



AGENDA

Ordinary Council Meeting

28 July 2020

Electronically

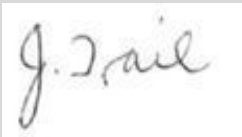
Meeting ID: 852 7198 1241

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 28 July 2020 Electronically commencing at 6:30pm.

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

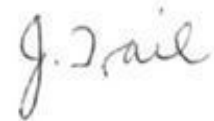
JAMES TRAIL
CHIEF EXECUTIVE OFFICER

ORDINARY COUNCIL MEETING**28 July 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

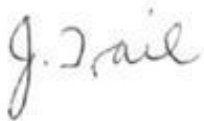
INFORMATION FOR PUBLIC ATTENDING COUNCIL MEETINGS

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
----------------------	-------------

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 _____

Order Of Business

1	Declaration of Opening / Announcement of Visitors	14
2	Record of Attendance / Apologies / Approved Leave of Absence.....	14
3	Declarations of Interest	14
3.1	Declarations of Financial Interests – Local Government Act Section 5.60A	14
3.2	Declarations of Proximity Interests – Local Government Act Section 5.60B.....	14
3.3	Declarations of Impartiality Interests – Administration Regulation 34C	14
4	Response to Previous Public Questions taken on Notice.....	14
	Nil	
5	Public Question Time	14
6	Applications for Leave of Absence	14
7	Confirmation of Minutes of Previous Meetings.....	14
8	Announcements by Presiding Person without Discussion.....	15
8.1	President's Report - June 2020	15
9	Petitions / Deputations / Presentations / Submissions	17
10	Reports of Committees.....	17
11	Reports of Officers	18
11.1	Executive Services	18
11.1.1	Amendment to Council Policy Manual - REgional Price Preference Policy	18
11.1.2	Financial Activity Statement for the period ended 30 June 2020	21
11.1.3	Land Tenure and Transfer - Coolgardie Golf Course - R8693.....	24
11.1.4	WALGA 2020 Annual General Meeting Voting Delegates	27
11.2	Operation Services.....	29
11.2.1	List of Payments - June 2020	29
11.2.2	Nickletown Flounderers	31
11.2.3	RFT03/20 Road Works - Coolgardie North Road, Coolgardie	33
11.2.4	RFT04/20 Road Works - Coolgardie Tip Road	36
11.2.5	RFT05/20 Road Works - Jaurdi Hills Road Re-alignment.....	39
11.2.6	Tailing Storage Facility	42
11.3	Economic Development.....	48
	Nil	
11.4	Commercial Services	48
	Nil	
12	Items for Information Only	49
12.1	Activity Report June 2020.....	49
12.2	Outstanding Resolutions	50

13	Elected Members Motions of Which Previous Notice has been Given	51
13.1	Notice of Motion -	51
14	New Business of an Urgent Nature Introduced by Decision of Meeting	53
14.1	Elected Members.....	53
14.2	Council Officers	53
15	Matters Behind Closed Doors.....	54
15.1	Coolgardie Post Office -Residential Classification and Tenant Relocation.....	54
16	Closure of Meeting.....	55

- 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
 - 3.2 Declarations of Proximity Interests – Local Government Act Section 5.60B
 - 3.3 Declarations of Impartiality Interests – Administration Regulation 34C
- 4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil
- 5 PUBLIC QUESTION TIME
- 6 APPLICATIONS FOR LEAVE OF ABSENCE
- 7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**8.1 PRESIDENT'S REPORT - JUNE 2020**

Location:	Nil
Applicant:	Nil
Disclosure of Interest:	Nil
Date:	23 July 2020
Author:	Malcolm Cullen, President

PRESIDENT'S REPORT - JULY 2020

The Shire of Coolgardie held the Official Opening of the Coolgardie Truck Assembly Area on June 19th in conjunction with a visit to the Goldfields by Transport Minister Rita Saffioti. It was a pleasure and honour to host the Minister and her advisors, along with MRWA Regional Manager Shane Power and Member for Kalgoorlie Kyran O'Donnell in Coolgardie for the opening of this facility in the presence of a good crowd comprising of community members, trucking and mining company representatives and Shire Staff and Councillors.

This project has been in the planning for over seven years and I am proud to see that we have been able to achieve such a great outcome which will provide an excellent parking area for the Thousands of heavy vehicles travelling through Coolgardie each year and seeking a safe respite from the busy Highways in the region.

On behalf of the Council I would like to thank everyone involved in making this project possible And I would make special mention to Garth Marland from Roadtech Constructions ,the project contractors ,for all the work and endless hours he put into the project to ensure such a great finish.

Council held a Special Meeting via electronic means on July 7th when the 2020/21 annual budget was adopted. I am proud to announce that Council has been able to adopt this year's budget with a zero increase in both the rate in the dollar for all rate categories and also no increase in fees and charges Shire facilities.

I would also like to congratulate our CEO and the Finance and Budget Teams, along with all our Staff who have worked tirelessly through the past months to enable Council to be in such a strategic position and adopting this year's budget in early July. By achieving this milestone in such circumstances as the Covid_19 pandemic ,It will place the Shire of Coolgardie on the front foot in terms of cash flow and the ability for the Shire to progress many of our roads and infrastructure programmes much earlier than in previous years.

Our Technical Services Teams have achieved a positive milestone at the 30th of June, by completing all Regional Road Group construction and maintenance projects as well having completed all acquittals and invoices prior to the end of the financial year. This effort is one I believe to be the first time in my time on Council, and I have conveyed my appreciation on Behalf of the Council to our Director of Operations.

The CEO, myself and Shire Bushfire Control Officers attended a meeting convened by DFES staff in Kalgoorlie last week to discuss the most effective mean to set up a single Bush Fire Brigade in our Shire. By setting this function up correctly, it will bring opportunities for funding as well as making the recruitment of volunteers during bushfire seasons less arduous than the current system allows.

Further discussion will be held during the LEMC meeting and workshop to be held in Kambalda on August 19th.

Meetings and Workshops attended this period:

- Truck Assembly Opening
- Shire hosted a visit by Federal Members Rick Wilson and Slade Brockman in Coolgardie to discuss Shire Infrastructure Projects
- Minderoo Foundation zoom meeting discuss CDC Trial in the Goldfields
- July 25th Shire hosted Federal Member Rick Wilson on visit to Kambalda
- Friday 26th GVROC Special Meeting to adopt 2020/21 budget and discuss WALGA State Council agenda
- GEDC - GVROC Camel Industry working group zoom meeting discuss Quantum Report
- July 1st - 2nd attended WALGA state Council meeting in Perth
- July 7th Special Meeting of Council adopts 2020/21 budget
- LG group zoom meeting to discuss Goldfields Records Storage management
- July 14th Council Briefing Forum zoom meeting
- Meeting with CEO and Staff RE GRS management and Financial Status
- July 17th Meeting with CEO and Planning Consultant in Kambalda RE land planning and Shire reserve uses
- July 20th DFES Meeting in Kalgoorlie discuss bushfire brigade

With the emerging situation in the Eastern States of the Covid-19 outbreaks, I would urge everyone in the Shire to continue to observe all the current health advice ,and continue to practice social distancing and personal hygiene in your everyday activities in our communities to prevent any such occurrences in the Goldfields - Esperance Region.

