



CONFIRMED

MINUTES

Special Council Meeting

13 December 2022

6:00 pm

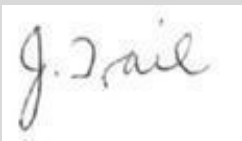
**Kambalda Recreation Centre, Barnes Drive,
Kambalda**

SHIRE OF COOLGARDIE

NOTICE OF

Dear Elected Member

The next Special Council Meeting of the Shire of Coolgardie will be held on Tuesday 13 December 2022 commencing at 6:00 pm.

A handwritten signature in black ink, appearing to read 'J. Trail', is displayed within a white rectangular box.

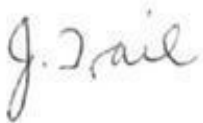
JAMES TRAIL
CHIEF EXECUTIVE OFFICER

SPECIAL COUNCIL MEETING**13 December 2022**

Welcome to the Special 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	N/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

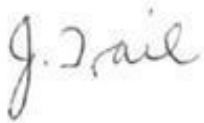
INFORMATION FOR PUBLIC ATTENDING COUNCIL MEETINGS

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.

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**MINUTES OF SHIRE OF COOLGARDIE
SPECIAL COUNCIL MEETING
HELD AT THE KAMBALDA RECREATION CENTRE, BARNES DRIVE, KAMBALDA
ON TUESDAY, 13 DECEMBER 2022 AT 6:00 PM**

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Shire President, Malcolm Cullen, opened the meeting at 6:03pm and welcomed his fellow Councillors, staff and members of the public, and thanked them for their attendance.

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 invites 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

PRESENT:

Cr Malcolm Cullen (President), Cr Tracey Rathbone (Deputy President), Cr Sherryl Botting, Cr Tammee Keast, Cr Kathie Lindup, Cr Rose Mitchell

IN ATTENDANCE:

James Trail (Chief Executive Officer), Robert Hicks (Deputy Chief Executive Officer), Rebecca Horan (Coordinator Major Projects, HR & Governance), John Ravlic (Commercial Services Consultant), Barry Donkin (Project Manager), Kasey Turner (Administration Officer)

APOLOGIES

Nil

MEMBERS OF THE PUBLIC

Cheryl Davis, Kiera Grdovic, Jarrod Lucas, Jamie Brophy, Jan McLeod, Mal Cross, Allan Mitchell

LEAVE OF ABSENCE

Nil

4 DECLARATIONS OF INTEREST

4.1 Declarations of Financial Interests – Local Government Act Section 5.60A

Chief Executive Officer, James Trail, declared a Financial Interest in Item 9.1.2 Keynote presentation at Major UN Event.

Councillor Sherryl Botting declared an Indirect Financial Interest in Item 11.1, Bluebush Village Agreements.

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 PUBLIC QUESTION TIME

Jan McLeod – Widgiemooltha

- 1. As Council represent the Community and the CEO's proposed Cambodia trip is to "continue" the momentum generated from the previous forum on "Establishing the Coolgardie Green Mining Circular Economy Hub" and there has been no report, nor an analysis of its benefit to the Shire, how then can Council support another forum without tangible benefits, especially at cost of \$45,000 to develop material for it?**

Council has not supported the CEOs Cambodia trip.

- 2. The \$1M loan (25 Oct) was to be a 5yr loan @ 5.50%, now it is a 10 year loan at 5.56% and as the supposed rent won't cover the loan, nor interest, nor the extra \$80,000 from Reserves, where will the extra money be coming from?**

Revenue will come from Mining companies who will be paying a per night rent.

- 3. As generators are running in the middle of town and with the proposed expansion and more larger transport to the middle of town, how does this promote a "Greener Environment"?**

The generators are fuel efficient and quiet and will not impact noise abatement regulations.

- 4. Please define what constitutes a casual single village room rate (\$165/night) as opposed to the single village room rate \$150/night?**

The casual room rate is for casual room hire whereas the single rate is for longer term hire arrangements.

- 5. Is there a normal Executive Village Room rate or is the rate for an executive room only rented on a casual basis, \$225/night?**

On a casual basis or as per agreement with the CEO

- 6. How many of the executive rooms are there or will there be in the camp?**

Eight (8)

7. Do there rooms constitute the camp expansion?

It is within the original village footprint.

8. Since the Bluebush Village Agreement Item 11.1 is CONFIDENTIAL, will the rates changed to mining companies be lower than the advertised rate or will they be as advertised as the Community is aware of the substantial profit promised from the operation of the camp?

Agreements with Mining companies, including room rates, are confidential.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 CONFIRMATION OF MINUTES OF PREVIOUS MINUTES

Nil

8 REPORTS OF COMMITTEES

Nil

9 REPORTS OF OFFICERS

9.1 Executive Services

9.1.1 AMENDMENT TO FEES AND CHARGES

Location: Shire of Coolgardie

Applicant: Shire of Coolgardie

Disclosure of Interest: NIL

Date: 11 November 2021

Author: Rebecca Horan, Executive Assistant to the Project Manager

SUMMARY

Council to approve the advertising and adoption of an amended charge relating to water at the Coolgardie Standpipe and Bluebush Village casual rates.

BACKGROUND

At its Special Meeting held on the 12th July 2022 Council resolved that Council in accordance with section 6.16 of the Local Government Act 1995 ADOPT the schedule of fees and charges as attached.

COMMENT

The current fees and charges schedule allows for single village room per night however not a casual rate or executive room rate.

The schedule also allows for the purchase of water from Newtown Dam but not the new standpipe that will be installed at the Coolgardie Truckstop in the new year.

The proposed fees for these charges are below:-

Single village room – casual rate \$175.00 per night includes GST

Executive village room - \$225.00 per night includes GST

Water from the Standpipe - \$10.00 per kilolitre includes GST

These amendments will be advertised in accordance with the Local Government Act 1995.

CONSULTATION

Shire Officers

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 6.16 Imposition of Fees and Charges

Local Government Act 1995, Section 6.19 Local Government to give notice of fees and charges

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

The amended fee will be effective after the 21 day advertising period.

STRATEGIC IMPLICATIONS

Accountable and effective leaders

High quality corporate governance, accountability and compliance

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council

1. APPROVE the amended fees and charges to apply during 2022/23 to allow for the following:-
 - Single Village Room Casual Rate - \$175.00 per night includes GST or by agreement with the CEO.
 - Executive Village Room Casual Rate - \$225.00 per night includes GST or by agreement with the CEO.
 - Water from the Standpipe - \$10.00 per kilolitre includes GST
2. That Council, by Simple Majority, AUTHORISE the CEO to advertise the amended fees and charges in accordance with the Local Government Act 1995.
3. That Council, by Simple Majority, AUTHORISE the CEO to implement the amended fees and charges after the 21 day advertising period.

