



AGENDA

Ordinary Council Meeting

28 June 2022

06.00pm

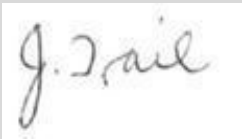
**Kambalda Recreation Centre, Barnes Drive,
Kambalda**

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 28 June 2022 commencing at 06.00pm.

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

JAMES TRAIL
CHIEF EXECUTIVE OFFICER

ORDINARY COUNCIL MEETING**28 June 2022**

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

The dates, times and locations of the Ordinary Council Meetings for 2022 are listed hereunder.

<u>Day</u>	<u>Date</u>	<u>Time</u>	<u>Venue</u>
Tuesday	January 2022	NN/A	-
Tuesday	22 February 2022	6.00pm	Kambalda
Tuesday	22 March 2022	6.00pm	Coolgardie
Tuesday	26 April 2022	6.00pm	Kambalda
Tuesday	24 May 2022	6.00pm	Coolgardie
Tuesday	28 June 2022	6.00pm	Kambalda
Tuesday	26 July 2022	6.00pm	Coolgardie
Tuesday	23 August 2022	6.00pm	Kambalda
Tuesday	27 September 2022	6.00pm	Coolgardie
Tuesday	25 October 2022	6.00pm	Kambalda
Tuesday	22 November 2022	6.00pm	Coolgardie
Tuesday	20 December 2022	6.00pm	Kambalda



James Trail
Chief Executive Officer

DISCLAIMER

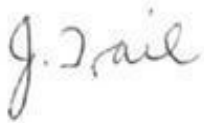
INFORMATION FOR PUBLIC ATTENDING COUNCIL MEETINGS

PLEASE NOTE:

THE RECOMMENDATIONS CONTAINED IN THIS AGENDA ARE OFFICERS RECOMMENDATIONS ONLY AND SHOULD NOT BE ACTED UPON UNTIL COUNCIL HAS RESOLVED TO ADOPT THOSE RECOMMENDATIONS.

THE RESOLUTIONS OF COUNCIL SHOULD BE CONFIRMED BY PERUSING THE MINUTES OF THE COUNCIL MEETING AT WHICH THESE RECOMMENDATIONS WERE CONSIDERED.

MEMBERS OF THE PUBLIC SHOULD ALSO NOTE THAT THEY ACT AT THEIR OWN RISK IF THEY ENACT ANY RESOLUTION PRIOR TO RECEIVING OFFICIAL WRITTEN NOTIFICATION OF COUNCILS DECISION.



James Trail
CHIEF EXECUTIVE OFFICER

COUNCIL MEETING INFORMATION NOTES

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

Written notice of each question should be given to the Chief Executive Officer prior to 2:30pm on the day of the meeting. A summary of each question and response is included in the Minutes.

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

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

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

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

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

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

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

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

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

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

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

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

Local Government (Administration) Regulations 1996

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

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

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

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

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

Local Government (Administration) Regulations 1996

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

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.

Order Of Business

1	Declaration of Opening / Announcement of Visitors	12
1.1	Welcome to Country Announcement	12
2	Declaration of Council Members	12
3	Record of Attendance / Apologies / Approved Leave of Absence.....	12
4	Declarations of Interest	12
4.1	Declarations of Financial Interests – Local Government Act Section 5.60A	12
4.2	Declarations of Proximity Interests – Local Government Act Section 5.60B.....	12
4.3	Declarations of Impartiality Interests –Shire of Coolgardie Code of Conduct for Council Members, Committee Members and Candidate for Election, Code of Conduct for Employees.....	12
5	Response to Previous Public Questions taken on Notice.....	12
	Nil	
6	Public Question Time	12
7	Applications for Leave of Absence	12
8	Confirmation of Minutes of Previous Meetings.....	13
8.1	Minutes of the Ordinary Council Meeting held on 24 May 2022	13
9	Announcements by Presiding Person without Discussion.....	14
9.1	President's Report -June 2022	14
10	Petitions / Deputations / Presentations / Submissions	16
	Nil	
11	Petitions / Deputations / Presentations / Submissions	16
12	Reports of Committees.....	16
	Nil	
13	Reports of Officers	17
13.1	Executive Services	17
13.1.1	Community User Agreement - Kambalda Cultural and Arts Group.....	17
13.1.2	Variation to RFT 02/2022 - Supply and Installation of Workers Accommodation Village Kambalda	21
13.2	Operation Services.....	25
13.2.1	Management of Shire owned properties in Kambalda	25
13.2.2	Management of Shire owned properties in Coolgardie.....	27
13.2.3	FMR Investments - Hawkins Find (July 2022 to June 2023) Haulage Campaign	29
13.2.4	FMR Investments - Hawkins Find (Retrospective Approval - July 2021 to May 2022) Haulage Campaign.....	32
13.2.5	Durkin Road, Kambalda	34
13.2.6	Little Industries - haulage campaign - Durkin Rd, Kambalda	37

13.2.7	List of Payments - May 2022	39
13.2.8	Monthly Financial Report for the month ended 31 May 2022	41
13.3	Economic Development.....	44
13.3.1	Nullarbor Links -Widgiemooltha Hole	44
13.4	Commercial Services	47
	Nil	
14	Items for Information Only	47
	Nil	
15	Elected Members Motions of Which Previous Notice has been Given	47
	Nil	
16	New Business of an Urgent Nature Introduced by Decision of Meeting	47
16.1	Elected Members.....	47
16.2	Council Officers	47
17	Matters Behind Closed Doors.....	48
17.1	Haulage Campaign Review - Bellini Bulk Haulage PL.....	48
18	Closure of Meeting.....	49

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

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

2 DECLARATION OF COUNCIL MEMBERS

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

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

Nil

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

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 24 MAY 2022

Date: 21 June 2022

Author: Bree Crawley, Community Development Team Leader

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on 24 May 2022 be confirmed as a true and accurate record.

9 ANNOUNCEMENTS BY PRESIDING PERSON WITHOUT DISCUSSION**9.1 PRESIDENT'S REPORT -JUNE 2022**

Location: Shire of Coolgardie
Applicant: NIL
Disclosure of Interest: NIL
Date: 21 June 2022
Author: Malcolm Cullen, President

President's Report

June 2022

With the end of the 2022 financial year almost upon us, it is a good time to reflect upon the progress being made with several major projects in the Shire of Coolgardie.