Malcolm Cullen
Shire President

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

11 REPORTS OF OFFICERS**11.1 Executive Services****11.1.1 AMENDMENT TO COUNCIL POLICY MANUAL - REGIONAL PRICE PREFERENCE POLICY**

Location:	Shire of Coolgardie
Applicant:	Nil
Disclosure of Interest:	Nil
Date:	20 July 2020
Author:	Steve Tweedie, Consultant

SUMMARY

A recent assessment of the Shire's Regional Price Preference Policy indicates several shortcomings, which call into question the validity of the Policy.

The issues relate to the definition of eligible businesses and the regional areas to which the policy will apply.

It is proposed to develop a new policy based on the following sequence of events, to comply with the provisions of the Local Government (Functions and General) Regulation 1996;

- Prepare a draft policy – see attached
- Council to consider principles and agree to advertising for public comment by Statewide public notice – recommendation in this report.
- Minimum of 4 weeks public comment
- Council to consider submissions and either resolve to adopt the policy as advertised, or if significant changes, must readvertise policy.
- If Council decides to adopt policy, it must give further statewide public notice of the adoption of the policy before it can be applied.

The draft Policy:

- Applies the definition of “regional tenderer” as per the Local Government (Functions and General) Regulation 1996
- Delineates 2 “qualifications” for Regional Price Preference, to apply to Shire of Coolgardie district only and another to apply to the districts of the Shire of Ravensthorpe, Shire of Esperance, Shire of Dundas, City of Kalgoorlie Boulder, Shire of Menzies, Shire of Leonora, Shire of Wiluna, Shire of Laverton and Shire of Ngaanyatjaraku – current Policy has 1 level
- Designates 2 levels of Regional Price Preference (currently 1):
 - ✓ 10% discount on goods and services, 5% discount on Construction (Building) Services and 10% discount on Goods & Services (including Construction (Building) Services), where those goods or services having been, until then, undertaken by the local government - the district of the Shire of Coolgardie.
 - ✓ 5% discount on goods and services, 2.5% discount on Construction (Building) Services and 5% discount on Goods & Services (including Construction (Building) Services), where those goods

or services having been, until then, undertaken by the local government - the districts of the Shire of Ravensthorpe, Shire of Esperance, Shire of Dundas, City of Kalgoorlie Boulder, Shire of Menzies, Shire of Leonora, Shire of Wiluna, Shire of Laverton and Shire of Ngaanyatjaraku.

BACKGROUND

Part 4A of the Local Government (Functions and General) Regulation 1996 permits local governments outside the metropolitan area to develop, adopt and apply a Regional Price Preference Policy in relation to tenders.

On the basis that the Shire proposes to adopt and implement such a Policy, a draft is attached for Council consideration.

COMMENT

Nil

CONSULTATION

Bruce Lorimer, Core Business

James Trail, Chief Executive Officer

STATUTORY ENVIRONMENT

Part 4A of the Local Government (Functions and General) Regulation 1996

POLICY IMPLICATIONS

Replaces Council Policy 04

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Accountable and effective leaders**

Demonstrating that decisions are developed through inclusive community engagement

ATTACHMENTS

1. **Regional Price Preference Policy**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That in accordance with reg 24E Local Government (Functions and General) Regulation 1996 that Council affirm its intention to make, and adopt a Regional Price Preference Policy and that the CEO:

- Give Statewide public notice of the intention to have a regional price preference policy and include in that notice —
 - ✓ the regions to which the policy is to relate; and
 - ✓ details of where a complete copy of the proposed policy may be obtained; and
 - ✓ a statement inviting submissions commenting on the proposed policy, together with a closing date of not less than 4 weeks for those submissions; and
- make a copy of the proposed regional price preference policy available for public inspection in accordance with the notice and
- report to the September Ordinary Council Meeting, the results of the submissions received, and recommend whether the draft Policy, as advertised, be adopted by Council, and if so, subject to further Statewide public notice, by way of confirmation, or be amended (and if substantially so, to be readvertised by further Statewide public notice)

11.1.2 FINANCIAL ACTIVITY STATEMENT FOR THE PERIOD ENDED 30 JUNE 2020

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

SUMMARY

This report recommends that the Draft Monthly Statement of Financial Activity report for the period ending 30 June 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 June 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.

The annual financial statements for the financial year ending 30 June 2020 are currently in draft form and final document will vary slightly from the tabled report as the year end processes and annual financial statements are finalised.

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. **Management Report - June 2020**
2. **Monthly Financial Report - June 2020**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

