST for the purposes of determining brackets and actions to be taken seeking quotations etc at Policy 05 — this is a required policy
- The full Code of Conduct, including the October 2019 gift provisions which apply to council members and the CEO, at Policy 03 - which were adopted at the recent OCM— this is a required policy
- Addition of the Regional Price Preference Policy as adopted at OCM September 2020,
- An updated Policy 10 addressing the payment of gratuities to employees – it applies the same criteria as previously existed but limits payments to a gratuity and a farewell function, rather than a gratuity, a farewell function and the potential of a farewell gift— this is a required policy
- Inclusion of required Policy 29 regarding Professional Development of Council members, expenses, reports etc – this is a required policy
- Inclusion of Policy 18 – Attendance/tickets to events - Council members and the CEO – this is a required policy
- Inclusion of Policy 19 - Equal Employment Opportunity - addresses need to adopt such a Policy under s145 of Equal Opportunity Act

COMMENT

As a result of recent changes in employee titles, changes to, and new policies a review has been undertaken of the Council Policy Manual to reflect same. It has also become necessary to ensure consistency with cross references to the Register of Delegation, Sub Delegations, Authorisations and Appointments.

CONSULTATION

Chief Executive Officer

Manager Governance and Compliance

Directors

STATUTORY ENVIRONMENT

Various Acts require Council to adopt specific Policies.

Policies serve to guide Council, administration and the community on how matters are to be addressed, priorities in addressing issues etc, thus ensuring consistency of approach and predictability of outcomes where the criteria are met.

POLICY IMPLICATIONS

New Policy Manual to be adopted and implemented.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Accountable and effective leaders**

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. **Council Policy Manual**

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION:

That Council:-

1. **Adopt, by absolute majority, the Council Policy Manual.**
2. **Note that the CEO is reviewing the CEO Management Policy Manual and will ensure that Council Policies which need or should be carried forward to that Policy Manual will be duplicated accordingly.**

12.1.7 ORDINARY COUNCIL MEETINGS AND AUDIT COMMITTEE MEETINGS

Location: Shire of Coolgardie
Applicant: Nil
Disclosure of Interest: Nil
Date: 15 October 2020
Author: Rebecca Horan, Manager Executive Services

SUMMARY

Council is requested to consider the timetable for the Ordinary Meetings and Audit Committee Meetings for 2021.

BACKGROUND

Regulation 12 of the Local Government (Administration) Regulations 1996 requires the Council to give local public notice of the date, time and location of its Ordinary Council meetings. In previous years Council has considered the timing of its Ordinary meetings. Ordinary meetings of Council are generally scheduled for the fourth Tuesday of each month with the exception of January and December. Council is convened in the Council Chambers of Coolgardie and Kambalda Community Recreation Facility at 6.00pm

COMMENT

Council meeting dates for the 2021 year will be advertised.

CONSULTATION

Council

STATUTORY ENVIRONMENT

Regulation 12 of the Local Government (Administration) Regulations 1996.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Accountable and effective leaders**

High quality corporate governance, accountability and compliance

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION**That Council**

1. **Agree for Ordinary Council Meetings to be scheduled to convene on the fourth Tuesday of every month at the Coolgardie Council Chambers or Kambalda Community Recreation Facility (except for January and December) at 6.00pm on the following dates:-**
 - January – No meeting**
 - 23 February 2021 – Kambalda**
 - 23 March 2021 – Coolgardie**
 - 27 April 2021 – Kambalda**
 - 25 May 2021 – Coolgardie**
 - 22 June 2021 – Kambalda**
 - 27 July 2021 – Coolgardie**
 - 24 August 2021 – Kambalda**
 - 28 September 2021 – Coolgardie**
 - 26 October 2021 – Kambalda**
 - 23 November 2021 – Coolgardie**
 - 21 December 2021 – Kambalda**

2. **Agree for Audit Committee meetings to be scheduled at least twice a year to convene at the Coolgardie Council Chambers or Kambalda Community Recreation Facility.**

12.1.8 ORGANISATIONAL REVIEW - PROGRESS REPORT

Location: Nil
Applicant: Nil
Disclosure of Interest: Nil
Date: 22 October 2020
Author: John Ravlic, Consultant

SUMMARY**Introduction**

During the second half of 2019 the CEO commissioned an organisational review and development of a new Corporate Structure. Some 50 interviews were conducted to determine the state of the Shire and how it was positioned to respond to community needs and future corporate challenges.

BACKGROUND

The Corporate Structure was finalised and published early this year. In July, the CEO felt that it was timely to call for a progress report on the implementation of the Corporate Structure. Some 30 interviews were conducted with the Shire President, Executive and selected staff to explore the impact of the new Corporate Structure on:

1. clarity and responsibility of roles/business units;
2. communication and organisational relationships; and
3. effectiveness and efficiency of service delivery.

Those interviewed were of the view that the Corporate Structure was created to:

1. take the day-to-day pressure off the CEO;
2. free-up the CEO to get on with strategic matters;
3. empower Directors and Managers to get on with their jobs; and
4. enable day-to-day operations.

Most of those interviewed were of the view the new Corporate Structure had a positive influence on:

1. communication, as it made it clear who was reporting to whom;
2. discussions around clarity of responsibilities/roles of business units to ensure there was no overlap or gaps; and
3. meeting service gaps with innovation to ensure community needs and expectations were being met.

This Progress Report details the issues and challenges being experienced with the implementation and bedding down of the new Corporate Structure and proposes some recommendations on tweaking the Corporate Structure and organisational systems.

COMMENT**Business of Local Government**

The spread of COVID-19 resulted in the implementation of government measures (including lockdowns and border closures) which resulted in adverse impact on our economy. The national economic outlook is extremely poor with:

1. Australia's first recession in 30 years;
2. Australia's worst unemployment numbers in more than two decades; and
3. Australia's worst economic growth numbers in 60 years.