SPECIAL COUNCIL RESOLUTION #264/2022

Moved: Cr Tracey Rathbone

Seconded: Cr Tammee Keast

That Council

1. APPROVE the amended fees and charges to apply during 2022/23 to allow for the following:-
 - Single Village Room Casual Rate - \$175.00 per night includes GST or by agreement with the CEO.
 - Executive Village Room Casual Rate - \$225.00 per night includes GST or by agreement with the CEO.
 - Water from the Standpipe - \$10.00 per kilolitre includes GST
2. That Council, by Simple Majority, AUTHORISE the CEO to advertise the amended fees and charges in accordance with the Local Government Act 1995.
3. That Council, by Simple Majority, AUTHORISE the CEO to implement the amended fees and charges after the 21 day advertising period.

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell

Against: Nil

CARRIED BY ABSOLUTE MAJORITY 6/0

Chief Executive Officer, James Trail, declared a Financial Interest in Item 9.1.2 and left the meeting at 6:11pm.

9.1.2 KEYNOTE PRESENTATION AT MAJOR UN EVENT

Location: Nil

Applicant: Nil

Disclosure of Interest: The CEO, James Trail has a financial interest in this item. In accordance with section 5.70(2) of the Local Government Act 1995, CEO declares a financial interest in the agenda item.

Date: 9 November 2022

Author: Robert Hicks, Deputy Chief Executive Officer

SUMMARY

The CEO seeks Council approval of travel by the CEO to attend as a keynote presenter at the 11th Regional 3R and Circular Economy Forum in Asia and the Pacific in Cambodia on the 8th – 10th February 2023.

BACKGROUND

The Shire has been collaborating with Circular Economy Alliance Australia (CEAA) on the development of the proposed Coolgardie Regional Transformational Alliance (CRTA). Over the last 18 months CEAA and the Shire have been strategizing the best platform for positioning Coolgardie on the world stage and leveraging/collaborating with multiple sectors for Circular Economy, ESG, Climate change outcomes that also regional transformation.

On the 29 October 2021 Council listened to an online presentation by CEAA and the Shire of Coolgardie CEO, to the 16th Annual Session of the Global Forum on Human Settlements that had a theme “Accelerate Green Transformation and Innovation towards Healthy, Resilient & Carbon-neutral Cities”. The CEAA and the Shire spoke to a global audience on the subject “Establishing the Coolgardie Green Mining Circular Economy Hub”.

Heads and senior leaders of top organisations participated in this Global Forum such as:

- World Wildlife Fund (WWF), World Meteorological Organization (WMO) , United Nations Conference on Trade and Development (UNCTAD) United Nations Centre for Regional Development (UNCRD) Global Green Growth Institute (GGGI)
- United Nations Development Programme (UNDP)
- Asian Development Bank (ADB) African Development Bank (AfDB)
- United Nations Economic and Social Commission in Asia and the Pacific (UNESCAP) United Nations Economic Commission for Africa (UNECA)
- United Nations Office for Disaster Risk Reduction (UNDRR)
- United Nations Industrial Development Organization (UNIDO)
- United Nations Convention on Biological Diversity (UNCBD)
- UNEP Finance Initiative (UNEP-FI) Swedish Energy Agency (SEA) International Union for Conservation of Nature (IUCN)
- World Ocean Council (WOC) , Universal Peace Federation (UPF)
- World Association of Non-Governmental Organizations (WANGO)

The Shire used this platform to announce that it is working on developing a circular economy hub.

Attendance at the 11th Regional 3R and Circular Economy Forum in Cambodia will be the second time the Shire has spoken to a global audience and will be a continuum of the momentum generated from the 16th Annual Session of the Global Forum on Human Settlements.

COMMENT

The Shire has the unique opportunity to be seen as a leading example of how a regional body based in a remote location can lead and involve all sectors from government and mining industry to drive long term regional transformation.

The Shires aspiration is for the CRTA to take the opportunity that currently exists to show strong leadership and showcase what can be achieved through collaboration.

For example, partnering with CEAA has opened the opportunity for the Shire to be exposed to premiere agencies such as the World Bank, UN, IFC, Global Green Growth Institute, World Resources Institute, and many others.

Through this global recognition, the Shire has the opportunity to be recognised as a global hub, but this will require strong positioning of the Shire both nationally and internationally, building a strong narrative and creating a platform for multi sectoral collaboration. These measures will have the potential to unlock and leverage investments into the region.

Through its global contacts, CEAA has secured a keynote presentation slot at the 3R Asia Pacific Forum set for the 8th – 10th February 2023 in Cambodia. It is expected that government leaders from more than 35 countries will be attending.

In line with the MOU between the Shire and CEAA and the agreed objectives therein, CEAA has coordinated the proposed trip to Cambodia and secured the Shires presentation to a global audience.

In December 2021 Council endorsed an MOU with Circular Economy Alliance Australia. The key objectives of the MOU are;

- Support Coolgardie's Environment Social Governance (ESG) Framework
- Play a catalyst role for Economic Development
- Provide diverse employment opportunities for Indigenous communities
- Enable Climate change response and Environmental Improvement
- Provide a Social License to operate to the mining community
- Create a strong base for leveraging financial and intellectual capital.
- Achieve United Nations Sustainability Development Goals (SDG's)
- Achieve better coordination and collaboration between government,
- industry, community
- Promote regional achievements and become a focal point for engaging
- nationally and internationally
- Put Coolgardie on the world map – creating greater opportunities
- Build a strong, engaged, sustainable and socially responsible community

Furthermore, key activities identified in the MOU are;

- Awareness Building and Strategic Planning - Undertake presentations / conduct workshop with the Councillors and senior management
- Planning and Organisation - Develop a high-level Project plan.
- Stakeholder Engagement and Partnerships - Undertake a systematic stakeholder engagement process involving the industry, mining, community, and academic sectors. Do presentations and roundtables.
- Undertake capacity and awareness building masterclass.

- Communication, Promotion, and Information Brochures – Prepare relevant promotion and information brochures. Prepare a brochure outlining the Shire of Coolgardie's vision and strategy for establishing the Green Mining Circular Economy Hub.
- Establish commitment from all stakeholders to establish the hub
- Prepare the Constitution and Charter
- Establish Funding / Partnership Arrangements with partners
- **International Launch - Launch the Hub at a major UN event**
- Set up the Governance Structure and Board
- Appoint an Executive Officer and administration officer
- Prepare Business Plan for the Hub

The attendance of the CEO at the conference is consistent with one of the key activities highlighted above.