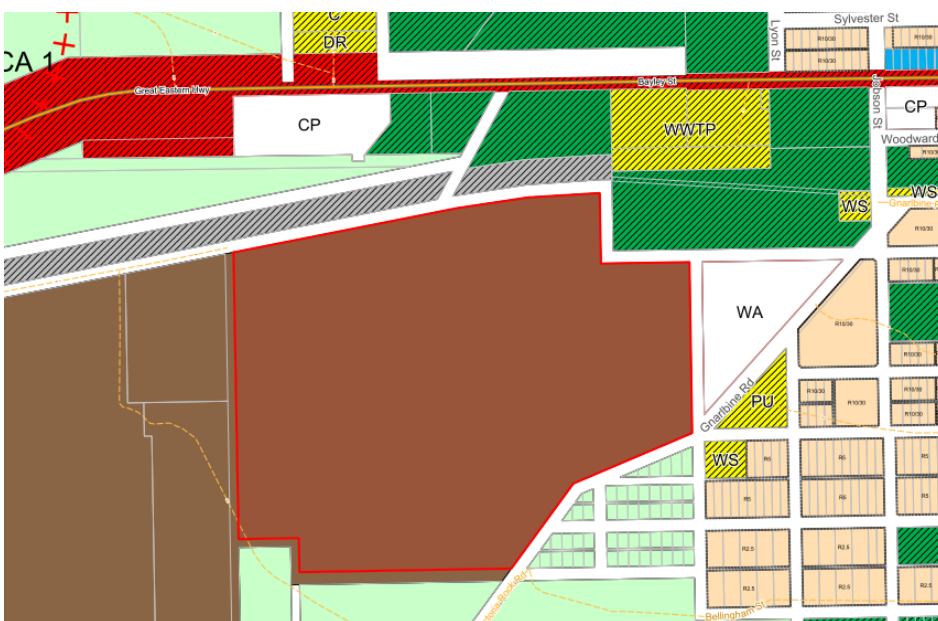
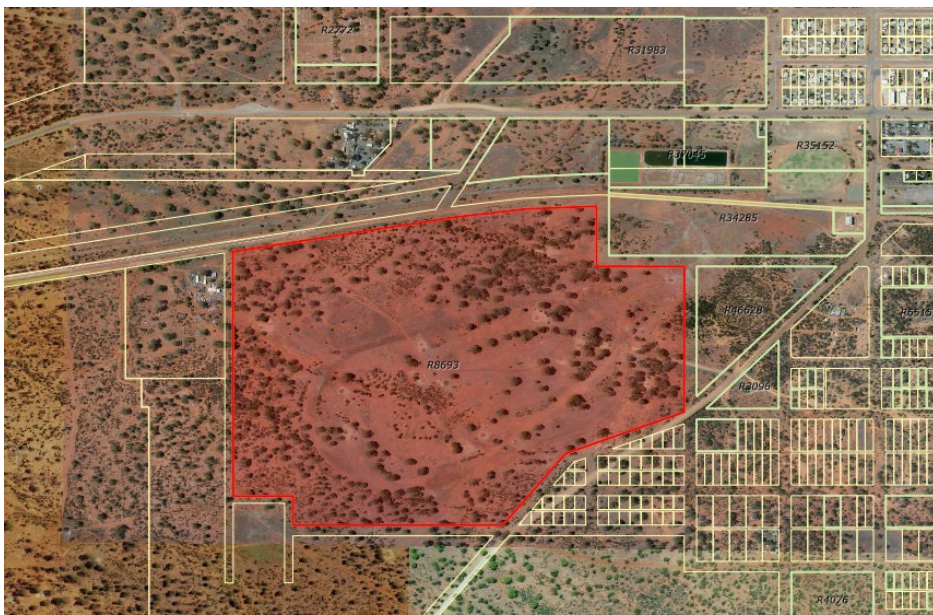
That the Draft Monthly Financial Activity Statement for the period 1 July 2019 to 30 June 2020 be received.

11.1.3 LAND TENURE AND TRANSFER - COOLGARDIE GOLF COURSE - R8693

Location: Reserve R8693 – Great Eastern Highway
 Applicant: Nil
 Record Number: Nil
 Disclosure of Interest: Nil
 Date: 21 July 2020
 Author: Francesca LeFante, Consultant

SUMMARY

To support the actions for pursue the freehold purchase of Reserve R8693 which is vested in the Shire of Coolgardie for the purpose of recreation golf course and includes the power to lease.



BACKGROUND

In 2012 the Shire commenced action to purchase the Coolgardie Golf Course. The site is Reserve R8693 Lot 2435 on deposited plan 107089. The requested was forwarded to the Department of lands. The Department undertook research, survey investigations and land ownership details including clearance and comments from other agencies (ref 00146-18961 - Job121630)

In March 2014, the Shire was advised that: -

- All referral had been completed and no objections were raised.
- The Department Mines and Petroleum (currently DMIRS) had advised that there are existing mining interest which rest over the land and the Shire will need to provide acknowledgement of these interests as part of the contract of sale.
- A valuation had been obtained from Landgate (being \$75,000 plus GST) valid until 15 February 2015.

The letter sought agreement from the Shire to proceed and payment of costs for the preparation of documents and registration fees, prior to proceeding to approval from the Minister.

The Shire did not proceed with the sale, a search of the Shire records has not revealed the reasons for not finalising the actions.

COMMENT

The site is zone zoned rural residential under Local Planning Scheme No 5

Shire representatives are seeking to complete the purchase of Reserve R8693 and transfer the land in freehold ownership of the Shire of Coolgardie by way of finalising of the land purchase process.

Given the extent of investigations undertaken previously in relation to this site, there is a potential that some of the Department actions in relation to background research, survey investigations, land ownership details and comments from other agencies may still be relevant.

Options

Option 1: Support the request for freehold ownership and land purchase of the Coolgardie Golf Course – Reserve 8693

Option 2: - Decline to pursue actions for seek freehold ownership of Coolgardie Golf Course Reserve 8693.

It is recommended that the Shire support the request to pursue for freehold ownership and land purchase of the Coolgardie Golf Course to increase the opportunities for development within the townsite.

CONSULTATION

Department Works, Industry and Regulations

Department of Planning, Lands and Heritage

STATUTORY ENVIRONMENT

Local Government Act 3.54 Reserves under control of a Local Government
Land Administration Act 1997

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Accountable and effective leaders

High quality corporate governance, accountability and compliance

Effective management of infrastructure, heritage and environment

Facilitating urban and rural planning and development
Supporting the development of diverse housing and land options
Supporting and encouraging local and regional tourism

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council SUPPORTS the request and initiation of actions to pursue the freehold ownership and land transfer of Reserve R8693 to the Shire of Coolgardie.

11.1.4 WALGA 2020 ANNUAL GENERAL MEETING VOTING DELEGATES

Location: Shire Coolgardie
Applicant: Shire Coolgardie
Disclosure of Interest: Nil
Date: 23 July 2020
Author: James Trail, Chief Executive Officer

SUMMARY

This report recommends that Council nominate two representatives as the Voting Delegates on behalf of the Shire of Coolgardie for the WALGA 2020 Annual General Meeting for the WA Local Government Association, which is being held at the Local Government Convention on Friday 25th September 2020.

BACKGROUND

Local Government WALGA AGM is to be held on Friday 25th September 2020.

All Member Councils are entitled to be represented by two (2) voting delegates at the Annual General Meeting of the WA Local Government Association which may be either elected members or serving officers.

COMMENT

Depending on who will be available to attend Local Government Week will determine who will be the Shire of Coolgardie's voting delegates.

Generally, Councillors are the voting delegates, however if there are not enough Members available, the Council can nominate its Chief Executive Officer.

CONSULTATION

Shire President

WALGA

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The 2020/21 Budget includes funding for attendance at the conference.

STRATEGIC IMPLICATIONS**Accountable and effective leaders**

High quality corporate governance, accountability and compliance

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council, nominate Cr:_____ and Cr:_____ as the Voting Delegates on behalf of the Shire of Coolgardie for the WALGA 2020 Annual General Meeting for the WA Local Government Association, which is being held at the Local Government Convention on Friday 25th September 2020.