Against this poor economic backdrop, the Shire needs to formulate a way forward that meets the community's immediate needs and is sustainable for the long term. The State Government and the Minister for Local Government expect councils to abandon rate increases, which is going to be difficult for the sector that is losing significant income due to facility closures and service cutbacks. The Government also expects that councils will take steps to stimulate the local economy and job creation.

Councils will not be able to rely on increasing rates to balance their books because it's seen as a handbrake on local economic growth. Councils need to look for opportunities to grow their "own source income" in order to balance their books. The Shire of Coolgardie has moved to develop the Coolgardie Tip into a regional waste management facility that can offer Class I, II and III waste management services.

This project has the potential to take significant pressure off the Shire's future reliance on rate income for survival and sustainability. Over coming years, councils that have not been able to grow their "own source income" will experience a deteriorating financial position, which will be reflected in their Financial Health Indicators.

Remote Talent

The Coolgardie community and Kalgoorlie surrounds may be able to present up some of the required skills to run the Shire, however there are many technical and strategic skills which will not be found in and around Coolgardie. The Shire has moved to appoint a Manager Technical Services (MTS) and a Waste Services Coordinator (WSC) who will reside locally.

Success continues to breed expectations and the Shire's 2020/21 Budget reflects that with another ambitious year of service delivery, works programs and capital projects. Its ambitious agenda and projects will provide significant opportunities for the Shire to attract new talent.

Management Culture

The Organisational Review highlighted the importance of a strong management culture to take some day-to-day pressure off the CEO. Steps have been taken to put in place:

1. weekly corporate management meetings with CEO and Executive;
2. monthly Management Meetings with CEO, Directors and Managers;
3. regular toolbox meetings for work teams to come together and share the most recent developments; and
4. as required, meetings with all staff.

The Corporate Management Team is getting stronger every day as it builds its local government experience. This enables the CEO to spend more time on strategic matters. The Shire/CEO needs to be able to respond when opportunity knocks. The CEO needs to be opportunistic and sufficiently agile to respond to grant/funding

opportunities as they arise and approaches from community and mining companies wishing to work with the Shire.

As the Shire continues to position itself as a “can do” organisation, the number of these opportunities will continue to grow. An experienced and strong Corporate Management Team will continue to drive the success of the Shire, from which the community will benefit.

Committed to Making a Difference and Innovation

The COVID crisis brought out the best in most staff who are dedicated to making a difference for the community. The pandemic may have been a catalyst for some experimentation, innovation and ongoing collaboration with the community groups and private sector. The staff have demonstrated their capacity to develop and the Shire continues to deliver, innovate and improve.

Progress Results

The Organisational Review – Progress Report contained recommendations to the CEO on the Shire’s operations that:

1. tweaked the corporate structure;
2. improved service delivery to meet community needs;
3. prioritised activities to access required resources;
4. improved processes and procedures;
5. reviewed roles and responsibilities to achieve:
 - a. expansion of responsibilities; and
 - b. job clarity;
6. developed standard operating procedures to guide operational performance; and
7. confirmed work schedules and activities.

Conclusion

2020 is an extraordinary year for the Shire of Coolgardie, the Goldfields Region of WA, Australia and the rest of the world. COVID-19 and its devastation of life (health) and livelihood (economy) has dominated global conversations, which are normally reserved for sporting events such as the World Cup and the Olympics.

Against this backdrop of global uncertainty and domestic economic downturn, the Shire continues to do its utmost to meet the needs and expectations of its communities.

CONSULTATION

Shire staff

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Accountable and effective leaders

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

Maintain integrated strategic and operational plans

ATTACHMENTS

1. **Organisation Review Progress Report - Confidential**
2. **Organisation Review Recommendations - Confidential**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the Council:

1. receive the Organisation Review – Progress Report; and
2. note the Organisation Review recommendations, circulated under Confidential cover.

12.1.9 GOLDFIELDS ESPERANCE VOLUNTARY REGIONAL ORGANISATION OF COUNCILS (GVROC) - MEMORANDUM OF UNDERSTANDING.

Location: Shire Coolgardie
Applicant: Nil
Disclosure of Interest: The author has no financial interest in this matter
Date: 23 October 2020
Author: James Trail, Chief Executive Officer

SUMMARY

That Council;

1. Endorses the Goldfields Esperance Voluntary Regional Organisation of Councils (GVROC) Memorandum of Understanding (MOU) as currently prepared for execution; and
2. Requests the GVROC to review the MOU leading up to the adoption of a new Local Government Act to ensure the Purpose, Objectives and Principals meet the statutory obligations and requirements of the new legislation.

BACKGROUND

With the recent withdrawal of the Shire of Ravensthorpe from the GVROC it has become necessary for each of the member Councils to sign a new MOU with the exclusion of Ravensthorpe.

This matter was discussed at the recent GVROC Meeting held on 11 September 2020, where some conjecture was raised in regards to the adequacy of the existing MOU in view of certain recommendations being made by the Local Government Review Panel to the State Government for consideration. These recommendations include the legislative framework around regional cooperation and the regional subsidiaries model.

Please note that at the meeting of GVROC held on 15 May 2020, it was revealed that the last GVROC MOU that was executed was for the period July 2015 -October 2017 and had not been reviewed or renewed on the annual basis as it stipulated. As a result, a new MOU was drafted and presented at the meeting for execution between all parties for the period 2020 to 2022.

At its meeting on 24 July 2020 the GVROC carried the following resolution: It is recommended that the GVROC:

1. Note and endorse the updated MOU and new Meeting Procedures.
2. Request each GVROC Local Government President/Mayor and CEO execute under seal Schedule 1 of the MOU and return via scanned pdf page to the Executive Officer for collation with the MOU.
3. Note on receipt of all nine executed sections the Executive Officer will distribute the final executed copy to all CEOs for their records.