Our Projects Manager Barry Donkin has reported good progress on the Coolgardie Landfill project with contractors finishing the class 3 cell liner and cleaning up the site. With some minor roadwork to be completed to allow heavy vehicles access into the cell so as to unload, it is expected to be able to receive waste into the new cell in late July.

The Kambalda Accommodation Village project is progressing steadily with contractors continuing with the installation of services and earthworks on the site. At this stage, the project is on target to be completed in November for occupation in early December.

Works at the Kambalda Airport with the extension of the plane parking apron and taxi way have been completed in a most professional and efficient manner by the Shire contractors engaged on this project. Also, to make use of the equipment whilst on site, the intersection to the airport was upgraded with a bitumen seal to ensure a safer access to the airport with additional signage and kerbing to be installed in the new financial year.

Restoration works on the Coolgardie Post Office precinct continue to progress steadily, with painting of the finished section of the building currently underway.

The contractor has reported some delays with supply of materials to commence the roof and fire damaged section of the building for a few weeks. Once these materials are available, it is expected to repair the roof of the building as soon as practicable.

Good progress is also being made on the Driver Reviver and Ablution facility at the Truck Assembly Park in Coolgardie. The framework, plumbing and electrical connections have been put in place and with concrete work being completed this week, along with wall cladding and internal fit outs, the project is on target for completion in July.

It is a great credit to our CEO, Management and all the contractors engaged with these projects, that they are being delivered in reasonable timeframes and on budgets, in what is a most difficult and challenging period of time, when taken into account the impacts of Covid 19, material and contractor availability and rising inflationary costs.

It should also be noted that the Shire has been able to engage and utilise a lot of local content and contractors on these projects.

When travelling to Kambalda last weekend, I took the opportunity to inspect the new roadworks on Coolgardie - Esperance Highway and the intersection work on Kingswood St at the Widgiemooltha Roadhouse. These upgrades are most impressive and will certainly make travelling along this section of the highway much safer for all road users. The installation of two big solar powered lighting towers at the entrance to Kingswood Street will

also improve visibility at night. I would like to acknowledge the great work by MRWA and the contractors Highway Constructions throughout this major project.

I also spoke with the manager of the roadhouse with regards to accessibility to the premises since the kerbing had been installed, and he advised that everyone including the interstate trucks refuelling at the rear of the building did not appear to be having any issues which reflects well on the design work by MRWA.

It is anticipated that the Shire section of Kingswood Street and the new Cave Hill Road realignment will be completed in partnership with Highway Constructions when they return to complete a section of the highway in the spring, as it becomes difficult to carry out bitumen sealing in the colder weather.

The Shire hosted the third annual Mining Industry forum with the major mining and contracting companies operating in our Shire attending along with special guests including Member for Kalgoorlie Ali Kent, Professors Fiona McKenzie and Michael Hitch (Regional Development and WA School of Mines), representatives from the Chamber of Minerals and Energy, Russell Barnett (Australian Venture) and Pricilla Tucker from Kurrawang Community. The purpose of the Forum being held in Perth, due to stakeholder availability and presentations from AVC and WASM, was to provide an overview and updates of strategies and projects being undertaken by the Shire of Coolgardie to facilitate and promote the massive increased amount of activity within the mining and resources sector in our region.

CEO, James Trail, used the opportunity to launch and promote the Shire's Industry Collaboration Strategy and new Environmental, Social and Governance Framework, with ESG being the new catchword in the renewable energy and climate change environment.

It is anticipated that along with the own source income generated by the current projects in the Shire, that finalising the Shire's Collaboration Strategy and ESG Framework to partner with all stakeholders operating in our region will secure our goals of long term economic benefits and security for our towns and communities in future years.

BHP, in conjunction with the Shire, held a community information forum at the Kambalda Recreation Facility last week to provide Kambalda residents the opportunity to meet with and hear from BHP representatives about the reopening of the Kambalda Nickel Concentrator and plans to install monitoring devices at strategic sites around the town sites to monitor emissions from around the site and the concentrator.

I would like to acknowledge the BHP team, lead by GM Darrin Strange and Chris Cottier in appreciation on presenting their renewed presence and future operations in Kambalda. It was a great opportunity for residents to engage first hand with the BHP staff responsible for community relations within the regions they are operating.

I would also like to mention the contribution from BHP towards the purchase of a new Ambulance vehicle for the Kambalda Sub-Branch of St John. It is great a credit to our Councillor Tammee Keast in her dual role as Chair of the Sub-Branch in successfully lobbying BHP management to make such a significant contribution for the benefit of the Kambalda community, and hopefully will be the first of many such contributions from the renewed presence of the Big Australian in the Shire of Coolgardie.

Cr Malcolm Cullen

Shire President.

10 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

11 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

12 REPORTS OF COMMITTEES

Nil

13 REPORTS OF OFFICERS**13.1 Executive Services****13.1.1 COMMUNITY USER AGREEMENT - KAMBALDA CULTURAL AND ARTS GROUP**

Location: Shire of Coolgardie
Applicant: Nil
Disclosure of Interest: Nil
Date: 8 June 2022
Author: Robert Hicks, Deputy Chief Executive Officer

SUMMARY

To consider approval of the Community User Agreement (CUA) for Kambalda Cultural and Arts Group (KCAAG) to use the land and building of Lot 971, 2 Marianthus Road, Kambalda WA 6442 for the purpose of providing community art programs and gallery space with administration duties associated with these activities for a term of two (2) years.

BACKGROUNDSite

The site is:-

- Lot 971 No 2 Marianthus Road, Kambalda
- Located on the corner of Marianthus Road and Goldfields Highway
- Owned by the Shire in Freehold Tenure



The KCAAG have occupied the site for 20 years. The activities that occur from the site include, Local arts and crafts for sale, Historical photo display, Arts and Crafts workshop area, Pottery workshop area. The KCAAG have used the building to hold their historical collection, written material, photographs and maps.

Generally, the site opens on a regular basis throughout the week to visitors and residents, subject to Covid requirements. The attendance and visitor numbers have not been provided.

Community User Agreements

In August 2019 the Council adopted a Community Group and Sporting Club User agreement to provide a structure and consistent approach to the management of Shire's agreements with local sporting and community groups for the users of community facilities and spaces.