11.2 Operation Services

11.2.1 LIST OF PAYMENTS - JUNE 2020

Location: Nil
Applicant: Nil
Disclosure of Interest: Nil
Date: 20 July 2020
Author: Nav Kaur, Manager Finance

SUMMARY

For council to receive the list of accounts for June 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 June 2020 are Acorp Construction Pty Ltd - Kambalda Swimming Pool Upgrade, as per Tender 01/19 Release of Part Retention ; Johns Lyng Insurance Building Solutions (WA) Pty Ltd - Inv# JWIB1811103 - Progress Claim 15/19 - 002 - Coolgardie Storm Damage Dec 2018 (4 invoices)

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

Effective management of infrastructure, heritage and environment

Maintaining and renewing infrastructure and building assets

ATTACHMENTS**1. List of Payments - June 2020****VOTING REQUIREMENT**

Absolute Majority

OFFICER RECOMMENDATION

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

1. Municipal accounts totalling \$1,342,655.66 on Municipal vouchers EFT18775 – EFT18934, cheques 52345 - 52354, and direct payments made during the month of June 2020.
2. Credit card payments totalling \$6309.36 for the month of June 2020.

11.2.2 NICKLETOWN FLOUNDERERS

Location: Kambalda
Applicant: Nil
Disclosure of Interest: Nil
Date: 21 July 2020
Author: Robert Hicks, Director of Operations

SUMMARY

To consider the request for the Nickletown Flounderers to enter into the Shire of Coolgardie Cub User Agreement for a period of two years.

BACKGROUND

The Club have leased part of the East Kambalda Recreational Facility known as the Billie Ingham Room and adjoining kitchen since 19 July 2013 for a period off four years. The lease expired on the 19 July 2017 and they have remained in the premises on a periodic tenancy.

The continued usage of the rooms would be for Club rooms and as a base for the Bike and Car Shows.

COMMENT

The Nickletown Flounderers formed nine years ago and are an active club with substantial membership.

The Club are making greater use of the East Kambalda Recreational Facility by facilitating bike and car shows.

The Club are seeking a two-year term which is the maximum of the Club User Agreement and will continue to pay utility charges and be responsible for pest control and minor maintenance as per the terms of the expired lease.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

As per Club User Agreement and current rate of \$400 per annum.

STRATEGIC IMPLICATIONS**A thriving local economy**

Promoting and utilising the Shire Resource Centres for business support

Accountable and effective leaders

Advocating for services that support our community needs

An inclusive, safe, and vibrant community

Delivering and developing sport and recreation activities

Effective management of infrastructure, heritage, and environment

Maintaining and renewing infrastructure and building assets

ATTACHMENTS

1. **Billie Ingham Room and Adjoining Kitchen Floor Plan**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council approve Nickletown Flounderers to continue occupation of the Billie Ingham Room and adjoining kitchen at the Harry Steinhauser Reserve in East Kambalda.

That Council approve a Club/Community Group User Agreement with Nickletown Flounderers for the Billie Ingham Room and adjoining kitchen at the Harry Steinhauser Reserve in East Kambalda for a period of two years.

11.2.3 RFT03/20 ROAD WORKS - COOLGARDIE NORTH ROAD, COOLGARDIE

Location: Coolgardie
Applicant: Shire of Coolgardie
Record Number: Nil
Disclosure of Interest: Nil
Date: 21 July 2020
Author: Silvio Brenzi, Consultant

SUMMARY

The purpose of the report is to recommend to Council to accept the preferred tender in response to Request for Tender RFT03/20 - Tender for Road Works - Coolgardie North Road, Coolgardie. The project included separable portions that could be submitted individually or as an entirety. The Scope of Works identified each portion including materials supply and delivery of services as well as rehabilitation, re-seal, new construction/shoulder formation widening from SLK 12.250 extending to SLK 107.800. Works to be carried out within the 2020/21 financial year.

BACKGROUND

The Shire of Coolgardie invited suitably qualified and experienced contractors to submit tender submission based on Tender 03/20 - Tender for Road Works - Coolgardie North Road, Coolgardie. The tender closed on Wednesday 08 July 2020 at 4.00pm. Six (6) tenders were received at the Kambalda Administration office and were opened by Robert Hicks - Director of Operations, Rod Franklin – Commercial Manager and Bec Horan – Executive Manager Administration Services.

When opening the 03/20 tenders the Shire discovered an error with the Value Considerations (Weighting) within the tender documentation. Upon receiving legal advice, the Shire emailed out Addendum #1 on Thursday 09 July 2020; clarifying that the correct weighting was as per Part 1-1.24 of the tender document. The Shire then offered the tenderers the opportunity (by close of business 14 July 2020) to submit any further information/documents (that would have been provided had they known before lodging their tender) that the weighting percentages were those set out in 1.24 of Part 1 of the RFT. A requirement was placed on the tenderers to confirm their acknowledgement of the addendum as part of their tender response. Additional legal advice was sought regarding increasing road seal widths to 9 metres.

COMMENT

Coolgardie North Road is a highly used road due to mining activities and associated road transport with heavy vehicles. By upgrading the standard of the road and formation/seal widths, a safer environment is created for all users and extends the overall life of the asset.

A compulsory site meeting was held on the 24th June 2020 for all interested contractors. This enabled themselves to be fully aware of the conditions and environment that is to be expected within this tender. Failure to attend would not qualify them for a submission.

Multiple addenda were issued during the RFT Open Period and a number of clarifications were provided following the onsite meeting to all attendees.

Six (6) submissions were received by the deadline of the Request for Tender. The Tender submissions were reviewed by an evaluation panel and the following weighting criteria was used to assess the tenders:

Tender Criteria Assessment Matrix – Tender 03/20	
<i>Selection Criteria</i>	<i>Weighting</i>
Tendered Price	50%
Relevant Experience	10%
Tenderer's Resources	10%
Use of Regional Contractors and Material Suppliers	30%
Totals	100%

Legally a Local Government, as a public body, has the responsibility to follow the appropriate processes and to treat all tenderers fairly. The terms and conditions set out in the contract is the standard WALGA contract document and imply that the Shire of Coolgardie has acted legally and fairly to all tenderers in this case.

Where under Section 1.8 of the Local Government Act requires state-wide public notice of a matter is required to be given, section 1.7 applies except that the newspaper referred to in section 1.7(1)(a) is required to circulate generally throughout the State.

Section 5 R15 Minimum time to be allowed for submitting tenders

(1) If the notice is published in the newspaper as part of giving State-wide public notice, the time specified in the notice as the time after which tenders cannot be submitted has to be at least 14 days after the notice is first published in the newspaper as part of giving State-wide public notice.

(2) If the notice is given to a person listed as an acceptable tenderer, the time specified in the notice as the time after which tenders cannot be submitted has to be at least 14 days after the notice is given.

The preparation, assessment and award of this tender complies with Part 4 (Provision of Goods and Services) of the Local Government (Functions and General) Regulations 1996 Division 2 – Tendering for Goods and Services.

An evaluation report has been prepared, assessed by Shire staff and attached to this item.