COMMENT

Concern was expressed at the recent (11 September 2020) GVROVC meeting that given the Review Panel recommendations it maybe that the current MOU needs to be reviewed.

Comment was made that the Review Panel recommendations are just that (recommendations) and therefore may not be endorsed by the State Government, and if in deed they are it could well be some time before a new Local Government Act is formally enacted.

The Shire of Coolgardie was of the view that the current MOU presently covers the immediate needs / priorities of the GVROC and given the above comments should be signed and can be reviewed by the GVROC when we have a better understanding of the States progress with reference to the Review Panels recommendations and the proposed new Local Government Act.

However the GVROC, in taking into consideration the overall comments and views of the GVROC members, resolved as follows:

That the GVROC:

1. note the status of the signing and execution of the MOU.
2. based on the Local Government Act Review Panel Recommendations on the future of regional councils, request each GVROC LGA take the current MOU and its principles back to their Council for discussion and to develop their position on the future structure and operations of the GVROC.
3. request the Executive Officer to organise a two-hour workshop to be held on 13 November 2020 prior to the next GVROC meeting to discuss and agree the future of the GVROC, based on each LGA having a position following recommendation 2.

The matter is therefore presented for Council consideration and direction.

CONSULTATION

Shire Staff

Council

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 2.7(2) - Provides that Council is to oversee the allocation of local government finances and resources and to determine the local government policies.

Section 3.1 - Provides that the general function of the local government is to provide for the good government of persons in its district.

POLICY IMPLICATIONS

Council has no policies in respect of this matter

FINANCIAL IMPLICATIONS

The recommendation of this report has no financial implications for Council.

STRATEGIC IMPLICATIONS

Accountable and effective leaders

Developing strategic partnerships with regional, State and Federal governments

ATTACHMENTS

1. **GVROC Council Minutes September 2020**
2. **Draft GVROC MOU 2020-2022**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council;

- 1. Endorses the Goldfields Esperance Voluntary Regional Organisation of Councils (GVROC) Memorandum of Understanding (MOU) as currently prepared for execution; and**
- 2. Requests the GVROC to review the MOU leading up to the adoption of a new Local Government Act to ensure the Purpose, Objectives and Principals meet the statutory obligations and requirements of the new legislation.**

12.2 Operation Services

12.2.1 IGO NOVA PTY LTD - HAULAGE CAMPAIGN; RENEWAL

Location: Kambalda
Applicant: IGO Nova Pty Ltd
Disclosure of Interest: Nil
Date: 1 October 2020
Author: Mel Nowlan, Engineering Administration

SUMMARY

For Council to consider a renewal application by IGO Nova Pty Ltd, the Principle, for their haulage contractor (QUBE Bulk) to cart approximately 140,000 wet metric tonnes (nickel concentrate) covering 1.5km Durkin Road, between Silver Lake Road and the intersection of Goldfields Highway and Durkin Road. Council endorsement is requested for five (5) RAV approvals and the annual campaign will be valid for the period of 01/01/21 – 31/12/21.

BACKGROUND

As per Council's Policy #044 (Haulage Campaigns) - Long Term Campaign: where a cartage campaign exceeds 25,000 tonnes or 100 return trips in any annual period, or more than six return trips in any week or part thereof; the Principle needs to apply to the Shire of Coolgardie for use of the Shire of Coolgardie road network.

IGO Nova have approached the Shire seeking renewal of their annual haulage campaign transporting 140,000 tonnes of nickel concentrate to the BHP Kambalda concentrator utilising 1.5km of Durkin Road. The MRWA Mapping Tool confirms Durkin Road, Kambalda, as being suitable for Tri-Drive Network 4.3 (AMMS Concessional Level 3) – IGO's requested network.

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.

At Council's Ordinary meeting held 12 November 2019, Council resolved the following:

COUNCIL RESOLUTION: #247/19

Moved: Councillor, E Winter

Seconded: Councillor, K Lindup

That Council,

In accordance with Policy 034 Haulage Campaigns, endorse the proposal from Independence Nova Pty Ltd (Principle) to use 1.5km of Durkin Road for a campaign comprising of 140,000 tonnes from 01 January 2020 to 31 December 2020 for the following contribution;

- 1. Capital Contribution (at {resolution}.07 p/tonne p/km; at 140,000 tonnes over 1.5km) = \$16170 (inc GST) to Account/Job #11202750 (Limited Cartage Campaign).?**

COMMENT

IGO Nova Pty Ltd has requested use of Durkin Road, Kambalda, and renewal of approvals for a hauling period of 01 January – 31 December 2021. Based on actual deterioration cost, the following contribution would be applicable –

Durkin Rd

Maintenance Contribution at \$0.04 per tonne per km at 140,000 tonnes over 1.5km \$9240 (inc GST)

Capital Contribution of \$0.07 per tonne per km at 140,000 tonnes over 1.5km \$16170 (inc GST)

CONSULTATION

Matthew Thompson – Superintendent-Processing – IGO Nova PL

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Policy #044 – Haulage Campaigns

Policy #045 – Heavy Vehicles Conditions for use on Shire Roads

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS**A thriving local economy**

Supporting and encouraging mining and processing industries

Accountable and effective leaders

Developing strong partnerships with stakeholders for the benefit of our community

Effective management of infrastructure, heritage and environment

Maintaining and renewing infrastructure and building assets

ATTACHMENTS

1. IGO Nova Pty Ltd - Main Roads Approval for Durkin Rd
2. IGO Nova Pty Ltd - letter to Shire
3. IGO Nova Pty Ltd - CA07 Application Form

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council,

In accordance with Policy 044 Haulage Campaigns, endorse the proposal from IGO Nova Pty Ltd (Principle) to use 1.5km of Durkin Road for a campaign comprising of 140,000 tonnes from 01 January 2021 to 31 December 2021 for the following contribution;

1. Capital Contribution (at \$0.07 p/tonne p/km; at 140,000 tonnes over 1.5km) = \$16170 (inc GST) to Account/Job #11202750 (Limited Cartage Campaign).