COMMENT

The site is owned as freehold land by the Shire of Coolgardie (SoC). The SoC is responsible for the management of properties under its ownership or vesting. The majority of lots accommodating recreation and community infrastructure and facilities can be used for a variety of recreation and community activities.

It is the prerogative of the Shire to determine the type and terms of any agreements offered to the use of these buildings and properties. Whilst formal lease agreements are appropriate for commercial or large and significant facilities or activities, these are not always appropriate for smaller facilities or community groups.

The current lease has expired, 28 September 2020 with a further term of five (5) years. The Arts Centre Group have requested renewal of the lease for a further 5 years.

The Shire officers reviewed the request and in February 2022 provided the KCAAG a Community Group and Sporting Club User agreement, consistent with the Council 2019 resolution to create a structured and consistent approach to the management of Shire's agreements with local sporting and community groups for the users of community facilities and spaces.

On 23 May 2022, the Shire received from the KCAAG an amended copy of the Shire CUA for the Kambalda Arts Centre for consideration. A copy of the modified document is **Attachment 2 Kambalda Arts Centre proposed Community User Agreement**.

The KCAAG have advised the following in relation to requested changes:-

- "Appendix" has been changed to read "Schedule" wherever referenced,
- The Fees and Charges clause has been slightly modified – I've added numbers for better clarity and referenced Schedule 1;
- The Disputes clause has been modified to include the option for arbitration;
- The Termination clause has been updated to define essential terms and address defaults/breaches;
- The Term is 5 years and Options to Renew have been added to Schedule 1 (as discuss with Shire President at our meeting in February);
- The Outgoings terms in Schedule 1 were modified to reflect that the group holds their own accounts with the relevant utilities providers; and
- Other changes are relatively minor in nature (fixing numbering issues, capitalisation, formatting, etc.).

Shire officers have reviewed the changes and the following is provided:-

- The requested changes significantly alter the Community User Agreement
- The changes of the term to 5years
- The changes of the outgoing terms in Schedule 1
- Council's budget fees to a maximum of 2% or CPI (as dictated by ABS July update) whichever is the lower of the two, or as otherwise agreed between the Council and the KCAAG.
- Either party may request third-party arbitration prior to any determinations being made by Council.
- Arbitration, if required, shall be at the cost of the Council, unless otherwise determined by/through the arbitration process.
- Fees changes are not relevant as the term is two (2) years with a fixed fee.
- The inclusions of provisions relating to: -

2. Essential Terms

1.1 Each of the covenants by the Lessee which are specified in this subclause are essential terms of this Lease:-

1.2 The covenant to pay rent throughout the Term and any extension of it at a date not later than seven (7) days after the due date for the payment of each month's instalment of rent (Clause 6);

1.3 The covenants to pay charges, rates and outgoings as set out in Schedule 1.

1.4 Where the Council has at any time accepted late payment of any rent or other moneys which the KCAAG must pay to the Council under this Agreement such late acceptance shall not constitute a waiver of the essential obligation of the KCAAG to pay rent under the terms of this Agreement.

1.5 Where the Council has suffered damage of any kind as a result of a breach of covenant by the KCAAG they will promptly compensate the Council and to such extent as is reasonably proven by the Council.

3. Notice of Breach of Covenant

If the KCAAG fails to perform or carry out or complete any of their obligations under this Agreement, then the Council may give to the KCAAG in respect of that default a written notice in such manner as is required by law. If no particular manner is required, then the Council may give a written notice addressed to the KCAAG which describes the default and which requires that the KCAAG remedy the default within fourteen (14) days of the date of the notice.

4. Entry by the Council

4.1 This Agreement may be terminated by the Council or any authorised agent of the Council, and the Council may re-enter and take possession of the Premises in any of the following circumstances:-

4.2 Where the rent or any other monies payable is more than thirty (30) days overdue for payment without notice by the KCAAG;

4.3 Where the KCAAG has received a Notice of Breach of Covenant (Clause 3, above), and has not remedied the default referred to in the notice by the date specified in the notice; or

4.4 Where the KCAAG has vacated the Business Premises without providing notice to the Council.

The User Agreement document has been created in a terminology and structure that is fit for purpose and easy to read and understand by non-legal community members. The Agreement establishes consistent terms and providing clarity to the user groups matters covering fees and costs, maintenance and occupation rights and obligations.

Options

In relation to the lease of the site the following Options are available to Council:-

- Option 1: Support the KCAAG changes to the User Agreement
- Option 2: Decline the KCAAG requested changes to the User Agreement
- Option 3: Vary the User Agreement
- Option 4: Consider an alternate agreement format

Summary

It is the Shire's prerogative to determine the use and form of Agreements for community use of its buildings. The Shire has been pursuing consistency in the type of arrangements for community use of Shire facilities in the form of a Community User Agreement.

The requested changes to the Agreement are not supported. Officers recommend that the Council accept Option 2 and decline the KCAAG modifications, and offer a Community User Group Agreements for two (2) years to the KCAAG including various obligations for Building and Maintenance, Cleaning and Insurances as contained in **Attachment 2 SoC - Community User Agreement - KCAAG**.

CONSULTATION

Shire staff

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Administration) Regulations 1996

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Accountable and effective leaders**

High quality corporate governance, accountability and compliance

An inclusive, safe and vibrant community

Supporting and growing our arts and culture sector

ATTACHMENTS

1. SoC - Community User Agreement - KCAAG
2. Kambalda Arts Centre proposed Community User Agreement

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council,

1. **ADVISES** the Kambalda Cultural and Arts Group Inc that the requested modifications to the Community User Agreement is not supported.
2. **APPROVES** a Community User Agreement with the Kambalda Cultural and Arts Group Inc for Lot 971 No 2 Marianthus Road, Kambalda West for a period of 2 years; subject to the following terms and conditions:-
 - **Term:** 2 years
 - **Extension terms:** Nil
 - **Annual Occupation Fee:** \$400 inc GST
 - **Outgoings** Water, Power, Gas, Telephone, and Rubbish Collection fees
 - **Insurances** Public Liability and building content insurance
 - **Sub-leasing** Permitted for community uses
 - **Maintenance:** As per the attached schedule

13.1.2 VARIATION TO RFT 02/2022 - SUPPLY AND INSTALLATION OF WORKERS ACCOMMODATION VILLAGE KAMBALDA

Location: Shire of Coolgardie
Applicant: NIL
Disclosure of Interest: NIL
Date: 20 June 2022
Author: James Trail, Chief Executive Officer

SUMMARY

For Council to approve the variation to RFT 02/2022 - Supply and Installation of Workers Accommodation Village, Kambalda to implement a SALTO swipe card system instead of a standard key system.