CONSULTATION

Circular Economy Alliance Australia

STATUTORY ENVIRONMENT

Local Government Act 1995

POLICY IMPLICATIONS

Policy 1.17 – Attendance at Events – Council Members and CEO

FINANCIAL IMPLICATIONS

Forum coordination, keynote participation, CEAA support, travel and accommodation expenses are estimated at \$45,000 - \$50,000.

In the 2022/2023 Annual Budget an allocation of \$235,000 was included for ESG, Circular Economy, Socio Economic Assessment and Shire Initiatives. To date only \$115,000 has been spent from this allocation.

In preparation for the UNCRD Event the following tasks will need to be undertaken;

Key Tasks

1. Liaise with UNCRD to finalise the topic of the keynote presentation, provide an overview on Coolgardie, highlight its strategic significance and its crucial role in building partnerships and in developing major projects.
2. Build a powerful narrative on key Coolgardie projects and initiatives (past, current and proposed). Prepare slides and brochure for the event.
3. Prepare a structure of the keynote presentation in a way that demonstrates broader application that cuts across countries. The presentation will need to be expertly structured to demonstrate a futuristic, innovative and collaborative approach. Highlight role of innovative approach such as Coolgardie Regional Transformation Alliance.
4. Demonstrate a globalised vision - Top leaders and decision makers from 35 Asia Pacific nations would be listening to the keynote presentation.

5. Promote Coolgardie's leadership and the UNCRD event to a strong 16,000 plus global knowledge community built by CEAA.

6. Liaise with UNCRD to ensure that our presentation receives wide coverage and fits into the theme of the event

These tasks once completed will provide the Shire with ongoing promotion, marketing and advocacy information including a video and presentation to be used at a Local, State and Federal Level and links with the Community Strategic Plan just recently adopted and the Draft ESG Framework. It is estimated that these tasks will be approximately \$45,000 to be taken from the Circular Economy Budget Allocation

The estimated breakdown of the actual costs for the CEO trip would be;

- Accommodation - \$895 – 4 nights – conference being held at same place as accommodation
- Flights \$2,600
- Flights include Perth to Phnom Penh Return and Phnom Penh to Sokha Siam Reap Return
- Meals – estimate \$100 per day - \$400

Total Cost \$3,895

STRATEGIC IMPLICATIONS

A thriving local economy

Encouraging and attracting new investment and advocating for local employment

Accountable and effective leaders

Developing strong partnerships with stakeholders for the benefit of our community

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

ATTACHMENTS

1. **MOU CEAA - Confidential**
2. **Concept Forum Note**

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council APPROVE the CEO's attendance as a keynote speaker at the United Nations Centre for Regional Development 3R Asia Pacific Forum in Cambodia on the 8th – 10th February 2023.

MOTION

Moved: Cr Tracey Rathbone

Seconded: Cr Tammee Keast

That Council APPROVE the CEO's attendance as a keynote speaker at the United Nations Centre for Regional Development 3R Asia Pacific Forum in Cambodia on the 8th – 10th February 2023.

In Favour: Cr Sherryl Botting

Against: Crs Malcolm Cullen, Tracey Rathbone, Tammee Keast, Kathie Lindup and Rose Mitchell

LOST 1/5

OFFICER RECOMMENDATION

That Council ACCEPTS the Alternative Recommendation for their consideration.

ALTERNATIVE RECOMMENDATION

1. That the Council not endorse the Chief Executive Officers Attendance as a keynote speaker at the United Nations Centre for Regional Development 3R Asia Pacific Forum in Cambodia on the 8th – 10th February 2023.
2. That Council endorse the Shire of Coolgardie being represented by Circular Economy Alliance Australia as the key note speaker at the United Nations Centre for Regional Development 3R Asia Pacific Forum in Cambodia on the 8th – 10th February 2023.
3. That Council authorise the Chief Executive Officer to work with Circular Economy Alliance Australia to promote at the United Nations Centre for Regional Development 3R Asia Pacific Forum the Shire Coolgardie's leadership in Circular Economy, Critical Minerals and decarbonisation demonstrating how a regional local government can lead and involve all sectors of government and the mining industry to driving long term regional transformation.

SPECIAL COUNCIL RESOLUTION #265/2022

Moved: Cr Tracey Rathbone

Seconded: Cr Tammee Keast

That Council ACCEPTS the Alternative Recommendation for their consideration.

1. That the Council not endorse the Chief Executive Officers Attendance as a keynote speaker at the United Nations Centre for Regional Development 3R Asia Pacific Forum in Cambodia on the 8th – 10th February 2023.

2. That Council endorse the Shire of Coolgardie being represented by Circular Economy Alliance Australia as the key note speaker at the United Nations Centre for Regional Development 3R Asia Pacific Forum in Cambodia on the 8th – 10th February 2023.
3. That Council authorise the Chief Executive Officer to work with Circular Economy Alliance Australia to promote at the United Nations Centre for Regional Development 3R Asia Pacific Forum the Shire Coolgardie's leadership in Circular Economy, Critical Minerals and decarbonisation demonstrating how a regional local government can lead and involve all sectors of government and the mining industry to driving long term regional transformation

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell

Against: Nil

CARRIED 6/0

OFFICER RECOMMENDATION

That Council RESOLVES to accept the alternate recommendation.

SPECIAL COUNCIL RESOLUTION #266/2022

Moved: Cr Tracey Rathbone

Seconded: Cr Tammee Keast

That Council RESOLVES to accept the alternate recommendation.

1. That the Council not endorse the Chief Executive Officers Attendance as a keynote speaker at the United Nations Centre for Regional Development 3R Asia Pacific Forum in Cambodia on the 8th – 10th February 2023.
2. That Council endorse the Shire of Coolgardie being represented by Circular Economy Alliance Australia as the key note speaker at the United Nations Centre for Regional Development 3R Asia Pacific Forum in Cambodia on the 8th – 10th February 2023.
3. That Council authorise the Chief Executive Officer to work with Circular Economy Alliance Australia to promote at the United Nations Centre for Regional Development 3R Asia Pacific Forum the Shire Coolgardie's leadership in Circular Economy, Critical Minerals and decarbonisation demonstrating how a regional local government can lead and involve all sectors of government and the mining industry to driving long term regional transformation

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell

Against: Nil

CARRIED 6/0

Chief Executive Officer, James Trail, returned to the meeting at 6:23pm.