12.2.2 LUKAH MINING - HAULAGE CAMPAIGN

Location: Kambalda
Applicant: Lukah Mining
Disclosure of Interest: Nil
Date: 1 October 2020
Author: Mel Nowlan, Engineering Administration

SUMMARY

For Council to consider a proposal from Lukah Mining to utilise 2.9 kms of Cave Hill Road and Kingswood Street for a short term campaign from 01/12/2020 to 31/01/2021 comprising of 30,000 tonnes.

BACKGROUND

Lukah Mining have approached the Shire to undertake a haulage campaign on Cave Hill Road and Kingswood Street. 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 (Lukah Mining PL) needs to apply to the Shire of Coolgardie for use of the Shire of Coolgardie road network. MLG will be utilised for hauling and will supply rego numbers & work within the Main Roads Mapping Tool to confirm appropriate RAV network status requirement.

COMMENTCave Hill Rd & Kingswood St

Maintenance Contribution at \$0.04 per tonne per km at 30,000 tonnes over 2.9 kms \$3828 (inc GST)

Capital Contribution of \$0.07 per tonne per km at 30,000 tonnes over 2.9 kms \$6699 (inc GST)

CONSULTATION

Royce Gill – (Managing Director-Sole Director) Lukah Mining PL

Dave Crockford – Lukah Mining PL

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Policy #044 – Haulage Campaigns

Policy #045 – Heavy Vehicles Conditions for use on Shire Roads

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS**A thriving local economy**

Supporting and encouraging mining and processing industries

Accountable and effective leaders

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

Effective management of infrastructure, heritage and environment

Maintaining and renewing infrastructure and building assets

ATTACHMENTS

1. Lukah Mining - CA07 Application
2. Lukah Mining - proposed haulage route

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council,

In accordance with Policy 044 Haulage Campaigns, endorse the proposal from Lukah Mining (Principle) to use 2.9 kms of Cave Hill and Kingswood Streets for a campaign comprising of 30,000 tonnes from 1 December 2020 to 31 January 2021 for the following contribution;

1. Maintenance Contribution (at \$0.04 p/tonne p/km; at 30,000 tonnes over 2.9 kms) = \$3828 (inc GST) to Account/Job #11202750 (Limited Cartage Campaign).

12.2.3 LIST OF PAYMENTS - SEPTEMBER 2020

Location: Nil
Applicant: Nil
Disclosure of Interest: Nil
Date: 21 October 2020
Author: **Martin Whitely, Consultant**

SUMMARY

For council to receive the list of accounts for September 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 September are Diverseco Pty Ltd – Coolgardie Refuse Site - Weighbridge Part Instalment ; Department Of Fire & Emergency Services - 2020/20 ESL Quarter 1 Emergency Services Levy ; Soil Mechanics Pty Ltd – Coolgardie Refuse Site ; 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 - September 2020

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

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

1. Municipal accounts totalling \$766,235.53 on Municipal vouchers EFT19178 – EFT19347, cheques 52374 - 52388, and direct payments made during the month of September 2020.
2. Credit card payments totalling \$13081.48 for the month of September 2020.

12.2.4 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 30 SEPTEMBER 2020

Location: Nil
Applicant: Nil
Disclosure of Interest: Nil
Date: 22 October 2020
Author: Martin Whitely, Consultant

SUMMARY

This report recommends that the Monthly Statement of Financial Activity report for the period ending 30 September 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 30 September 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

Nil

ATTACHMENTS

1. **Monthly Financial Report - September 2020**
2. **Management Report - September 2020**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the Monthly Financial Activity Statement for the period 1 July 2020 to 30 September 2020 be received.

12.2.5 VARIATIONS TO RFT03/20 (ROAD WORKS - COOLGARDIE NORTH ROAD)

Location: Kambalda
Applicant: Gencon Civil Pty Ltd
Disclosure of Interest: Nil
Date: 8 October 2020
Author: Robert Hicks, Director of Operations

SUMMARY

For Council to consider contract clarifications to RFT 03/20 (Road Works – Coolgardie North Road) relating to the quantities of gravel and culverts plus contractual items relating to payment terms and contract commencement.

BACKGROUND

At Council's Ordinary meeting held 28 July 2020, Council resolved the following:

RESOLUTION #147/2020

Moved: Cr Tracey Rathbone

Seconded: Cr Tamme Keast

That Council

1. **Accepts the Tender submitted by Gencon Civil as the most advantageous Tender to form a Contract for RFT03/20 ROAD WORKS - COOLGARDIE NORTH ROAD, COOLGARDIE portion 1,2 and 3 at a cost of \$1,292,201.58 inc GST.**
2. **Authorise the preparation of a contract with Gencon Civil, 23 Santalum Street Kambalda West WA for Tender 03/20 - ROAD WORKS - COOLGARDIE NORTH ROAD, COOLGARDIE**
3. **Delegates the CEO to negotiate with the preferred supplier for the additional works required at an estimated cost of \$144,571.00.**
4. **Direct the CEO to carry out a financial assessment on the recommended and preferred tenderer and carries out a financial assessment on the approved tenderer.**
5. **Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal in accordance with s9.49A of the Local Government Act 1995 to any required documentation.**
6. **Resolve that in 4. above does not result in a satisfactory financial assessment by the CEO, of the preferred tenderer, that Council accept the Tender submitted by Rowe Contractors as the next most advantageous Tender to form a Contract for RFT03/20 ROAD WORKS - COOLGARDIE NORTH ROAD, COOLGARDIE portion 1,2 and 3 totalling \$1,610,019.31 inc GST, and also subject to 4. above.**