BACKGROUND

Council, at its Ordinary Meeting held on Tuesday 22nd March 2022 resolved the following:-

That Council:-

- 1. *Accept the tender submitted by Rangecon Pty Ltd ABN 36 169 718 450 as the most advantageous tender to form a contract, based on assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 02/2022 Supply and Installation of Workers Accommodation Village Kambalda for:***
 - a. Separable Portion 1: Camp Supply, including planning and approvals, layout and design, sourcing and/or manufacturing of village accommodation and ancillary facility units and supply and installation of all fixtures, fittings and related supply as well as the required information and details to install the units and facilities (e.g., power consumption, water requirements, layout) – pricing included in the lease option above.***
 - b. Separable Portion 2: Site and Building Works, including site clearing and bulk earthworks, approvals, crantage, building placement, tie-ins and connections;***
 - c. Separable Portion 3: Freight and delivery of items supplied/sourced/for installation;***
 - d. Separable Portion 4: Ancillary Camp Works including footpaths, pathways, parking, landscaping, recreational areas and seating, fencing, security and Supply and installation of ancillary items such as washing lines, bollards, lighting;***
- 2. *Approves a provisional amount to the value of \$275,000.00 excluding GST (approximately \$1,000 for 200 rooms each and \$75,000 for ancillary facilities e.g. kitchen, ablution facilities) to cover minor scope changes, contingencies and design finalisation in addition to the tendered pricing received from Rangecon Pty Ltd;***
- 3. *Accept the tender submitted by Rangecon Pty Ltd ABN 36 169 718 450 as the most advantageous tender to form a contract, based on assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 02/2022 Supply and Installation of Workers Accommodation Village Kambalda based on the five year lease option (with the option to purchase). The award includes the following:***
 - a. Commercial negotiations and finalisation of the five year bespoke lease agreement with the option to purchase the facilities as per the lease/lease-buy offer submitted by Rangecon Pty Ltd;***
- 4. *Delegation of authority to the Chief Executive Officer to enter into negotiations to finalise and Execute the lease agreement (including lease options and appointing legal counsel as required) for***

the facilities on the basis as set out in the Rangecon tender submission received for RFT 02/2022 Supply and Installation of Workers Accommodation Village Kambalda;

5. *Delegation of authority to the Chief Executive Officer to EXECUTE a contract with Rangecon Pty Ltd for the delivery of Separable Portions 1, 2, 3 and 4 as contained in this report and SUBJECT to;*
 - a. *Clarifications being satisfied associated with any cost savings with its tender submission and;*
 - b. *Any further variations of a minor nature*
6. *Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal to any required documentation.*
7. *Delegate authority to the Chief Executive Officer to EXECUTE a contract with Ruka Industries Pty Ltd t/a PGE Services ABN 17 629 226062 for Separable Portion 3; Supply and Install Plumbing excluding provisional items as the most advantageous tender based on the assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 07/2021 – Workers Accommodation Village Installation works for Kambalda.*
8. *Delegate authority to the Chief Executive Officer to EXECUTE a contract with Pryce Mining Services Pty Ltd ABN 22 120 999359 for Separable portion 2; Supply and Install Power excluding provisional items as the most advantageous tender based on the assessment of the compliance criteria, qualitative criteria and pricing structures offered under RFT 07/2021 – Workers Accommodation Village Installation works for Kambalda.*
9. *Authorise the Shire President and Chief Executive Officer to sign and affix the Common Seal to any required documentation for RFT 07/2021 Workers Accommodation Village Installation works for Kambalda for Separable Portion 2 and Separable Portion 3.*

COMMENT

The Resource Industry is taking active steps to address workplace sexual harassment and implement best practice health and safety initiatives recognising the ability to improve what they do is dependent on learning lessons from the past and others. Some of the initiatives being implement across the sector are listed below:-

Security and Accommodation	
<p>Room Allocation: Updating room allocation procedures and providing opportunities for employees to request rooms.</p>	<ul style="list-style-type: none"> • Employee check-in: Consideration of employee privacy during accommodation check-in process. • Room selection: Procedures in place to request an alternative room allocation based on safety, security or cultural reasons. For example, opportunity for employees to request rooms closer to reception. • Key management: Improvement of existing approaches to accommodation allocation and key management to ensure room safety, privacy and security. Implement policies or procedures for accommodation and key management that specifically address the risks associated room allocation visibility and key distribution, storage and reclamation. • <i>Practical example:</i> A CME member has updated their check-in procedures to include that room numbers are provided to employees via a written slip (as opposed to verbally communicating the room number where others can overhear).

Eliminating sexual harassment in the WA resources sector

<p>On-site Security: Personnel assigned to manage the security of village accommodation.</p>	<ul style="list-style-type: none"> • Room Security: Provision of improved windows, doors, screens, door latches and/or locks. For example, companies to consider moving towards a swipe card access or lock replacement program. • Site Access: Implementation of access controls to restrict access to accommodation villages including fencing, boom gates, swipe card access and signage. • Communication: Security signage available in rooms and around the accommodation facility to inform residents how to seek security assistance. • On- Site Security: For large sites, security guards can be placed on site with the assignment of patrolling designated areas of the site more regularly. Security personnel may also be supported by security cameras (CCTV) being set up in high-traffic or high-risk areas of the site accommodation. • Training: Security guards assigned with specialised training for sexual assault or sexual harassment emergency response. • Safety Audits: Gendered safety audits for worksites that can incorporate surveys, safety walks, interviews, and group discussions on safety factors specifically related to gender. The audits may also include a review of the availability of clear pathways, on-site lighting, separate changing facilities, bath houses, duress alarms in common areas, and if gender-specific personal protective equipment is made available to employees. • <i>Practical example:</i> Walk to Room initiative, where, if employees are uncomfortable in walking alone to their rooms, they can request a member of security to accompany them.
---	--

The SALTO swipe card system will integrate with the online booking system and provide a more seamless experience and allow for contactless check-in which will also curb the spread of COVID-19 and other transmissible illnesses.