CONSULTATION

Silvio Brenzi – Manager of Technical Services

Robert Hicks – Director of Operations

James Trail – Chief Executive Officer

Keith Dickerson - Consultant

Neil Douglas – McLeods Barristers & Solicitors

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

In accordance with Council Procurement Policy

FINANCIAL IMPLICATIONS

It is anticipated that a value of approximately \$1.5M will be utilised from various sources of funding including RRG, Mining contributions and Council Municipal funds. It is expected that the contract will be completed within the 20/21 financial year.

STRATEGIC IMPLICATIONS**A thriving local economy**

Supporting local businesses in the Shire

Accountable and effective leaders

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

High quality corporate governance, accountability and compliance

Effective management of infrastructure, heritage and environment

Maintaining and renewing infrastructure and building assets

ATTACHMENTS

1. Tender 03/20 - Confidential

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

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.

11.2.4 RFT04/20 ROAD WORKS - COOLGARDIE TIP ROAD

Location: Coolgardie
Applicant: Shire of Coolgardie
Record Number: Nil
Disclosure of Interest: Nil
Date: 21 July 2020
Author: Silvio Brenzi, Consultant

SUMMARY

The purpose of the report is to recommend to Council to accept the preferred tender in response to Request for Tender RFT04/20 - Tender for Road Works - Coolgardie Tip Road, Coolgardie. The project included separable portions that could be submitted individually or as an entirety.

The Scope of Works identified each portion including materials supply and delivery of services as well as general road works and civil construction to various degrees - including cement stabilising and sealing works. An allowance for approved traffic management plans and traffic management control during the period of construction. Four separable portions were developed to allow for further scrutiny within each tender and for best value for money within each type of work.

BACKGROUND

The Shire of Coolgardie invited suitably qualified and experienced contractors to submit a tender based on Tender 04/20 - Tender for Road Works - Coolgardie Tip Road, Coolgardie. The Request for Tender was advertised in the West Australian & The Kalgoorlie Miner on Saturday 13 June 2020 the Shire of Coolgardie website on 10 June 2020 and Tendering Portal at the Shire of Coolgardie. The tender was originally due to close on Wednesday 08 July 2020 at 4.00pm, however, an extension to that deadline was authorised by the CEO & the new closing date became Wednesday 15 July 2020 at 4pm. Four (4) tenders were received at the Kambalda Administration office and were opened by Robert Hicks (Director of Operations), Bec Horan (Executive Manager Administration Services and Silvio Brenzi (Manager of Technical Services).

An error with the Value Considerations (Weighting) was detected within the tender documentation. Upon receiving legal advice the Shire emailed out an addendum on Thursday 09 July 2020; clarifying that the correct weighting was as per Part 1-1.24 of the tender document. A requirement was placed on the tenderers to confirm their acknowledgement of the addendum as part of their tender response.

COMMENT

A compulsory site meeting was held on the 25th June 2020 for all interested contractors. This enabled themselves to be fully aware of the conditions and environment that is to be expected within this tender. Failure to attend would not qualify them for a submission.

Four (4) submissions were received, and the following weighting criteria was used to assess the tenders:

Tender Criteria Assessment Matrix – Tender 04/20	
<i>Selection Criteria</i>	<i>Weighting</i>
Tendered Price	50%
Relevant Experience	10%
Tenderer's Resources	10%
Use of Regional Contractors and Material Suppliers	30%
Totals	100%

Legally a Local Government, as a public body, has the responsibility to follow the appropriate processes and to treat all tenderers fairly. The terms and conditions set out in the contract is the standard WALGA contract document and imply that the Shire of Coolgardie has acted legally and fairly to all tenderers in this case.

Where under Section 1.8 of the Local Government Act requires state-wide public notice of a matter is required to be given, section 1.7 applies except that the newspaper referred to in section 1.7(1)(a) is required to circulate generally throughout the State.

Section 5 R15 Minimum time to be allowed for submitting tenders.

(1) If the notice is published in the newspaper as part of giving State-wide public notice, the time specified in the notice as the time after which tenders cannot be submitted has to be at least 14 days after the notice is first published in the newspaper as part of giving State-wide public notice.

(2) If the notice is given to a person listed as an acceptable tenderer, the time specified in the notice as the time after which tenders cannot be submitted has to be at least 14 days after the notice is given.

The preparation, assessment and award of this tender complies with Part 4 (Provision of Goods and Services) of the Local Government (Functions and General) Regulations 1996 Division 2 – Tendering for Goods and Services.

An evaluation report was prepared, assessed by Shire staff and attached to this document.

CONSULTATION

Silvio Brenzi – Manager of Technical Services

Robert Hicks – Director of Operations

Keith Dickerson - Consultant

Neil Douglas – McLeods Barristers & Solicitors

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

In accordance with Council Procurement Policy

FINANCIAL IMPLICATIONS

It is anticipated that a value of approximately \$375,000.00 be utilised from R2R federal allocation. It is expected that the contract will be completed within the 20/21 financial year.

STRATEGIC IMPLICATIONS**A thriving local economy**

Supporting local businesses in the Shire

Accountable and effective leaders

High quality corporate governance, accountability and compliance

Effective management of infrastructure, heritage and environment

Maintaining and renewing infrastructure and building assets

ATTACHMENTS

1. Tender 04/20 - Confidential

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council,

1. Accepts the Tender submitted by JH & RT Rowe T/As Rowe Contractors as the most advantageous Tender to form a Contract for RFT04/20 ROAD WORKS - COOLGARDIE TIP ROAD, COOLGARDIE portion 1,2,3 and 4 at a cost of \$299,841.00 inc GST.
2. Authorise the preparation of a contract with Rowe Contractors, 229 Padbury Road, Bookara WA 6525 Tender 04/20 - ROAD WORKS - COOLGARDIE TIP ROAD, COOLGARDIE
3. 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.
4. 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.
5. 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 West Coast Profilers as the next most advantageous Tender to form a Contract for RFT04/20 ROAD WORKS - COOLGARDIE TIP ROAD, COOLGARDIE portion 1,2,3 and 4 totalling \$387,718 inc GST, and also subject to 4. above.

11.2.5 RFT05/20 ROAD WORKS - JAURDI HILLS ROAD RE-ALIGNMENT

Location: Coolgardie
Applicant: Shire of Coolgardie
Record Number: Nil
Disclosure of Interest: Nil
Date: 21 July 2020
Author: Silvio Brenzi, Consultant

SUMMARY

The purpose of the report is to recommend to Council to accept the preferred tender in response to Request for Tender RFT05/20 - Tender for Road Works – Jaurdi Hills Road Re-alignment. The project included separable portions that could be submitted individually or as an entirety.

The Scope of Works identified each portion including materials supply and delivery of services as well as general road works and civil construction to various degrees (design details were supplied by an external contractor) and separable portions were developed to allow for further scrutiny within each tender and for best value for money within each type of work. The separable portions within this tender aim to assist with gaining value for money and increasing local/regional business inclusion. Some portions may be awarded to separate contractors where this proves beneficial to Council.