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Norm Karafilis, Tamme Keast, Kathie Lindup and Eugen Winter

Against: Nil

CARRIED BY ABSOLUTE MAJORITY 7/0

COMMENT

Subject to the following two variations and subsequent contract signing Gencon has requested consideration of the following:

1. Variation # 1 for additional gravel is based on the entire scope and will improve the overall structural integrity of the road base by obtaining the specified thickness compared with the specified volumes, as detailed in the tender documents. Important to note that the rate per tonne is consistent with the tender submission price, however, Gencon are suggesting an increase in volume due to compaction estimations.
2. Variation # 2 relates to the number of box culverts required. In order to maintain the specified road width at the culvert location it is necessary to supply and install a double culvert instead of a single culvert as specified in the tender document.

Tender 03/20 was budgeted (to a value of \$1.5 million) the purpose of this agenda item is to approve additional variations to the value of \$204,026.05 inc gst.

Gencon has requested to receive payment within 14 days of presenting a tax invoice. The Shire places a high importance on the processing and payment of submitted invoices and recognises that Gencon is a locally based contractor..

CONSULTATION

Shire of Coolgardie officers

Gencon Civil Pty Ltd

STATUTORY ENVIRONMENT

Local Government Act 1995 s5.42

Local Government (Functions and General) Regulations 1996

POLICY IMPLICATIONS

Register of: Delegations, Sub-Delegations, Appointments and Authorisations – Delegation 1.11 Tenders for Goods and Services

Local Government Act 1995 s5.42 - Contract variations under r20 and 21A of Local Government (Functions and General) Regulations 1996 are subject to:

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

SoC Policy #04 – Regional Price Preference

SoC Policy #19 – Purchasing – Policy and Procedure

FINANCIAL IMPLICATIONS

Financial impact:

Budget	\$1,500,000.00 inc gst
Council approved tender	\$1,436,772.58 inc gst
Proposed variations	\$ 204,026.05 inc gst
Contract total including variations	\$1,640,798.63 (\$1.5m budget)

The \$140,798.63 differential between the allocated budget and proposed new contract price that includes variations can be partially funded by an estimated \$75,000 saving from the Roads to Recovery Coolgardie Tip Road project and the remainder of approximately \$65,000 to be assessed during the budget review process.

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

Maintain integrated strategic and operational plans

ATTACHMENTS

1. **Gencon Civil PL - variations to RFT03/20 - Confidential**

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council;

1. **Approve the amount of \$204,026.05 inc gst as the contract variation sum for RFT03/20 (Road Works – Coolgardie North Road)**
2. **Approve payment terms to 14 calendar days from date of invoice.**
3. **Delegates authority to the Chief Executive Officer to approve the variations under the contract with the successful tenderer (Gencon Civil Pty Ltd) for an amount of \$204,026.05 inc gst**

12.3 Economic Development

12.3.1 IMPROVING WASTE PLASTICS AND TYRES PROCESSING EXPRESSION OF INTEREST

Location: Coolgardie

Applicant: Nil

Disclosure of Interest: Nil

Date: 19 October 2020

Author: Mia Hicks, Director of Economic and Community Development

SUMMARY

Council to endorse project partners to inform the supplementary information required to progress the development of the Expression of Interest for the Department of Water and Environmental Regulation's COAG Export Ban funding.

BACKGROUND

On 17 August 2020, the Shire of Coolgardie submitted an Expression of Interest (EOI) to the Department of Water and Environmental Regulation's COAG Waste Export Ban Funding.

Given the Shire's investigation into the development of a Class 3 waste facility at the Coolgardie tip site and its strategic position near a major population centre and mineral processing operations, the development of a rubber and tyre reprocessing facility was investigated.

Resources WA has engaged with industry on behalf of the Shire of Coolgardie (Shire) to assess the viability of waste sorting and waste reprocessing technology as part of the Shire's development program for the creation of a Class 3 waste centre in Coolgardie.

The assessment program undertaken by Resources WA focused on identifying the most suitable and proven technology and development partners to work with the Shire to implement waste sorting, recycling and reprocessing within the Class 3 waste centre with the aim of increasing the value derived from the centre and driving new industry development in the region.

The integrated waste sorting and reprocessing centre aims to create an integrated waste management facility that will separate high-value products from municipal, commercial, and industrial wastes and reprocess residual waste to derive valued outputs for use in the region.

The assessment undertaken by Resources WA focused on defining the technology and economic viability of sorting and reprocessing facilities at the Coolgardie site. The objectives of the assessment and associated business case include:

1. Determine the waste throughput capacities for waste sorting and waste reprocessing facilities associated with the operation of the Class 3 landfill site,
2. Develop and define the optimal design of the waste sorting and waste reprocessing facilities,
3. Determine the economic viability of the facilities, taking note of likely gate fees from the receipt of waste and expected returns from recovered recyclable material and reprocessed non-recyclable content,
4. Determine the potential secondary economic impacts from the operation of the facilities, with a particular focus on employment outcomes and reduce transport costs.

The Shire has expressed interest in partnering with entities that have the proven track record, financing capacity and suitable technology approaches to maximise the sorting and reprocessing of waste. The selection of the technology to be deployed at the Coolgardie facility has not been pre-determined prior to the assessment, with

industry engagement undertaken to identify designs and technology approaches that could suit the scale and composition of waste generated in the Central Goldfields.

COMMENT

Improving Waste Plastics and Tyres Processing Expression of Interest – Department of Water and Environmental Regulation, Western Australia

The Expression of Interest (EOI) was released in July 2020 aimed at significant projects that can have a meaningful impact on the processing of waste plastics and tyres. Given the Shire's unique position, alongside Pilbara based local government areas, the development of a rubber and tyre reprocessing facility aligned to the intent of the EOI. Resources WA aligned the content of the process to ensure that a significant amount of the EOI input was directly sourced through industry engagement.