CONSULTATION

Salto

Shire staff

Rangecon

STATUTORY ENVIRONMENT

Local Government Act 1995

Local Government (Functions and General) regulations 1996.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The installation, leasing and operational costs of the accommodation village has been allowed for in the 2022/2023 budget. Any potential variations and cost savings have been discussed during budget deliberations including the swipe card system. An initial allocation of \$120,000 had been included for a key system. It is

anticipated the variation for a swipe card system will be covered by the increase in the daily rate to be paid by contractors and companies in recent discussions.

STRATEGIC IMPLICATIONS

A thriving local economy

Supporting and encouraging mining and processing industries

Accountable and effective leaders

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. SALTO - Kambalda Accommodation Village Quote - Confidential
2. SALTO Proposal - Kambalda Accommodation Village - Confidential

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council

1. **APPROVE** the amount of \$320,238.00 exc GST as the contract variation sum for RFT 02/2022 – Workers Accommodation Village, Kambalda for the supply, installation and implementation of the SALTO Swipe card access system instead of a standard key system.
2. Approve for the amount of \$320,238.00 exc GST be included in the 2022/2023 Annual Budget for the Kambalda Workers Accommodation Village
3. Delegate authority to the Chief Executive Officer to EXECUTE relevant documentation for the variation sum of \$320,238.00 exc GST.

13.2 Operation Services

13.2.1 MANAGEMENT OF SHIRE OWNED PROPERTIES IN KAMBALDA

Location: Kambalda

Applicant: Nil

Disclosure of Interest: Nil

Date: 20 June 2022

Author: Rebecca Horan, Co-Ordinator of Major Projects, Human Resources & Governance

SUMMARY

For Council to approve the Management Agreement from Ray White Real Estate, for the management of Shire owned properties in Kambalda.

BACKGROUND

The Shire currently engages Ray White Real Estate to manage all residential properties in Kambalda that are owned by the Shire. This includes receipt of rent payments, minor maintenance, and regular inspections. Management agreements are valid for a period of 12 months. Currently, Ray White manages the below properties in Kambalda for the Shire:

1. 11 Wildflower Court
2. 1 Gimlet Court
3. 4 Eucalypt Court
4. Units 1-4/59 Salmon Gum Road
5. Units 1-2/61 Salmon Gum Road

COMMENT

The purpose of the agreement is to manage the Shire's real estate in Kambalda, with the aim to alleviate the Shire's administration department of the responsibility and time dealing with the Shire's properties. By continuing with the engagement of Ray White, the daily duties will be the responsibility of Ray White which is more efficient for the Shire and provides a single source of information and knowledge for the community. However with Shire staff currently occupying the properties at 11 Wildflower Court, 1 Gimlet Court and 4 Eucalypt Court, it seems meaningless to continue to have these properties managed externally.

Shire staff can continue to manage the maintenance on these buildings and complete periodic maintenance inspections.

CONSULTATION

Chief Executive Officer

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Management costs and rental income are allowed for in the budget.

STRATEGIC IMPLICATIONS

A thriving local economy

Supporting local businesses in the Shire

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council,

1. **APPROVE** the Management Agreement with Ray White Kambalda for a period of 1 year, commencing 1 July 2022 for the following properties:
 - Units 1-4/ 59 Salmon Gum Road
 - Units 1 & 2/61 Salmon Gum Road

13.2.2 MANAGEMENT OF SHIRE OWNED PROPERTIES IN COOLGARDIE

Location: Coolgardie
Applicant: Nil
Disclosure of Interest: Nil
Date: 20 June 2022
Author: Rebecca Horan, Co-Ordinator of Major Projects, Human Resources & Governance

SUMMARY

For Council to approve the Management Agreement from First National Real Estate Kalgoorlie for the management of Shire owned properties in Coolgardie.

BACKGROUND

In November 2021 Zion Real Estate informed the Shire that they were closing their business and that First National Real Estate Kalgoorlie would be taking over the management of the properties. The management includes receipt of rent payments, minor maintenance, and regular inspections. Over the past 12 months, Zion and First National Real Estate has managed the below properties in Coolgardie for the Shire:

1. 56 Bayley Street
2. Units 1, 3, 5, 7, 9 & 11/1 Taylor Street
3. 4/33 Sylvester Street
4. 56 King Street
5. 76 Bayley Street
6. 78 Bayley Street
7. 89 Woodward Street
8. 89A Woodward Street (No longer managed)
9. 56A Bayley Street (No longer managed)
10. 58A, B & C Bayley Street (All no longer managed)
11. 75 Sylvester Street (No longer managed)

Management agreements are valid for a period of 12 months, from 01 July to 30 June each year.

COMMENT

The purpose of the agreement is to manage the Shire's real estate in Coolgardie, with the aim to alleviate the Shire's administration department of the responsibility and time dealing with the Shire's properties. The Shire have had no issues with the way the Shire properties have been managed by Zion and First National Real Estate Kalgoorlie over the last 12 months, and are satisfied with the information and updates provided by them.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Management costs and rental income are allowed for in the budget.

STRATEGIC IMPLICATIONS**A thriving local economy**

Supporting local businesses in the Shire

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council,

1. **APPROVE the Management Agreement with First National Real Estate Kalgoorlie for a period of 1 year, commencing 1 July 2022 for the following properties:**
 - **56 Bayley Street**
 - **Units 1, 3, 5, 7, 9 & 11 / 1 Taylor Street**
 - **4/33 Sylvester Street**
 - **56 King Street**
 - **76 Bayley Street**
 - **78 Bayley Street**
 - **89 Woodward Street**

13.2.3 FMR INVESTMENTS - HAWKINS FIND (JULY 2022 TO JUNE 2023) HAULAGE CAMPAIGN

Location: Kambalda
Applicant: FMR Investments Pty Ltd
Disclosure of Interest: Nil
Date: 9 June 2022
Author: Robert Hicks, Deputy Chief Executive Officer

SUMMARY

For Council to consider an application from FMR Investments Pty Ltd (FMR) to utilise 7 kms of Coolgardie North Road and 3 km of Carins Road for a long-term campaign from 01/07/2022 to 30/06/2023 comprising of 100,000 tonnes from Hawkins Find to Greenfields Mill.

BACKGROUND

This application is a continuation of FMR's previous haulage campaign from Hawkins Find project to the Greenfields mill. FMR has been hauling from Hawkins Find project (north of Coolgardie) to Greenfields mill (eastern outskirts of Coolgardie) since July 2021. That haulage campaign is the subject of a separate agenda item.