BACKGROUND

The Shire of Coolgardie invited suitably qualified and experienced contractors to submit a tender based on Tender 5/20 - Tender for Road Works – Jaurdi Hills Road Re-alignment. The Request for Tender was advertised in the West Australian & The Kalgoorlie Miner on Saturday 13 June 2020 the Shire of Coolgardie website on 10 June 2020 and Tendering Portal at the Shire of Coolgardie. The tender was originally due to close on Wednesday 08 July 2020 at 4.00pm, however, an extension to that deadline was authorised by the CEO & the new closing date became Wednesday 15 July 2020 at 4pm. Nine (9) tenders were received at the Kambalda Administration office and were opened by Robert Hicks (Director of Operations), Bec Horan (Executive Manager Administration Services and Silvio Brenzi (Manager of Technical Services).

An error with the Value Considerations (Weighting) was detected within the tender documentation. Upon receiving legal advice the Shire emailed out an addendum on Thursday 09 July 2020; clarifying that the correct weighting was as per Part 1-1.24 of the tender document. A requirement was placed on the tenderers to confirm their acknowledgement of the addendum as part of their tender response.

COMMENT

Multiple addenda were issued during the RFT Open Period and a number of clarifications were provided following the onsite meeting to all attendees.

A compulsory site meeting was held on the 25th June 2020 for all interested contractors. This enabled themselves to be fully aware of the conditions and environment that is to be expected within this tender. Failure to attend would not qualify them for a submission.

Nine (9) submissions were received, and the following weighting criteria was used to assess the tenders:

Tender Criteria Assessment Matrix – Tender 05/20	
<i>Selection Criteria</i>	<i>Weighting</i>
Tendered Price	50%
Relevant Experience	10%
Tenderer's Resources	10%
Use of Regional Contractors and Material Suppliers	30%
Totals	100%

Legally a Local Government, as a public body, has the responsibility to follow the appropriate processes and to treat all tenderers fairly. The terms and conditions set out in the contract is the standard WALGA contract document and imply that the Shire of Coolgardie has acted legally and fairly to all tenderers in this case.

Where under Section 1.8 of the Local Government Act requires state-wide public notice of a matter is required to be given, section 1.7 applies except that the newspaper referred to in section 1.7(1)(a) is required to circulate generally throughout the State.

Section 5 R15 Minimum time to be allowed for submitting tenders.

(1) If the notice is published in the newspaper as part of giving State-wide public notice, the time specified in the notice as the time after which tenders cannot be submitted has to be at least 14 days after the notice is first published in the newspaper as part of giving State-wide public notice.

(2) If the notice is given to a person listed as an acceptable tenderer, the time specified in the notice as the time after which tenders cannot be submitted has to be at least 14 days after the notice is given.

The preparation, assessment and award of this tender complies with Part 4 (Provision of Goods and Services) of the Local Government (Functions and General) Regulations 1996 Division 2 – Tendering for Goods and Services.

To achieve the best result for Council, the project will run smoothly and timely by awarding some portions although the cost may be higher than another supplier. Suppliers have indicated that they will not take on smaller portions such as 4 as an individual contract. This was taken into account by the evaluation panel.

An evaluation report was prepared, assessed by Shire staff and attached to this document.

CONSULTATION

Silvio Brenzi – Manager of Technical Services

Robert Hicks – Director of Operations

Keith Dickerson – Consultant

James Trail – Chief Executive Officer

Neil Douglas – McLeods Barristers & Solicitors

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

In accordance with Council Procurement Policy

FINANCIAL IMPLICATIONS

It is anticipated that a value of approximately \$250,000.00 be utilised from RRG state allocation. It is expected that the contract will be completed within the 20/21 financial year.

STRATEGIC IMPLICATIONS**A thriving local economy**

Supporting and encouraging mining and processing industries

Accountable and effective leaders

High quality corporate governance, accountability and compliance

Effective management of infrastructure, heritage and environment

Maintaining and renewing infrastructure and building assets

ATTACHMENTS

1. **Tender 05/20 - Confidential**

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council,

1. **Accepts the Tender submitted by JH & RT Rowe T/As Rowe Contractors as the most advantageous Tender to form a Contract for RFT05/20 ROAD WORKS – JAURDI HILLS ROAD, COOLGARDIE portion 1,2,3 and 4 at a cost of \$269,112 inc GST.**
2. **Authorise the preparation of a contract with Rowe Contractors, 229 Padbury Road, Bookara WA 6525 Tender 05/20 - ROAD WORKS – JAURDI HILLS ROAD, COOLGARDIE**
3. **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.**
4. **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.**
5. **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 MLG as the next most advantageous Tender to form a Contract for RFT05/20 ROAD WORKS – JAURDI HILLS ROAD, COOLGARDIE portion 1,2,3 and 4 totalling \$304,718 inc GST, and also subject to 4. above.**

11.2.6 TAILING STORAGE FACILITY

Location: Great Eastern Highway, Karramindie
Applicant: FMR Investments
Disclosure of Interest: Nil
Date: 22 July 2020
Author: Francesca LeFante, Consultant

SUMMARY

To consider the proposal for tailing storage facility that form part of the Greenfield Mill operations.

Proposal

FMR has lodged a proposal to expand their existing TSF Lot 102. The development includes:

- TFS3 embankment to a design height of 413 RL on each of the Cells A, B & C
- TSF3 would continue to accept tailings from the Greenfields Mill 24 hours per day, 7 days per week, as required. Works associated with the embankment lifts would be undertaken during the day shift (12 hours), 7 days per week. Each construction stage is performed over approximately 16 weeks, but not continuously
- raising the decant accessway, decant link road and associated infrastructure required for depositing tailings into TSF3, as necessary, as the embankments are raised.
- proposed location largely encapsulating TSF1 and TSF2 on ground sloping slightly to the southeast.
- was designed as “paddock” type storage facility with a segmented (Cells A, B and C) hillside impoundment configuration. Tailings are deposited into Cells A, B and C on a rotational basis to allow tailings to dry. Annexure C contains drawings and plans produced
- Material would be extracted from the borrow pit to combine with dried tailings for the embankment lifts
- If any additional clearing of native vegetation were required, FMR is likely to require a clearing permit from the DWER under the Environmental Protection Act and would apply for the relevant permit at the time.