The application to the EOI by the Shire of Coolgardie was dedicated to the finalisation of the design, approvals, construction and commissioning of a dedicated rubber and tyre reprocessing facility in Coolgardie.

Based on the design and engagement process, companies were selected as per recommended partners for the Shire of Coolgardie to proceed into the next stage of investigations.

On 8 October 2020, the Shire of Coolgardie was notified by the Department of Water and Environmental Regulation that, its EOI was reviewed by the assessment panel and shortlisted for more detailed consideration. Supplementary questions were provided for the Shire to complete by 30 October which must include details of the proposed technology, project partners and their roles.

Based on the design and engagement process, several project partners had been shortlisted for consideration to be included in the EOI application.

Tyre Reprocessing Facility

Based on the various inputs provided through the process, a preferred design for a tyre pyrolysis facility has been defined. This design is an amalgamation of inputs from the various companies and the final design specifics are expected to vary. The facility would be large enough to warrant a grid connection to the electricity network to generate back into the grid.

The analysis clearly demonstrated that the opportunity to adopt a waste recycling & processing plant viable, which will deliver a low-cost power, bio-oil & recycled commodities that can create jobs and a new revenue stream for the Coolgardie region.

CONSULTATION

Resources WA

Various technology providers

Mining Industry

Department of Water and Environmental Regulation

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Feasibility and Investigations – Allocated in 2020/21 Budget

STRATEGIC IMPLICATIONS

A thriving local economy

Supporting and encouraging mining and processing industries

Encouraging and attracting new investment and advocating for local employment

Effective management of infrastructure, heritage and environment

Ensuring that waste management practices are compliant

ATTACHMENTS

1. Coolgardie Waste Processing Hub Executive Summary - Confidential

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That,

1. Receive the report Coolgardie Waste Processing Hub Executive Summary - Confidential

12.3.2 MEALS ON WHEELS KAMBALDA

Location: Kambalda
Applicant: Nil
Disclosure of Interest: Nil
Date: 20 October 2020
Author: Bree Crawley, Events Officer

SUMMARY

Council to consider the continuation of the Meals on Wheels service in Kambalda for a further six months.

BACKGROUND

The Meals on Wheels service in Kambalda started on 28 April 2020 when COVID-19 restrictions were put in place for people over the ages of 70+ to not leave their homes. The CEO initiated this project in Kambalda with funding support from Goldfields St Ives.

ESS Kambalda prepare the cold meals for collection, and all requirements of the Food Safety Programs under the Food Act 2008.

There is no governing body to audit the Shire of Coolgardie on the delivery of this project during the State of Emergency, although strict hygiene procedures are in place and will remain should this program continue after COVID-19.

Shire staff deliver more than a nutritious meal as the program acts as a wellness check on these residents and the Shire continue to work closely with St John WA, the Kambalda Nursing Post and the Kalgoorlie Regional Hospital for the continued wellness of these residents.

Government financial support has been investigated, however, in order to obtain this support, it would require the Shire to provide participants with a seven day a week meal service.

Meals cost \$15.18 plus in-kind contributions from the Shire (fuel, wages, management costs, equipment, vehicle) and its partners.

Kambalda residents have shown demand in the continuation of this project through a survey and expressed a capacity to pay up to \$7.50 per meal

COMMENT

Option 1 – the Shire of Coolgardie continues meals on wheels as a free service to residents over the age of 70 that reside in Kambalda. The Shire will allocate \$25,000 from its budget which will match the confirmed contribution from Goldfields St Ives. This will facilitate the delivery of meals on wheels up to 30 June 2021.

Option 2 – the Shire of Coolgardie charge Meals on Wheels recipients a fee, to be subsidised by the Goldfields St Ives contribution of \$25,000. The recommended fee and the residents willingness to pay equates to \$15 per week per resident. This will facilitate the delivery of meals on wheels up to 30 June 2021.

CONSULTATION

Alison Meighan, Meals on Wheels WA
Geoff Harcombe, Environmental Health Officer
Mandy Waters, Manager of Community Services, Chorus
Katrin Win, Manager, Kambalda ESS Support Services

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

\$25,000 from the 20/21 Shire of Coolgardie Budget for Meals on Wheels

STRATEGIC IMPLICATIONS

An inclusive, safe and vibrant community

Promoting and advocating for community health services

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That

1. Council adopt a financial contribution of \$25,000 from the 2020/21 Budget to continue the Meals on Wheels service free of charge to Kambalda residents for the remainder of the 20/21 financial year

12.4 Commercial Services**12.4.1 SCHEDULED FLIGHTS INTO KAMBALDA AERODROME (YKBL)**

Location: Kambalda
Applicant: CASAIR
Disclosure of Interest: Nil
Date: 14 October 2020
Author: Rod Franklin, Commercial Manager

SUMMARY

For Council to;

1. Accepts the proposal from Complete Aviation Group (CAG) to commence flights into Kambalda Aerodrome from 01 November 2020.
2. Authorise the Chief Executive Officer (CEO) to give local public notice of its intention to dispose of reserve number 49358 Ariel landing ground and Access to Karora Resources Inc on the following terms:
 - a. Period: Three years with option of two years plus two years.
 - b. Annual Rental of \$5,000 subject to CPI increases each year
3. In accordance with section 3.58 of the Local Government Act 1995, request the CEO to invite submissions
4. Consider any submissions received before a decision is made on the lease
5. If no submissions are received authorises the CEO power to decide to dispose of the property and for the CEO and Shire President to execute the lease agreement

BACKGROUND

Currently the Shire is in the process of registering the Kambalda Aerodrome under a "Grandfather Rule" whereby; grandfathering provisions would allow for future growth opportunities. Once the registered certificate is received from CASA, the Kambalda Aerodrome will be grandfathered across into the new rule set and will have 12 months to transition to the new rules meeting the certification requirements.