FMR have prepaid to the Shire 50% (\$22,000 inc GST) of the campaign prior to the 01 July 2022 commencement.

COMMENT

As per Council Policy Number 3.11 (Haulage Campaigns) Long Term Campaign: where a cartage campaign exceeds 25,000 tonnes or 100 return trips in any annual period, or more than six return trips in any week or part thereof; the Principal needs to apply to the Shire of Coolgardie for use of the Shire of Coolgardie road network. MLG will be utilised for hauling, have supplied registration numbers & will work within the Main Roads Mapping Tool to confirm appropriate RAV network status requirement.

This application, and others received recently, have highlighted the need for a review of the relevant Policy. The review of the Council Policy Manual, currently underway, and which will be a matter for Council determination, will address and remedy these issues.

CONSULTATION

Shire of Coolgardie CEO
General Manager, FMR Investments

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Policy #3.11 – Haulage Campaigns
Policy #3.12 – Heavy Vehicles Conditions for use on Shire Roads

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS**A thriving local economy**

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. FMR Investments - Hawkins Find (July 2022 to June 2023) - CAO7 Application Form
2. FMR Investments - Hawkins Find truck regos 2022-2023
3. FMR Investments - Hawkins Find Haulage Route 2022-2023

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council,

1. **APPROVE**, in accordance with Policy 3.11 Haulage Campaigns, the application from FMR Investments (Principal) to use 7 kms of Coolgardie North and 3 kms of Carins Roads for a campaign comprising of 100,000 tonnes from 1 July 2022 to 30 June 2023 for the following contribution;
 - (a) Maintenance Contribution (at \$0.04 p/tonne p/km; at 100,000 tonnes over 7 kms) = total maintenance contribution \$28,000 (exc GST) to Account/Job #11202750 (Limited Cartage Campaign).
 - (b) Capital Contribution (at \$0.07 p/tonne p/km; at 100,000 tonnes over 3 kms) = total maintenance contribution \$21,000 (exc GST) to Account/Job #11202750 (Limited Cartage Campaign).
 - (c) 50% contribution payable (\$24,500 exc GST) prior to campaign start date & 50% final/remaining balance (\$24,500 exc GST) to be paid by 31st December 2022.
2. **AUTHORISE** the CEO to determine any request from the Company to amend the dates applicable to the request, but only on the basis that the relevant Council Policies be applied accordingly and that where any such applications are made and approved by the CEO, that suitable local public notice is given.

3. **REQUEST the CEO to ensure that the current review of the Council Policy Manual addresses Policy 3.11 and that, if relevant and appropriate, that comments and input be sought from companies which have been given approvals, as well as the community.**

13.2.4 FMR INVESTMENTS - HAWKINS FIND (RETROSPECTIVE APPROVAL - JULY 2021 TO MAY 2022) HAULAGE CAMPAIGN

Location: Kambalda
Applicant: FMR Investments Pty Ltd
Disclosure of Interest: Nil
Date: 9 June 2022
Author: Robert Hicks, Deputy Chief Executive Officer

SUMMARY

For Council to consider retrospective approval of a haulage campaign from FMR Investments to utilise 7 kms of Coolgardie North Road and 3 km of Carins Road for a long-term campaign from July 2021 to May 2022 comprising of 264,828.05 tonnes from Hawkins Find to Greenfields Mill.

BACKGROUND

In May 2022 the Shire became aware of unauthorised haulage vehicles utilising Coolgardie North and Carins roads. On investigation it was determined that FMR Investments had been hauling from the Hawkins Find Project to the Greenfields mill since July 2021 through to May 2022, without Shire authorisation.

Discussions with FMR Investments determined that it was an oversight error on their part for which the company was apologetic and was prepared to make good any retrospective haulage payment.

The Shire issued an invoice for \$116,524.34 (inc GST) 08 June 2022 and payment was received the same day.

COMMENT

As per Council Policy Number 3.11 (Haulage Campaigns) Long Term Campaign: where a cartage campaign exceeds 25,000 tonnes or 100 return trips in any annual period, or more than six return trips in any week or part thereof; the Principal needs to apply to the Shire of Coolgardie for use of the Shire of Coolgardie road network. MLG is utilised for hauling, have supplied registration numbers & will work within the Main Roads Mapping Tool to confirm appropriate RAV network status requirement.

Maintenance Contribution at \$0.04 per tonne per km at 264,828.05 tonnes over 10kms = \$116,524.34 (inc GST)

CONSULTATION

Shire CEO

General Manager, FMR Investments

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Policy #3.11 – Haulage Campaigns

Policy #3.12 – Heavy Vehicles Conditions for use on Shire Roads

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS**A thriving local economy**

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. **FMR Investments - Hawkins Find - Retrospective Approval (July 2021 to May 2022) CA07 Application**
2. **FMR Investments - Hawkins Find - Retrospective Approval (July 2021 to May 2022) Haulage Route**
3. **FMR Investments - Hawkins Find - Retrospective Approval SoC IN#8224**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council,

1. **APPROVE** retrospectively the proposal from FMR Investments (Principal) to use 7 kms of Coolgardie North and 3 kms of Carins Roads for a campaign comprising of 264,828.05 tonnes from July 2021 to May 2022 for the contribution of \$116,524.34 (inc GST) to Account/Job #11202750 (Limited Cartage Campaign).
2. **Authorise** the action taken by the Chief Executive Officer to request staff to issue an invoice for \$116,524.34 (inc GST) on 08th June 2022.

13.2.5 DURKIN ROAD, KAMBALDA

Location:	Kambalda
Applicant:	NIL
Disclosure of Interest:	NIL
Date:	22 June 2022
Author:	Francesca LeFante, Town Planning Consultant

SUMMARY

That Council support a budget allocation for investigations into Durkin Road, Kambalda upgrades to address traffic safety and volume.

BACKGROUND

Durkin Road is the single public road access road to Kambalda East, connecting the residential area via Gordon Adams Road, industrial area from Airleg Drive, Mining activities and BHP Concentrator, and 2 works accommodation camps.

- Heavy vehicle increased traffic volume, frequency, intensification and vehicle types/size through Haulage Campaigns to BHP concentration including:-
 - Increased tonnage coming from Widgiemooltha
 - Increase size and weight of Road Trains which impact road surface, design and condition.
 - Increase tonnage transported to Lakewood Mill
- Commercial, light vehicle and bus transport increased traffic associated with
 - Expansion of worker accommodation camps
 - Kambalda Airport
- Local traffic between Kambalda East and West to schools, recreation, social and shopping services and activities.