A works approval (W5333/2012/1) under the Environmental Protection Act to construct TSF3. The ongoing operation of TSF3 was covered by the Licence

In support of the request the applicant has advised that :-

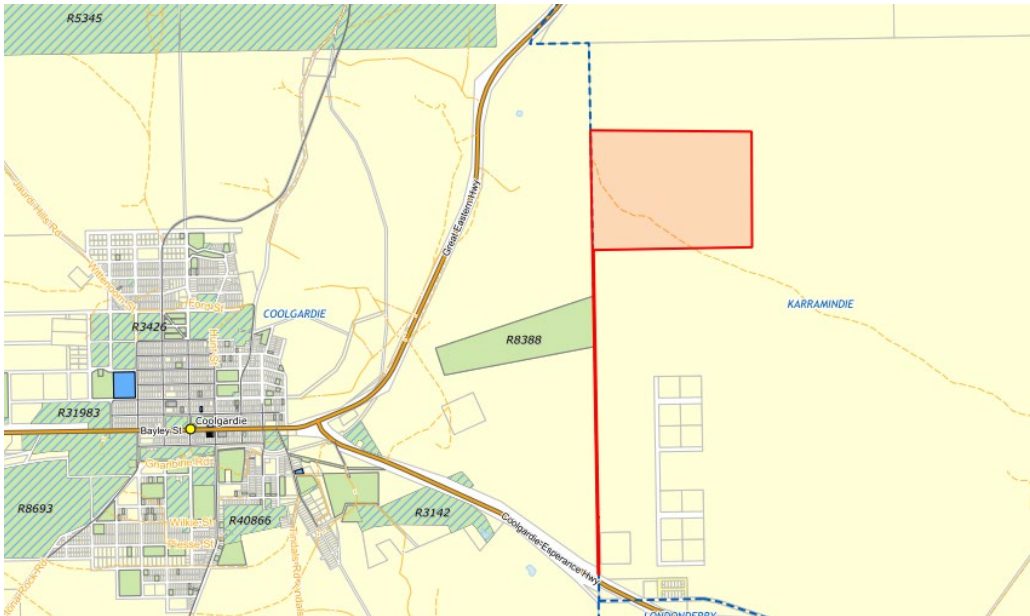
- FMR are now seeking confirmation from the Shire of Coolgardie that it can use the TSF Land to develop TSF3 to its full design height.
- This would not remove or replace the existing requirements for FMR to obtain approval from the DWER to amend its licence L4680/1988/13 granted under the Environmental Protection Act (Licence) before changing the approved specifications under that Licence, including for further embankment.
- FMR is seeking approval from the Shire of Coolgardie complete embankment raises to the full design height for TSF3 so that it is not required to make separate applications to each of the DWER and the Shire of Coolgardie each time it needs to raise embankments to continue the use of the tailings storage facility.
- This proposal does not affect the current footprint of the tailings storage facility, including the decommissioned TSF1 and TSF2 and the operational TSF3

This approval is limited to the activities that are located on private land, requiring consideration by the Shire.

BACKGROUND

Site

The site is freehold land Lot 102 Great Eastern Highway, Karramindie. The site was originally part of the East Location 59



With regard to the tailing storage the following is provided: -

- TSF1 & TSF2 were already constructed when FMR group acquired the subject land, embankment lifts were undertaken around 2003, 2005 and 2010 for TSF2, without increasing the footprint to the cell. These cells have been decommissioned which a maximum height of 400m reduced level (RL)
- TFS3 was constructed around 2013 comprising 3 cells. Cell A has reached maximum height and is no longer used.
- DWER amended the licence in Sept 2019 and approved the raising of the embankment walls of Cells B & C to 400 RL.
- In 2013 a Works approval granted under the EP Act

COMMENT

The subject site is zoned Rural under Local Planning Scheme No 5 (LPS5). The land adjoining and surrounding the site is also zoned rural.

The site on which the TSF is located, is freehold land for which the planning scheme requirements apply. The majority of FMR mining activities are located on land which is under the control of the Mining Act. This approval is limited to the activities that are located on private land, requiring consideration by the Shire

The site is currently occupied by a TSF 1 & TSF 2 facility, with this proposal seeking to expand the existing operations and develop TSF 3 in 3 cells over the remaining portion of the site.

The tailing storage facilities is an integral component of the Greenfields Mill operations. The tailing storage facility are location on separate land adjacent to the mill (M15/1836) which are operated as a single facility. The Mill cannot operate unless it has a facility at which it can dispose of or store the tailing from gold processing.

Greenfields Mill comprises crushing, concentrating, and smelting circuit. The tailings slurry produced is deposited in the tailing storage the subject of this proposal. FMR own and operate the Greenfield Mill.

The Greenfields Mill is located approximately 3 km north-east of the Coolgardie townsite and is contained on mining tenement M15/1836.

The proposed use of the site TSF is considered to fall within could fall scheme classification of "mining operations, which is classified as an "D" discretionary use within the "Rural zone under LPS 5.

The Local Planning Scheme No 5 does not include any specific development standards for the use, consideration is required by Council. Table 2 sets out the objectives for development within the Rural Zone.

Objective	Proposal	Compliance
To provide for the maintenance or enhancement of specific local rural character.	Mining activities form part of the rural landscape in Coolgardie.	Complies
To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage	The site and surrounding area is used for mining activities. The existing activities have obtained Environmental and works approvals through DWER	Complies
To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.	Mining activities form part of the rural landscape in Coolgardie. The site and surrounding area is used for mining activities.	Complies
To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses	Mining activities are discretionary uses. The site is surrounded by other mining activities	Complies
To provide for a range of rural and mining pursuits that are compatible with the capability of the land, retain rural character and amenity of the locality and acknowledge the significance of mining operations and the extraction of basic raw materials with appropriate environmental safeguards.	The proposal is mining activities associated with the Greenfields Mill.	Complies

Matters to be considered (Regulations)

In addition to considering the development proposal against LPS5 and local planning policies, the Planning and Development (Local Planning Schemes) Regulations 2015 (the Regulations), clause 67 also requires local government consider a number of matters. Specifically, for this proposal, in addition to the assessment above the following items have been given:

- Any approved State planning policy
 - SPP 3.7. Planning in Bush Fire prone Area

The policy aims is to ensure that land uses and development address the impact of bushfire with a focus on preserving life and reducing the impact on property and infrastructure.

The site is located within a designated Bushfire Prone Area. The applicant has engaged an accredited assessor to undertake an assessment of the Bushfire Hazard Level and Bushfire Attack Level ratings, and, if required, an assessment against the bushfire protection criteria requirements within the Guidelines demonstrating compliance within the boundary of the TSF Land. The assessment determined the Bushfire Attach Level BAL at 12.5.

Given the nature of the proposed development, lack of infrastructure on the site and the time involved with obtaining comments from the Department of Fire and Emergency Services (DFES), the proposal was not referred to DFES. A copy of the assessment is attached.

- SPP 2.4 Basic Raw Material

The policy seeks to protect resource locations and that use and development of land for the extraction of basic raw material does not affect the environment. This proposal is consistent with the objective of this policy

- The amenity of the locality including environmental impacts of the development.