United Nations Centre for
Regional Development



Ministry of Environment,
Kingdom of Cambodia



Ministry of the Environment,
Government of Japan

As of 01 November 2022

Provisional Concept Note of 11th Regional 3R and Circular Economy Forum in Asia and the Pacific

1. **DATE:** 08-10 February 2023
2. **VENUE:** Sokha Siem Reap Resort and Convention Center, Siem Reap, Cambodia
3. **THEME:** Integrating Circular Economy in Major Development Sectors towards Achieving Zero Waste Societies and the SDGs
4. **Format:** Mostly physical participation (to some extent hybrid)

5. BACKGROUND

Asia-Pacific has been the most dynamic region globally and most growth in resource use has been triggered by rapid urbanization and industrial transformation. The policy and scientific community in Asia and the Pacific have recognized the large challenges of resource supply security, increasing waste and pollution, climate change and increasing frequency and magnitude of natural disasters as critical constraints to future growth and rising material standards of living in the region.

The UN member countries are concurrently implementing a number of international agendas and agreements which are inter-linked and mutually reinforcing - such as the 2030 Agenda for Sustainable Development and the underlined SDGs, the Paris Agreement on Climate Change, the New Urban Agenda, the Addis Ababa Action Agenda (AAAA), the Nairobi Mandate, the Sendai Framework for Disaster Risk Reduction, the UN Decade on Ecosystem Restoration, among others. The 2030 Agenda for Sustainable Development and the SDGs, in particular, not only call for equitable economic growth, but also provide an important political and implementation framework to implement 3R and resource efficiency to achieve circular economic development – an alternative economic growth model which is not at the expense of finite natural resources and ecological assets, rather it is regenerative.

3R and circular economy not only provide an important basis in achieving the SDG 12 (sustainable consumption and production) but also meaningful synergies in combinedly achieving the other SDGs such as SDG 6 (clean water and sanitation), SDG 13 (combat climate change), SDG 11 (safe, resilient, sustainable cities and communities), and SDG 14 (life below water), among others.

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UNCRD's 3R and circular economy initiative brings both the policy and scientific community to convene on an annual basis the Regional 3R and Circular Economy Forum in Asia-Pacific to strengthen the science-policy interface in addressing 3R and resource efficiency as the basic for economic growth, pollution prevention and strengthening resilience of cities and communities, and after all, to achieve these international agendas and agreements. The adoption in 2015 of both the 2030 Agenda for Sustainable Development and the Paris Agreement on climate change established a foundation for the coherent implementation of climate action and sustainable development objectives across all levels and sectors¹. Globally, the waste management sector accounts for some 3.5% of anthropogenic GHG emissions². Many countries have adopted policies to reduce waste, recycle resources and secure landfills to reduce environmental and climate impacts. The United Nation's SDGs Report 2022³ states that unsustainable patterns of consumption and production are the root causes of the three-fold global crises of climate change, biodiversity loss and pollution. Such crises, and the resulting of the environmental degradation, threaten human well-being and the achievement of the SDGs. The report also highlights the urgent action necessary to achieve the SDGs and make meaningful progress for the people and the planet by 2030.

The UNEA-5 (Fifth Session of the United Nations Environment Assembly)⁴ with theme of "Strengthening Actions for Nature to Achieve the Sustainable Development Goals" also called for strengthened action to protect and restore nature and promote nature-based solutions to achieve the SDGs in its three complementary dimensions (social, economic and environmental). Similarly, the High-Level Political Forum (HLPF) 2022⁵ focused on the impact of COVID-19 on the 2030 Agenda and actions to recover better while accelerating progress towards the Sustainable Development Goals. To this regard, there is a need for all the member countries and citizens to seize the opportunity to work together to improve resource efficiency, reduce waste and pollution and shape a new circular economy.

Starting from the 6th Regional 3R Forum in Maldives (2015), circular economy approach has been mainstreamed in the policy discussions among the member countries. The 99 private tourist resorts of Maldives by signing the "Declaration by Private Tourist Resorts in Maldives for the Promotion of 3Rs and Resource Efficiency Towards Protection of Local Environment and Marine Ecosystem" underpinned the importance of science-policy-business in advancing 3R as an economic industry⁶. In the 7th Regional 3R Forum in South Australia in November 2016, the member countries adopted Adelaide 3R Declaration towards the Promotion of Circular Economy in Achieving Resource Efficient Societies in Asia and the Pacific under the 2030 Agenda for Sustainable Development⁷. Furthermore, at the 8th Regional

¹ <https://enb.iisd.org/climate-sdgs-conference-2022-summary> (IISD Summary report, 20–21 July 2022 3rd Global Conference on Strengthening Synergies between the Paris Agreement and the 2030 Agenda for Sustainable Development)

² https://www.un.org/sites/un2.un.org/files/climate_sdg_synergies_fact_sheet_5july_final.pdf (Factsheet, 3rd Global Conference on Strengthening Synergies between the Paris Agreement and the 2030 Agenda for Sustainable Development)

³ <https://unstats.un.org/sdgs/report/2022/The-Sustainable-Development-Goals-Report-2022.pdf> (The Sustainable Development Report 2022)

⁴ <https://www.unep.org/environmentassembly/unea5> (UNEA-5, 28 Feb.-2 March 2022)

⁵ <https://hlpf.un.org/2022/documentation> (HLPF 2022, 6-15 July 2022)

⁶ <https://www.uncrd.or.jp/content/documents/3733FINAL-Male-Delcaration-Maldives-FINAL%20Version-12Oct2015.pdf> (Maldives National 3R Day 16th August 2015 Malé 3R Declaration, 5th Regional 3R Forum in Asia and the Pacific 2015)

⁷ <https://www.uncrd.or.jp/content/documents/4671Adelaide%203R%20Forum%20Declaration-FINAL%20CIRCULATION.pdf> (Adelaide 3R Declaration towards the Promotion of Circular Economy in

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3R Forum held in India in April 2018, the participating Mayors and local authorities signed the voluntary and good-will Indore 3R Declaration of Asian Mayors on Achieving Clean Water, Clean Land and Clean Air in Cities⁸. In the 9th Regional 3R Forum in Thailand in March 2019, the member countries and participating cities agreed the Bangkok 3R Declaration Towards Prevention of Plastic Waste Pollution through 3R and Circular Economy⁹. Furthermore, the 10th Regional 3R and Circular Economy Forum (Series of Webinars)¹⁰ in November-December 2021, recognized the important role of eco-towns in advancing 3R and circular economy and highlighted the symbiotic material flow in eco-towns or eco-industrial parks as the basis for advancing 3R, resource efficiency and circular economy. Information presented at the annual Regional 3R and Circular Economy Forum shows that several member countries are already undertaking 3R policy implementation and activities under the framework of Hanoi 3R Goals (2013-2023)¹¹ that support the global agendas and agreements.