COMMENT

Expansion of workers accommodation camps is proposed comprising a significant increase in rooms. The Shire has received the planning application for ESS and has been briefed that the Civeo camp expansion is currently in the design phase.

Mining heavy haulage use of the road has increased as various mining companies are transporting ore to the BHP Concentrator and other mining industries along Durkin Road which includes the use of Goldfields Highway in both directions. The Shire anticipates that haulage truck movements are intended to increase cartage by in excess of an additional one million tonnes moving on the road network in the next year. This equates to an increase of 25-35 Road Trains per day.

The imminent expansion and intensification of activities along this road and the consequential impact resulting from the associated increase in the volume and type of traffic using Durkin Road raises significant concerns relating to the capacity, capability, condition, design and road safety issues.

Durkin Road is a local road for which the Shire of Coolgardie is responsible for care, control and maintenance. As such the Shire needs to commence the strategic traffic and engineering design investigations.

The Shire has observed that:-

- Haulage vehicles along Durkin Road increasing in frequency and vehicle size. The pressure and conflict points on this road is now at a critical point, which will be exacerbated with the proposed development along Durkin Road. A development application has been received for one of the sites.
- Traffic conflict at the intersection of Goldfields Highway and Durkin Road between heavy haulage vehicles, buses, and light vehicle traffic.
- The intersection road reserve is being used frequently for large heavy haulage vehicle parking resulting in additional conflict points as these vehicles enter the road at uncontrolled points.
- Road signage and dedicated turning lanes are matters that require further investigations as a potential solution to vehicles separation and safety.

On 21 June 2022 Shire officers met with Main Road representatives and traffic consultants to provide technical expertise and recommendations for the scope the project, works required and timeframes.

- Identification of the traffic issues to the installation of video traffic count survey cameras and traffic counters.
- Heavy haulage parking issues on the road verges
- Uncontrolled access from informal parking areas
- Traffic conflict and safety issues
- Design and construction provisions and timeframes
- Ongoing engagement with Main Roads and State agencies
- Funding sources
- Project priorities and government support.

The extent of this expansion and intensification will have public works and financial implications on the Shire. Given the timing of these projects is considered essential to bring forward the traffic and road investigations and associated studies to cater for these changes and ensure safety on these roads and that the Shire has the relevant technical details and information to:-

- Monitor road condition,
- Managed road usage and balance competing business, mining and local community interests on the road,
- Manage traffic safety issues
- Inform Council decision making associated with the various proposals.
- Seeking funding opportunities
- Program road works and traffic implications

The timing of the mining and commercial projects has driven the need to immediately initiate the investigative stage of the project, which will include liaison with Shires Engineering Contractor WML and other Consultants regarding design, technical information, cost and timeframe to undertake this critical initial scoping and investigative component.

There are a number of other studies and investigations which form part of this initial phase. The Shire is able to secure the services of various existing consultants already engaged under services contacts with the Shire to expediently progress the studies

CONSULTATION

Main Roads representatives

Shire Officers

Shire Engineering Consultants

STATUTORY ENVIRONMENT

Local Government Act

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

\$100,000.00 is required to undertake engineering studies and associated support ie funding and advisory. This will be included in the 2022/2023 Annual Budget if resolved by Council.

STRATEGIC IMPLICATIONS

Accountable and effective leaders

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

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council,

1. **APPROVE** in the 2022/2023 budget an allocation of funding of \$100,000 (exc GST) for the Durkin Road Study.
2. **AUTHORISE** the CEO to commence the Durkin Road Study incorporating engineering investigations and associated studies on safety, traffic volumes, road design and road condition associated with expansion and intensification of development and haulage.

13.2.6 LITTLE INDUSTRIES - HAULAGE CAMPAIGN - DURKIN RD, KAMBALDA

Location: Kambalda
Applicant: Little Industries
Disclosure of Interest: Nil
Date: 20 June 2022
Author: Robert Hicks, Deputy Chief Executive Officer

SUMMARY

For Council to consider a proposal from Little Industries to utilise 1.5 kms of Durkin Road for a haulage campaign from 01/07/2022 to 30/06/2023 comprising of 85,000 tonnes (sand, blue metal and mineral ores).

BACKGROUND

Little Industries have approached the Shire to undertake a haulage campaign on Durkin Road. As per Council Policy Number 3.11 (Haulage Campaigns) Long Term Campaign: where a cartage campaign exceeds 25,000 tonnes or 100 return trips in any annual period, or more than six return trips in any week or part thereof; the Principal (Little Industries) needs to apply to the Shire of Coolgardie for use of the Shire of Coolgardie road network.

COMMENT

At Ordinary Council meeting held 22 June 2021, Council resolved -

In accordance with Policy 044 Haulage Campaigns, accept the proposal from Little Industries (Principal) to use 1.5 kms of Durkin Road (Kambalda) for a campaign comprising of 75,000 tonnes from 01 July 2021 to 30 June 2022 for the following contribution;

- 1. Capital Contribution (at \$0.07 p/tonne p/km; at 75,000 tonnes over 1.5 kms) = \$8662.50 (inc GST) to Account/Job #11202750 (Limited Cartage Campaign).*
- 2. That the CEO be authorised to determine any request from the Company/ies to amend the dates applicable to the request, but only on the basis that the relevant Council Policies be applied accordingly and that where any such applications are made and approved by the CEO, that suitable local public notice is given.*

Five registration numbers have been supplied & the Main Roads Mapping Tool confirms the suitability of the Tandem Drive 10.3 RAV network being applied for.