The site currently contains existing tailing facilities which have obtained associated works and environmental approvals. The proposed expansion of the tailing facility will be reviewed and approved by DWER through the Works Approval and licencing requirements.

The applicant has advised that potential environmental impacts of a tailing's storage facility are considered at each stage of approval under the Environmental Protection Act. The environmental impacts of the Stage 6 embankment raising of TSF3 will be considered by the DWER again in assessing the current application for amendment to the Licence. Potential environmental impacts are managed through licence conditions.

- The suitability of the land for the development taking into account the possible risk to human health or safety

The proposal is intended to have minimal dust or noise implications given its location from any sensitive use. The Coolgardie townsite is 3km from the site. Dust is proposed to be controlled by water carts contained on site. There are no sensitive land uses near the site.

Traffic movement from Greenfields Mill to the TSF is via internal road systems under the responsibility of FMR.

The Shires Local Planning Strategy recognises and supports the mining operations and maintaining a close working relationship with mining operators to ensure that their planning takes due consideration of existing settlement environments

The proposed development is continuation and expansion of existing mining activities and is connected to the operations of Greenfields Mill. In reviewing the proposal against the relevant statutory requirements and the strategic intent of the area, the application is recommended for approval subject to conditions.

CONSULTATION

DMIRS & DWER

STATUTORY ENVIRONMENT

Planning and Development (Local Planning Scheme) Regulations 2015

Planning and Development Regulations 2009

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

A thriving local economy

Supporting and encouraging mining and processing industries

Effective management of infrastructure, heritage and environment

Facilitating urban and rural planning and development

ATTACHMENTS

1. **Attach 1 - plans (TSF3 Lifts)**
2. **Attach 2 - Development Application Supporting Material (TSF3 Lifts)**
3. **Attach 3 - Bushfire Management Plan Greenfields July 2020**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council,

APPROVE the application for tailing storage facilities – TSF3, on Lot 102 Plan 40393 Great Eastern Highway, Karramindie and accompanying plans dated 9 June 2020 in accordance the provisions of the Shire of Coolgardie Local Planning Scheme No.5 subject to the following conditions:

Conditions

1. This approval shall expire and be of no further effect if the land use has not substantially commenced within a period of two (2) years or within any extension of time as granted by the Shire of Coolgardie.
2. The land use and development shall be undertaken in accordance with the approved plans and documentation.
3. A maximum height for the tailing storage facility is limited to 413m RL height of the embankments of TSF3.

Advice Notes

1. The applicant is responsible for ensuring that the proposal complies with all environmental legislation included, but not limited to, the Environmental Protection Act 1986 and Mine Safety and Inspection Act 1994.
2. Should the proponent be aggrieved by the decision of the City to refuse the application or impose any condition of approval, then an application for review of the City's decision may be lodged with the State Administrative Tribunal within 28 days of notification of the decision and right of review.

11.3 Economic Development

Nil

11.4 Commercial Services

Nil

12 ITEMS FOR INFORMATION ONLY

12.1 ACTIVITY REPORT JUNE 2020

Location: Nil

Applicant: Nil

Disclosure of Interest: Nil

Date: 23 July 2020

Author: James Trail, Chief Executive Officer

ATTACHMENTS

1. Activity Report June 2020

12.2 OUTSTANDING RESOLUTIONS

Location: Nil
Applicant: Nil
Disclosure of Interest: Nil
Date: 23 July 2020
Author: James Trail, Chief Executive Officer

ATTACHMENTS

1. Outstanding Resolution 7 July 2020

13 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**13.1 NOTICE OF MOTION -**

Location: Shire Coolgardie
Applicant: Not Applicable
Disclosure of Interest: None Required
Date: 21 July 2020
Author: James Trail, Chief Executive Officer

I, Councillor Sherryl Botting, give notice that at the next Ordinary Meeting of Council to be held on 28 July 2020, I intend to move the following motion:

RATIONALE

Background: All Local Governments with Sites within the Golden Quest Discovery Trail were asked to formalise their support and membership to the Golden Quest Discovery Trail Inc Association. The GQDT has replaced the former partnership that was GTNA and its aim is based solely on the Trail.

The Trail encompasses sites on land belonging to 5 Local Governments. The Trail is a major product that brings visitors to the Goldfields

Comment:

At its February 20 OCM the Shire of Coolgardie Council approved 'Resolution 05/20 to give in principle support to the GQDT Inc Association dependant on receiving the paperwork detailing the reasons and changes from GTNA to GQDT.

Resolution 05/20

That Council

1. Receive the Golden Quest Discovery Trail Association Inc Report.
2. In principle, support the allocation and contribution of \$11,500 from the 2019/2020 budget for GQDT Inc membership.
3. Endorse the appointment of Cr Botting as the acting delegate for the SoC on the GQDT Inc Board and appoint Cr Lindup as the proxy delegate.
4. Request a report be provided to Council including but limited to evidence of the GQDT Inc adopted and endorsed:
 - 1-transition from GTNA to GQDT Inc
 - 2-GQDT Inc Constitution
 - 3-GQDT Inc Terms of Reference
 - 4-GQDT inc Memorandum of Understanding
 - 5-2018/19 Audit
 - 6-Minutes of the ordinary meeting of November 2019, and
 - 7-Current Financial status/report

To be brought back to council for further consideration at the March 20 Ordinary Meeting of Council.

5. Request that the CEO advise the GQDT Inc in writing of the in principal support from the SoC for membership in the 2019/2020 financial year.
6. Request that the CEO provide a progress update on investigations made into the SoC Tourism Strategy at the Briefing session in April.

All the required paperwork for this resolution has been sent to the Shire of Coolgardie, a new Resolution to confirm and endorse the actual Membership and Financial support is now required.

Financial Implications:

\$11,500.00 has been requested as the membership fee from all owners of the sites within the Trail to the GQDT Inc Association. This is to cover Operations, Marketing and Advertising. The minimum requirement to guarantee financial viability for the Association is for 3 members to commit. Each additional membership enables the Association to be more effective and productive.

I commend this Notice of Motion to Council.

ATTACHMENTS

1. **Rough Budget**
2. **Copy of P and L**
3. **Chair Report**
4. **GQDT Financial Audit FY2019**
5. **GQDT P & L May 2020**

VOTING REQUIREMENT

Absolute Majority

MOTION

That Council

1. **Receive the documentation as requested from its Resolution 5/20**
2. **Endorses it membership and financial commitment to the GQDT Inc Association.**

- 14 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
- 14.1 Elected Members**
- 14.2 Council Officers**

15 MATTERS BEHIND CLOSED DOORS**OFFICER RECOMMENDATION**

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

15.1 Coolgardie Post Office -Residential Classification and Tenant Relocation

This matter is considered to be confidential under Section 5.23(2) - e(iii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government.

16 CLOSURE OF MEETING