With the above background, Ministry of Environment, Kingdom of Cambodia, the Ministry of the Environment of the Government of Japan (MOEJ), and the United Nations Centre for Regional Development (UNCRD) of Division for Sustainable Development Goals (DSDG) / UN DESA is co-organized the 11th Regional 3R and Circular Economy Forum in Asia and the Pacific (Hybrid) on 8-10 February 2023 Kingdom of Cambodia with the theme of *“Integrating Circular Economy in Major Development Sectors towards Achieving Zero Waste Societies and the SDGs”*. The 11th Forum will also provide an opportunity to discuss the on-going process of preparing the new declaration- 3rd Drafting committee meeting-cum-Experts Consultation on Pre-zero draft of new 3R and Circular Economy Declaration (2024-2034) and launch the pre-final version of ‘The Second State of 3Rs in Asia and the Pacific-Advancing Circular Economy in Asia and the Pacific Towards Achieving the Sustainable Development Goals’ Report.

6. OBJECTIVES/SCOPE/OUTCOMES

The objectives of the 11th Regional 3R and Circular Economy Forum in Asia and the Pacific are as follows:

- i. Discuss to accelerate integration of 3R and circular economy in major development sectors;
- ii. Discuss synergies in achieving the SDGs and the Paris Agreement on climate change through 3R and circular economy;
- iii. Discuss and share 3R and circular economy opportunities in achieving sustainable tourism and greening the small and medium-sized enterprises (SMEs);
- iv. Discuss the possibilities of implementing the circular economy principles with a view to protect and restore the Tonle-Sap ecosystem;

Achieving Resource Efficient Societies in Asia and the Pacific under the 2030 Agenda for Sustainable Development, 7th Regional 3R Forum in Asia and the Pacific 2016)

⁸ <https://www.uncrd.or.jp/content/documents/6541Final%20Indore%203R%20Declaration-11April%202018.pdf> (Indore 3R Declaration of Asian Mayors on Achieving Clean Water, Clean Land and Clean Air in Cities, 8th Regional 3R Forum in Asia and the Pacific 2018)

⁹ <https://www.uncrd.or.jp/content/documents/7743Final-Bangkok%203R%20Declaration-adopted-11%20March%202019-Issued-without-formal-editing.pdf> (Bangkok 3R Declaration Towards Prevention of Plastic Waste Pollution through 3R and Circular Economy, 9th Regional 3R Forum in Asia and the Pacific 2019)

¹⁰ <https://www.uncrd.or.jp/Home?page=view&nr=1201&type=13&menu=198> (10th Regional 3R and Circular Economy Forum in Asia and the Pacific 2020)

¹¹ https://www.uncrd.or.jp/content/documents/659Hanoi-Declaration_Eng.pdf (Ha Noi 3R Declaration (2013-2023), Adopted during 4th Regional 3R Forum 2013).

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- v. Discuss various means to bridge the 3R infrastructure gap in achieving zero waste societies;
- vi. Review and assess country progress, initiatives, achievements, and best practices, including new policies and legislations, in implementing the Ha Noi 3R Declaration – Sustainable 3R Goals for Asia and the Pacific (2013-2023)¹¹;
- vii. Discuss the pre-zero draft of the new 3R and Circular Economy Declaration (2024-2034); and
- viii. Launch the pre-final version of *‘The Second State of 3Rs in Asia and the Pacific- Advancing Circular Economy in Asia and the Pacific Towards Achieving the Sustainable Development Goals (SDGs)’*.

7. CO-ORGANIZERS/ PARTNERS / SUPPORTING ORGANIZATIONS

The 11th Regional 3R and Circular Economy Forum in Asia and the Pacific is co-organized by the Ministry of Environment, Kingdom of Cambodia, the Ministry of the Environment of the Government of Japan (MOEJ), and the United Nations Centre for Regional Development (UNCRD) of Division for Sustainable Development Goals (DSDG) / UN DESA.

8. GEOGRAPHIC COVERAGE

Asia-Pacific countries - Afghanistan, Australia, Bangladesh, Bhutan, Brunei Darussalam, Cambodia, the People’s Republic of China, Commonwealth of the Northern Mariana Islands, Cook Islands, Fiji, Federated States of Micronesia, India, Indonesia, Japan, Kiribati, the Republic of Korea, Lao People’s Democratic Republic, Malaysia, Maldives, Marshall Islands, Mauritius, Mongolia, Myanmar, Nauru, Nepal, New Zealand, Niue, Pakistan, Palau, Papua New Guinea, the Philippines, Samoa, Singapore, Solomon Islands, Sri Lanka, Thailand, Timor-Leste, Tokelau, Tonga, Tuvalu, Vanuatu and Viet Nam.

9. PARTICIPANTS

Participation in the Forum is by invitation only. Approximately 400 participants, including high-level government representatives from Asia-Pacific countries, city mayors, international experts, research institutes and resource persons, and others as listed below will attend the Forum:

- High level government representatives and policy makers from relevant Ministries such as Ministry of Environment, Ministry of Industry, Ministry of Energy, and Ministry of Natural resources and Environment, etc;
- City Mayors/Local Government representatives;
- Experts and international resource persons, including representatives of scientific and Research and Development (R&D) institutions in the areas of 3R/resource efficiency/waste management/life cycle assessment and management;
- Representatives of UN and international organizations, including international financial institutions, multi-lateral development banks and donor agencies; and
- Representatives of the private and business sector and NGOs etc.

10. REGISTRATION

Participation in the UN Forum is free of charge. A limited number of travel supports will be available on a priority basis for nominated government representatives from the developing

11th Regional 3R and Circular Economy Forum in Asia and the Pacific, Kingdom of Cambodia

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countries. Unless otherwise stated in the official invitation, the participants are requested to kindly cover their own travel, accommodation and all other incidental expenses through their organizations or external sponsorships.

11. LANGUAGE AND DOCUMENTATION

All documentation material will be in English. UNCRD will disseminate all documents and presentation material of the Forum on the Forum web link only. Please visit the Forum web link for further information: <https://www.uncrd.or.jp/>

12. OFFICIAL PRE-EVENTS AND PARALLEL-EVENTS

The 11th Regional 3R and Circular Economy Forum in Asia and the Pacific will have several pre-events and parallel events. The list is available in programme.