Durkin Road

Maintenance Contribution at \$0.04 per tonne per km at 85,000 tonnes over 1.5 kms \$5,610 (inc GST)

Capital Contribution of \$0.07 per tonne per km at 85,000 tonnes over 1.5 kms \$9,817.50 (inc GST)

CONSULTATION

Director, Little Industries

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

Policy #3.11 – Haulage Campaigns

Policy #3.12 – Heavy Vehicles Conditions for use on Shire Roads

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS**A thriving local economy**

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. Little Industries - haulage campaign - Durkin Road (company letter)
2. Little Industries - CA07 Application Durkin Rd
3. Little Industries - haulage campaign - Durkin Rd map

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council,

1. **APPROVES**, in accordance with Policy 3.11 Haulage Campaigns, the proposal from Little Industries (Principal) to use 1.5 kms of Durkin Road for a campaign comprising of 85,000 tonnes from 1 July 2022 to 30 June 2022 for the following contribution;
 - (a) Capital Contribution (at \$0.07 p/tonne p/km; at 85,000 tonnes over 1.5 kms) = \$9,817.50 (inc GST) to Account/Job #11202750 (Limited Cartage Campaign).
 - (b) 50% payment prior to campaign start date & 50% and final/remaining balance to be paid by 30 January 2023.
2. **AUTHORISE** the CEO to determine any request from the Company to amend the dates applicable to the request, but only on the basis that the relevant Council Policies be applied accordingly and that where any such applications are made and approved by the CEO, that suitable local public notice is given.

13.2.7 LIST OF PAYMENTS - MAY 2022

Location: Nil
Applicant: Nil
Disclosure of Interest: Nil
Date: 15 June 2022
Author: Corina Morgan, Manager Finance

SUMMARY

For Council to receive the list of accounts for May 2022.

BACKGROUND

The Local Government (Financial Management) Regulations 1996, Regulation 13(3)(b) requires that Council receive a list of accounts paid in the month, and that this be recorded in the minutes. Council has delegated to the Chief Executive Officer that authority to make these payments from Municipal and Trust Funds.

COMMENT

Presented in this item is a table of accounts (invoices) and includes that cheque (or EFT) identifier for the transaction, the entity, date, and amount paid, description of the goods, service, or other that relates to the payment. Extra details of invoices relating to payments are included for the information of Councillors.

The schedule of payment made under delegated authority as summarised below and recommended to be received by Council, has been checked and is supported by vouchers and invoices which have been duly certified as to the receipt of goods and provision of services, and verification of prices and costings.

Significant Payments for the month of May 2022 are:

Coxdon – Tender07/20 – Alterations and Additions Coolgardie Post Office

Coxdon – Clearing and Bulk Earthworks at Kambalda Airport

Gencon – Apron and Nodes Upgrade at Kambalda Airport

Raubex – Tender 02/2021 – Cell 1 and Leachate Pond at Coolgardie Waste Facility

CONSULTATION

Nil

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Accountable and effective leaders

Maintain integrated strategic and operational plans

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. **List of Payments - May 2022**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council receive listing (attached of accounts paid during the month of May 2022) by the Chief Executive Officer under delegated authority of Council.

1. **Municipal accounts totalling \$1,575,343.75 on Municipal vouchers EFT22745 - EFT22906**
2. **Credit card payments totalling \$12,452.26 for the month of May 2022**

13.2.8 MONTHLY FINANCIAL REPORT FOR THE MONTH ENDED 31 MAY 2022

Location: Shire of Coolgardie
Applicant: Shire of Coolgardie
Disclosure of Interest: Nil
Date: 14 June 2022
Author: Martin Whitely, Consultant

SUMMARY

This report recommends that the Monthly Statement of Financial Activity report for the period ending 31 May 2022 is presented to Council for adoption.

BACKGROUND

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

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

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

COMMENT

Attached for consideration is the completed Monthly Financial Report.

The document attached includes Statements of Financial Activity by Program, and Nature and Type, Notes to the financial statements, an explanation of material variance as well as a summary of bank account balances at 31 May 2022, 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

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

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

(1A) In this regulation —

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

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Accountable and effective leaders

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

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

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. Monthly Financial Statements - 31 May 2022
2. Management Report - May 2022

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the Draft Monthly Financial Activity Statement for the period 1 July 2021 to 31 May 2022 be received.

13.3 Economic Development**13.3.1 NULLARBOR LINKS -WIDGIEMOOLTHA HOLE**

Location: Shire of Coolgardie

Applicant: Nil

Disclosure of Interest: Nil

Date: 17 June 2022

Author: Bree Crawley, Economic and Community Development Coordinator

SUMMARY

Seeking Council support for the Eyre Highway Operators Association's establishment of Par 3 golf hole named "The "Golden Eagle" on Reserve R23129 within the Widgiemooltha townsite. The golf hole will form part of the Nullarbor Links golf course.

BACKGROUND

Shire staff have met with Nullarbor Links committee members at the proposed Widgiemooltha site.

The Nullarbor Links committee has requested Shire of Coolgardie support in establishing a Par 3 golf hole in Widgiemooltha to complement the Nullarbor Links. The Nullarbor Links claims to be the world's longest golf course and attracts over 15,000 visitors from across the world.

This proposed golf hole will replace the Fraser Range hole that has permanently closed.

The Shire of Coolgardie has the capability to host this hole in Widgiemooltha due to the location of the roadhouse, food, fuel and accommodation. It has the full support from the Roadhouse operator.

Reserve R23129 is classed as Recreational and is considered a suitable location of the hole. A Heads of Agreement will be signed to allow use of the land without the Nullarbor Links committee owning it.

**COMMENT**

A one-off \$10,000 Shire funding contribution has been included, subject to Council approval, in the 2022/23 Budget. This will be complemented with \$15,000 funding from Eyre Highway Operators Association and In Kind support from Main Roads by way of gravel supply.

There is no expectation on the Shire to provide further funding, any services or ongoing maintenance.

CONSULTATION

Nullarbor Links -Course Manager

Nullarbor Links -Chairman

Shire staff

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

An allocation will be requested as part of the 2022/2023 budget deliberations.

STRATEGIC IMPLICATIONS

An inclusive, safe and vibrant community

Delivering and developing sport and recreation activities

Effective management of infrastructure, heritage and environment

Supporting and encouraging local and regional tourism

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council

1. **SUPPORT** the Eyre Highway Operators Association establishment of a Nullarbor Links Par 3 golf hole named “The Golden Eagle” on Reserve R23129 within the Widgiemooltha townsite that will form part of the Nullarbor Links golf course.
2. **AUTHORISE** the Shire CEO to negotiate and sign a Heads of Agreement between the Shire and the Eyre Highway Operators Association.

13.4 Commercial Services

Nil

14 ITEMS FOR INFORMATION ONLY

Nil

15 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

16.1 Elected Members

16.2 Council Officers

17 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:

17.1 Haulage Campaign Review - Bellini Bulk Haulage PL

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.

18 CLOSURE OF MEETING