Previous to this current application by CASAIR the only lease for the Kambalda Aerodrome was with Goldfields St Ives (which they terminated in August 2015).

The Shire reached out to the Kambalda Skysports requesting an insurance update – their response was received indicating current insurance coverage until November 2020 and whilst parachuting operations are not currently active they have continued (limited) use of the Kambalda airport facilities.

Council resolved in October 2018

COUNCIL RESOLUTION: # 207/18

Moved: Councillor, B Logan

Seconded: Councillor, N Karafilis

That Council APPROVES the amendment change of the purpose of Reserve 49358 to 'Aerial Landing Ground and Access' with power to lease.

CARRIED ABSOLUTE MAJORITY 6/0

COMMENT

The Shire has received correspondence from Complete Aviation Group (CAG) based in Perth requesting the use of Kambalda Airport with a proposed start date of 1 November 2020. The proposed aircraft being utilized for this service would be Fairchild Metroliner with a capacity of 9-20 seats. This aircraft does not pose any landing, service or take off issues to the current Kambalda Airstrip and facilities and meets all criteria on our Notification of Airmen (NOTAM).

It is estimated 90 PAX per week will transit through the Kambalda Aerodrome via one scheduled flight per day being operated by CASAIR

As all flights are expected to be in daylight with favourable weather conditions CAG requires minimal assistance from the Shire at this point and do not require air to ground communications or guidance or lighting systems. No refuelling facilities will be required in the initial scheduling of the aircraft but CAG would request to review this once operations commence daily with the view to possibly installing a temporary portable fuel pod to service its aircraft at Kambalda Airport. CAG will provide their own flight crews to assist the mines personnel with baggage and embarkation and disembarkation of passengers on to and off the aircraft. CAG is aware there are no ablution facilities or power currently available at Kambalda Airport. The Shire will be required to advise CAG of the condition of the runway in the case of inclement weather prior to each flight departing its operating base. The Shire is requested to provide access to the apron and taxiway for mine personnel and CAG staff and equipment.

The Shire will be responsible for the daily security inspections of the airstrip and any operational maintenance of the airstrip (this air service request may of course require further review if/when the service becomes supported by more mining companies). The Shire currently has five trained and certified Aerodrome Reporting Officers (ARO) for which CAG do not require this service at this point.

CONSULTATION

Nadia Somers – AMS Australia

Stuart Burns - CAG

Iain Bailey – CASA/Aviation Group

Shire of Coolgardie – staff

Karora Resources

Mincor Resources NL

STATUTORY ENVIRONMENT

Manual of Standards for Aerodromes Part 139 (MOS139)

3.58. Disposing of property

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not; property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

(a) the names of all other parties concerned; and

(b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition —

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

(5) This section does not apply to —

(a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or

(b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or

(c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or

(d) any other disposition that is excluded by regulations from the application of this section.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

It is estimated that the fee charged PAX will cover the cost of routine maintenance for the airstrip and surrounds

STRATEGIC IMPLICATIONS

A thriving local economy

Encouraging and attracting new investment and advocating for local employment

Supporting and encouraging mining and processing industries

Accountable and effective leaders

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

Developing strong partnerships with stakeholders for the benefit of our community

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

Effective management of infrastructure, heritage and environment

Maintaining and renewing infrastructure and building assets

ATTACHMENTS

1. **Draft Lease Agreement Karora Resources - Confidential**

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council;

1. **Accepts the proposal from Complete Aviation Group (CAG) to commence flights into Kambalda Aerodrome from 01 November 2020.**
2. **Authorise the Chief Executive Officer (CEO) to give local public notice of its intention to dispose of reserve number 49358 Ariel landing ground and Access to Karora Resources Inc on the following terms:**
 - (a) **Period: Three years with option of two years plus two years.**
 - (b) **Annual Rental of \$5,000 subject to CPI increases each year**
3. **In accordance with section 3.58 of the Local Government Act 1995, request the CEO to invite submissions**
4. **Consider any submissions received before a decision is made on the lease**
5. **If no submissions are received authorises the CEO power to decide to dispose of the property and for the CEO and Shire President to execute the lease agreement**

13 ITEMS FOR INFORMATION ONLY

13.1 ACTIVITY REPORT SEPTEMBER 2020

Date: 21 October 2020

Author: Kristie Brown, Executive Assistant to the CEO

ATTACHMENTS

- 1. Activity Report September 2020**

13.2 OUTSTANDING RESOLUTIONS

Date: 21 October 2020

Author: Kristie Brown, Executive Assistant to the CEO

ATTACHMENTS

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

14 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**14.1 NOTICE OF MOTION -**

Location: Shire Coolgardie
Applicant: Nil
Disclosure of Interest: None Required
Date: 23 October 2020
Author: Malcolm Cullen, President

I, Councillor Malcolm Cullen, give notice that at the next Ordinary Meeting of Council to be held on 27 October 2020, I intend to move the following motion:

That the Council:

- 1. Receive and note the Collaboration, Cooperation and Shared Services Report;***
- 2. Not pursue an amalgamations agenda with the City of Kalgoorlie-Boulder, unless and until there are clear advantages to the ratepayers, residents and stakeholders of the Shire, and that at this point in time that is not the case and there is no clear direction from the community to pursue such an agenda;***
- 3. Continue to explore opportunities for collaboration, cooperation and shared services to achieve mutual benefit; and***
- 4. Advise the City of Kalgoorlie-Boulder that—***
 - it has no interest in pursuing an amalgamation agenda with the City; and***
 - it would like to continue to explore opportunities for collaboration, cooperation, and shared services to achieve mutual benefit.***
- 5. Authorise the CEO to consider opportunities to achieve administrative, financial, and operational efficiencies by closer cooperation with the City and to progress some, with regular reports to Council.***

RATIONALE**Collaboration, Cooperation and Shared Services****Introduction**

The Mayor, Chief Executive Officer and two councillors from the City of Kalgoorlie-Boulder (City) attended an informal meeting with the Shire President, Deputy President and Chief Executive Officer to discuss the future of the two local governments.