13. CONTACT POINTS/CORRESPONDENCE

Secretariat of the Regional 3R and Circular
Economy Forum in Asia and the Pacific

United Nations Centre for Regional
Development (UNCRD)
1-47-1, Nagono, Nakamura-ku
Nagoya 450-0001, Japan
Tel: +81-52 561 9377 /9417 /9416
Fax: +81-52 561 9374
E-mail: 3R@uncrd.or.jp

Contact persons in Kingdom of
Cambodia

Mr. Laska Sophal
Director
Department of Hazardous Substance
Management, EPA, Ministry of
Environment, Cambodia
Tel: +855-12-900470
Email: sophallaska.moe@gmail.com

9.1.3 HOUSING DEVELOPMENT - 11 GOODENIA COURT, KAMBALDA

Location: 11 Goodenia Court, Kambalda West

Applicant: Shire of Coolgardie

Disclosure of Interest: Nil

Date: 7 December 2022

Author: James Trail, Chief Executive Officer

SUMMARY

That Council resolves to borrow \$1,000,000 for the purpose of the development of residential housing on Lot 1230, 11 Goodenia Court, Kambalda West.

BACKGROUND

Council at the Ordinary Meeting held on the 25th October 2022 resolved the following:-

- 1. SUPPORTS IN PRINCIPLE the development of residential housing on Lot 1230, 11 Goodenia Court, Kambalda*
- 2. NOTES that on finalisation of the detailed designs and site plans formal planning applications will be assessed in accordance the Local Planning Scheme No 5 and determined in accordance with the Shires Delegated Authority provisions.*
- 3. SUPPORTS the borrowing of \$1,000,000 to finance the development.*
- 4. AUTHORISE the CEO to negotiate financing terms with the Commonwealth Bank of Australia*
- 5. IN ACCORDANCE with section 6.20(2)(a) statewide advertising of at least one month is given of the intention to borrow \$1,000,000 for the purpose of the development of residential housing on Lot 1230, 11 Goodenia Court, Kambalda West*
- 6. SUPPORTS IN PRINCIPLE the expansion of accommodation at Kambalda Village Lot 562 Bluebush Road Kambalda West*
- 7. NOTES that on finalisation of the detailed designs and site plans formal planning applications will be assessed in accordance the Local Planning Scheme No 5 and determined in accordance with the Shires Delegated Authority provisions.*
- 8. SUPPORTS the borrowing of \$500,000 to finance the expansion*
- 9. Authorises the CEO to negotiate financing terms with the Commonwealth Bank of Australia*
- 10. In accordance with section 6.20(2)(a) statewide advertising of at least one month is given of the intention to borrow \$500,000 for the purpose of the expansion of accommodation at Kambalda Village Lot 562 Bluebush Road Kambalda West*

COMMENT

As per Council resolution, Statewide advertising was completed with notices placed on the Shire of Coolgardie website, in the Kalgoorlie Miner and West Australian (Saturday 29th October) and noticeboards with submissions closing on Tuesday 29th November 2022 at 2pm. One submission was received.

The submission objected to borrowing \$1,000,000 to develop residential housing on Lot 1230, 11 Goodenia Court, Kambalda primarily based on;

- Was there a need for the type of accommodation to be constructed
- Pricing and value for money

- Loan repayments and the level of current borrowings
- Lack of additional supporting information.

It should be noted that all financial information in the report in relation to loan repayments presented to Council at the October Ordinary Meeting were correct.

CONSULTATION

Council

Project Manager

Town Planning Consultant

Modular WA

Mining Sector

GROH

Government Agencies

Minister

Local Police

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Local Planning Scheme No.5

Local Government Act 1995

Land Administration Act 1997

6.8. Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
- (b) is authorised in advance by resolution*; or
- (c) is authorised in advance by the mayor or president in an emergency.

* Absolute majority required.

6.20. Power to borrow

(1) Subject to this Act, a local government may —

- (a) borrow or re-borrow money; or
- (b) obtain credit; or
- (c) arrange for financial accommodation to be extended to the local government in ways additional to or other than borrowing money or obtaining credit,

to enable the local government to perform the functions and exercise the powers conferred on it under this Act or any other written law.

(2) Where, in any financial year, a local government proposes to exercise a power under subsection (1) (power to borrow) and details of that proposal have not been included in the annual budget for that financial year —

- (a) unless the proposal is of a prescribed kind, the local government must give one month's local public notice of the proposal; and
 - (b) the resolution to exercise that power is to be by absolute majority.
- (3) Where a local government has exercised a power to borrow and —
- (a) it does not wish to proceed with the performance of the function or the exercise of the power for which the power to borrow was exercised; or
 - (b) after having completed the performance of the function or the exercise of the power for which the power to borrow was exercised, any part of the money borrowed, credit obtained or financial accommodation arranged has not been expended or utilized,

the local government may resolve* to expend the money or utilize the credit or financial accommodation for another purpose if one month's local public notice is given of the proposed change of purpose.

* Absolute majority required.

- (4) A local government is not required to give local public notice under subsection (3) —
- (a) where the change of purpose has been disclosed in the annual budget of the local government for the relevant financial year; or
 - (b) in such other circumstances as are prescribed.

(5) A change of purpose referred to in subsection (3) is to be disclosed in the annual financial report for the year in which the change occurs.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The proposed developments were not included as part of the Annual Budget adopted by Council in July 2022. In accordance with section 6.8 of the Local Government Act 1995 any expenditure must be authorised in advance by absolute majority.

The proposed development would be funded primarily by way of a \$1m loan from the Commonwealth Bank of Australia with the balance of funds to be transferred from the Infrastructure Reserve.

The terms of the loan agreement would be a fixed loan repaid over a 10-year term.

Indicative pricing based on a 10-year loan fixed at 5.68% would result in quarterly repayments of \$32,936 and total interest payable over the term of the loan of \$317,458.

It is anticipated that the cumulative rent for all 3 dwellings would be approximately \$1,200 week. Applying a 5% CPI incremental over a period of 10 years the rental return would be \$755,785.

STRATEGIC IMPLICATIONS

A thriving local economy

Encouraging the development of local business education and support

Accountable and effective leaders

High quality corporate governance, accountability and compliance

Demonstrating sound financial management and plans for the Shire's long term financial sustainability
Ensuring the Shire of Coolgardie is well positioned to meet future needs
Advocating for services that support our community needs

Effective management of infrastructure, heritage and environment

Maintaining and renewing infrastructure and building assets

ATTACHMENTS

1. **Submission from J McLeod - Intention to borrow funds - 11 Goodenia Court, Kambalda**

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council:

PART A

1. Notes the submission received objecting to to the intention to borrow \$1,000,000 for the purpose of the development of residential housing on Lot 1230, 11 Goodenia Court, Kambalda West, and
2. Advises the proponent that the matters raised within the submission have previously been discussed in detail by Council during the due diligence process of the project.

PART B

1. Resolves to borrow \$1,000,000 for the purpose of the development of residential housing on Lot 1230, 11 Goodenia Court, Kambalda West, and
2. Authorises the CEO to negotiate a 10-year fixed term loan for the amount of \$1,000,000 with the Commonwealth Bank of Australia.

PART C

1. Approves a budget amendment of \$1,080,000 for the development of residential housing (Job No. C13122 – Goodenia Court Unit Development) to be funded by the loan of \$1,000,000 and a transfer from the Infrastructure Renewal Reserve (GL 750000) of \$80,000.

SPECIAL COUNCIL RESOLUTION #267/2022**Moved: Cr Kathie Lindup****Seconded: Cr Tammee Keast****That Council:****PART A**

1. Notes the submission received objecting to to the intention to borrow \$1,000,000 for the purpose of the development of residential housing on Lot 1230, 11 Goodenia Court, Kambalda West, and
2. Advises the proponent that the matters raised within the submission have previously been discussed in detail by Council during the due diligence process of the project.

PART B

1. Resolves to borrow \$1,000,000 for the purpose of the development of residential housing on Lot 1230, 11 Goodenia Court, Kambalda West, and
2. Authorises the CEO to negotiate a 10-year fixed term loan for the amount of \$1,000,000 with the Commonwealth Bank of Australia.

PART C

1. Approves a budget amendment of \$1,080,000 for the development of residential housing (Job No. C13122 – Goodenia Court Unit Development) to be funded by the loan of \$1,000,000 and a transfer from the Infrastructure Renewal Reserve (GL 750000) of \$80,000.

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell

Against: Nil

CARRIED BY ABSOLUTE MAJORITY 6/0

THE CEO : SHIRE OF COOLGARDIE
MR: JAMES TRAIL

* FOR PUBLICATION *
JMS

MRS J MCLEOD
WIDGEMOOLTHA via
NORSEMAN WA 6443
28-11-2022

Dear James,

I object to the Intention to Borrow \$1,000,000 for the purpose of the development of residential housing on Lot 1230, 11 Goodenia Crt, Kambalda West.

Expenditure of \$1M is not warranted when a good 4-bedroom ex-WMC staff house in which the Shire Engineer and family, the Doctor and family senior staff and consultants have resided, is currently located on the lot. This house should be brought up to standard and rented out if income is what Council require. Workers/contractors who are/have been employed to build the Kambalda Camp have been/are living in the house while Shire staff and consultants have been living somewhere else.

To encourage family occupation, this house should be retained especially to have a yard, trees, outdoor play area, room for a dog, a garden etc. which encourages longer term occupancy.

Real estate companies do have rentals available in town, CIVED & ESS have approvals for up to 800 rooms plus the Kambalda Hotel has plans for expansion. Government housing does rent privately which encourages local investment which the Shire should not go in competition against.

I query your figures as repayments seem too low at your fixed 5.5% over 5yrs. Calculation of these figures is not clear and have not received a reply from Acting CEO, Mr. R. Hicks upon enquiry.

\$1M for 3 small modular units is excessive when no figures re proposed revenue is given. Outstanding loans Nov. 2022 ~ \$10M. Hence no new loans should be entered into especially when there is lack of clarity and detail. The expense \$1M is too great when the option of upgrading the 4brn house has not been explored, nor the revenue from renting such a house. Not enough due diligence has been done.

Therefore I am AGAINST borrowing \$1M for this project.

Yours sincerely,
J McLeod 28-11-2022

9.1.4 WORKERS HOUSING DEVELOPMENT - LOT 562 BLUEBUSH ROAD, KAMBALDA

Location: Workers Housing Development – Lot 562 Bluebush Road, Kambalda West
Applicant: Shire of Coolgardie
Disclosure of Interest: Nil
Date: 7 December 2022
Author: James Trail, Chief Executive Officer

SUMMARY

That Council resolve to borrow \$500,000 for the purpose of the expansion of accommodation at Kambalda Village Lot 562 Bluebush Road, Kambalda West.

BACKGROUND

Council at the Ordinary Meeting held on the 25th October 2022 resolved the following:-

- 1. SUPPORTS IN PRINCIPLE the development of residential housing on Lot 1230, 11 Goodenia Court, Kambalda*
- 2. NOTES that on finalisation of the detailed designs and site plans formal planning applications will be assessed in accordance the Local Planning Scheme No 5 and determined in accordance with the Shires Delegated Authority provisions.*
- 3. SUPPORTS the borrowing of \$1,000,000 to finance the development.*
- 4. AUTHORISE the CEO to negotiate financing terms with the Commonwealth Bank of Australia*
- 5. IN ACCORDANCE with section 6.20(2)(a) statewide advertising of at least one month is given of the intention to borrow \$1,000,000 for the purpose of the development of residential housing on Lot 1230, 11 Goodenia Court, Kambalda West*
- 6. SUPPORTS IN PRINCIPLE the expansion of accommodation at Kambalda Village Lot 562 Bluebush Road Kambalda West*
- 7. NOTES that on finalisation of the detailed designs and site plans formal planning applications will be assessed in accordance the Local Planning Scheme No 5 and determined in accordance with the Shires Delegated Authority provisions.*
- 8. SUPPORTS the borrowing of \$500,000 to finance the expansion*
- 9. Authorises the CEO to negotiate financing terms with the Commonwealth Bank of Australia*
- 10. In accordance with section 6.20(2)(a) statewide advertising of at least one month is given of the intention to borrow \$500,000 for the purpose of the expansion of accommodation at Kambalda Village Lot 562 Bluebush Road Kambalda West*

COMMENT

As per Council resolution, Statewide advertising was completed with notices placed on the Shire of Coolgardie website, in the Kalgoorlie Miner and West Australian (Saturday 29th October) and noticeboards with submissions closing on Tuesday 29th November 2022 at 2pm. One submission was received.

The submission objected to the borrowing of \$500,000 for the purpose of the expansion of accommodation at Kambalda Village Lot 562 Bluebush Road Kambalda West primarily based on;

- Pricing
- Level or current borrowings & loan repayments

- Lack of supporting information including
- Evidence of the need for additional rental accommodation.

It should be noted that all financial information in the report in relation to loan repayments presented to Council at the October Ordinary Meeting were correct.

CONSULTATION

Council

Project Manager

Town Planning Consultant

Modular WA

Mining Sector

GROH

Government Agencies

Minister

Local Police

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Local Planning Scheme No.5

Local Government Act 1995

Land Administration Act 1997

6.8. Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
- (b) is authorised in advance by resolution*; or
- (c) is authorised in advance by the mayor or president in an emergency.

* Absolute majority required.

6.20. Power to borrow

(1) Subject to this Act, a local government may —

- (a) borrow or re-borrow money; or
- (b) obtain credit; or
- (c) arrange for financial accommodation to be extended to the local government in ways additional to or other than borrowing money or obtaining credit,

to enable the local government to perform the functions and exercise the powers conferred on it under this Act or any other written law.