The informal discussions between the City and the Shire were canvassed in a recent Kalgoorlie Miner article. The Shire needs to confirm its direction, advise the City of its intentions, and most importantly communicate with its community on the actions it is taking.

This report explores the discussions that took place, the new regulatory environment and proposes a way forward for the Shire of Coolgardie.

Collaboration, Cooperation and Shared Services

There is significant upside in the City and the Shire continuing to explore opportunities for collaboration, cooperation, and shared services for mutual benefit of their communities.

While the Shire is prepared to continue to explore these opportunities, the Council, has informally discussed between members and has no wish to pursue an amalgamation agenda with the City.

Mining Sector

The City and the Shire have much work to progress to ensure the mining sector remains strong in the region. With proposed changes to FIFO announced recently by the Premier, the region could see an influx of many mining families from the east coast. This could result in significant local investment and economic benefit. There is much to be excited about in the region over coming months and years.

New Local Government Act

The Local Government Review Panel (Panel) recently released its Final Report - Recommendations for a New Local Government Act for Western Australia. The Panel argued for an agile system of local government that enabled structural reform and establishment of joint subsidiaries.

Based on recent South Australian amendments, the Panel proposed development of a set of principles to drive consideration of structural reform including voluntary mergers. The Panel did not recommend the new Local Government Act should maintain the binding referenda (poll) provisions.

At this stage the recommendations from the Panel have not been formally considered by the Minister and even when this does happen, those recommendations adopted by the Minister (and Cabinet) will need to receive a drafting priority for legislation and then determined by both Houses of Parliament (with the 2020 State elections to determine Government, and also the composition of the Legislative Council, which may have an opportunity to block legislation).

The Panel also proposed a more streamlined approach to establishment of joint subsidiaries, which would see a new form of regional authority that overlays local government areas and brings together councils, state and federal agencies and other stakeholders (for example aboriginal communities) to address specific issues. The new joint subsidiaries provisions could be of interest to the City and the Shire as they progress various collaboration, cooperation and shared service initiatives.

It is also likely that there will be a greater focus on local governments reporting on their ongoing financial viability.

Conclusion

The Shire, on behalf of its communities and stakeholders has never formally considered any proposal to merge with the City, and currently would not support any proposals to achieve such an outcome. The Shire is of the view that much mutual benefit could be achieved with collaboration, cooperation and shared services, which would stand the authorities in good stead with the changes proposed by the Panel (and if accepted by Government) to the joint subsidiaries provisions in the new Local Government Act. The Shire will take the necessary steps to communicate its intentions to its community and stakeholders.

STATUTORY ENVIRONMENT**5.3 Motions of which previous notice has been given**

(1) Unless the Act, Regulations or these Local Laws otherwise provide, a Member may raise at a meeting such business as he or she considers appropriate, in the form of a motion, of which notice has been given in writing to the CEO and which has been included on the agenda.

(2) A notice of motion under subclause (1) is to be given at least 8 clear working days before the meeting at which the motion is moved.

(3) A notice of motion is to relate to the good governance of the district.

(4) The CEO -

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

- (b) will inform Members on each occasion that a notice has been excluded and the reasons for that exclusion;
- (c) may, after consultation with the Member where this is practicable, make such amendments to the form but not the substance as will bring the notice of motion into due form; and
- (d) may provide to the Council relevant and material facts and circumstances pertaining to the notice of motion on such matters as policy, budget and law.
- (5) A motion of which notice has been given is to lapse unless:
- (a) the Member who gave notice of it, or some other Member authorised by the originating Member in writing, moves the motion when called on; or
- (b) the Council on a motion agrees to defer consideration of the motion to a later stage or date.
- (6) If a notice of motion is given and lapses under subclause (5), notice of a motion in the same terms or to the same effect is not to be given again for at least 3 months from the date of such lapse.

5.4 New business of an urgent nature

- (1) In cases of extreme urgency or other special circumstances, matters may, on a motion by the Presiding Member that is carried by the meeting, be raised without notice and decided by the meeting.
- (2) In subclause (1), 'cases of extreme urgency or other special circumstances' means matters that have arisen after the preparation of the agenda that are considered by the Presiding Member to be of such importance and urgency that they are unable to be dealt with administratively by the Local Government and must be considered and dealt with by the Council before the next meeting.

I commend this Notice of Motion to Council.

ATTACHMENTS

1. Council Mergers

VOTING REQUIREMENT

Simple majority

MOTION

That the Council:

- 1. Receive and note the Collaboration, Cooperation and Shared Services Report;**
- 2. Not pursue an amalgamations agenda with the City of Kalgoorlie-Boulder, unless and until there are clear advantages to the ratepayers, residents and stakeholders of the Shire, and that at this point in time that is not the case and there is no clear direction from the community to pursue such an agenda;**
- 3. Continue to explore opportunities for collaboration, cooperation and shared services to achieve mutual benefit; and**
- 4. Advise the City of Kalgoorlie-Boulder that—**
 - it has no interest in pursuing an amalgamation agenda with the City; and**
 - it would like to continue to explore opportunities for collaboration, cooperation, and shared services to achieve mutual benefit.**
- 5. Authorise the CEO to consider opportunities to achieve administrative, financial, and operational efficiencies by closer cooperation with the City and to progress some, with regular reports to Council.**

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

Nil

17 CLOSURE OF MEETING