(2) Where, in any financial year, a local government proposes to exercise a power under subsection (1) (power to borrow) and details of that proposal have not been included in the annual budget for that financial year —

- (a) unless the proposal is of a prescribed kind, the local government must give one month's local public notice of the proposal; and
 - (b) the resolution to exercise that power is to be by absolute majority.
- (3) Where a local government has exercised a power to borrow and —
- (a) it does not wish to proceed with the performance of the function or the exercise of the power for which the power to borrow was exercised; or
 - (b) after having completed the performance of the function or the exercise of the power for which the power to borrow was exercised, any part of the money borrowed, credit obtained or financial accommodation arranged has not been expended or utilized,

the local government may resolve* to expend the money or utilize the credit or financial accommodation for another purpose if one month's local public notice is given of the proposed change of purpose.

* Absolute majority required.

- (4) A local government is not required to give local public notice under subsection (3) —
- (a) where the change of purpose has been disclosed in the annual budget of the local government for the relevant financial year; or
 - (b) in such other circumstances as are prescribed.

(5) A change of purpose referred to in subsection (3) is to be disclosed in the annual financial report for the year in which the change occurs.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The proposed developments were not included as part of the Annual Budget adopted by Council in July 2022. In accordance with section 6.8 of the Local Government Act 1995 any expenditure must be authorised in advance by absolute majority.

The proposed development would be funded by a \$500,000 loan from the Commonwealth Bank of Australia. The terms of the agreement would be a fixed loan repaid over a 5-year term.

Indicative pricing based on a 5-year loan fixed at 5.07% would result in quarterly repayments of \$28,457 and total interest payable over the term of the loan of \$69,148.

Without applying any CPI incremental increases over a 5-year period and conservatively budgeting on a 50% occupancy for 200 nights at \$150 night the total rental over a period of 5 years would be \$600,000.

STRATEGIC IMPLICATIONS

A thriving local economy

Encouraging and attracting new investment and advocating for local employment

Accountable and effective leaders

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

Advocating for services that support our community needs

High quality corporate governance, accountability and compliance

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

Effective management of infrastructure, heritage and environment

Maintaining and renewing infrastructure and building assets

ATTACHMENTS

1. **Submission from J McLeod - Intention to borrow funds - Lot 562 Bluebush Road, Kambalda West**

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council:

PART A

1. Notes the submission received objecting to the intention to borrow \$500,000 for the purpose of the expansion of accommodation at Kambalda Village Lot 562 Bluebush Road Kambalda West, and
2. Advises the proponent that the matters raised within the submission have previously been discussed in detail by Council during the due diligence process of the project.

PART B

1. Resolves to borrow \$500,000 for the purpose of the expansion of accommodation at Kambalda Village Lot 562 Bluebush Road Kambalda West, and
2. Authorises the CEO to negotiate a 5-year fixed term loan for the amount of \$500,000 with the Commonwealth Bank of Australia.

PART C

1. Approves a budget amendment of \$500,000 for the expansion of accommodation at Kambalda Village (Job No. C13121 – Kambalda Workers Accommodation Additional Units) to be funded by the loan of \$500,000.

SPECIAL COUNCIL RESOLUTION #268/2022**Moved: Cr Tracey Rathbone****Seconded: Cr Tammee Keast****That Council:****PART A**

1. Notes the submission received objecting to to the intention to borrow \$500,000 for the purpose of the expansion of accommodation at Kambalda Village Lot 562 Bluebush Road Kambalda West, and
2. Advises the proponent that the matters raised within the submission have previously been discussed in detail by Council during the due diligence process of the project.

PART B

1. Resolves to borrow \$500,000 for the purpose of the expansion of accommodation at Kambalda Village Lot 562 Bluebush Road Kambalda West, and
2. Authorises the CEO to negotiate a 5-year fixed term loan for the amount of \$500,000 with the Commonwealth Bank of Australia.

PART C

1. Approves a budget amendment of \$500,000 for the expansion of accommodation at Kambalda Village (Job No. C13121 – Kambalda Workers Accommodation Additional Units) to be funded by the loan of \$500,000.

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell

Against: Nil

CARRIED BY ABSOLUTE MAJORITY 6/0

* FOR PUBLICATION *

THE CHIEF EXECUTIVE OFFICER
SHIRE OF GOULBURNIE
MR JAMES TRAIL

MRS J MCLEOD
WILGEMOOLTHA via
NORSEMAN WA 644
28-10-2022

Dear James, I OBJECT to Council's intention to borrow funds of \$500,000 for the purpose of the expansion of accommodation at the Kambalda camp, Bluebush Rd, Kambalda West for the following reasons:-

- no evidence of a lack of rental stock: see Ray White Real Estate and The Professionals rental availability,
- approved expansion of ESS and CUEO's (Goldfields), in total nearly 800 rooms and the proposed expansion of the accommodation at the Kambalda Hotel does not warrant the Shire to expand their camp going in competition against these commercial operators,
- \$500,000 for one donga consisting of 4 rooms is excessive,
- no site plan available for where this donga is to be located in an already cramped layout of the camp,
- 5.50% fixed loan rate for 5 yrs cannot result in quarterly repayments of \$28,765. I have asked the Acting CEO, Mr. Robert Hicks, for the calculations but these are not forthcoming,
- I am dubious of the accuracy of the figures: the \$4m camp became a \$20m camp in less than a year,
- already have \$10M in loans outstanding - Nov 2022

The whole proposal is unclear, lacks detail and this expense in the present climate of increasing interest rates cannot be justified.

Therefore I am against Council's intention to borrow \$500,000 to expand the camp.

Yours sincerely,

J McLeod

28-11-2022

RECEIVED 29/11/22

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

10.1 Elected Members

10.2 Council Officers

11 MATTERS BEHIND CLOSED DOORS**SPECIAL COUNCIL RESOLUTION AND 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:

11.1 Bluebush Village Agreements

This matter is considered to be confidential under Section 5.23(2) - c) and e(ii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting and a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government.

SPECIAL COUNCIL RESOLUTION #269/2022

Moved: Cr Kathie Lindup

Seconded: Cr Tracey Rathbone

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:

11.1 Bluebush Village Agreements

This matter is considered to be confidential under Section 5.23(2) - c) and e(ii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting and a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government.

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell

Against: Nil

CARRIED 6/0

Meeting was closed to the public at 6:36pm.

Councillor Sherryl Botting declared an Indirect Financial Interest in Item 11.1, and left the meeting at 6:38pm.

11.1 BLUEBUSH VILLAGE AGREEMENTS**SPECIAL COUNCIL RESOLUTION AND OFFICER RECOMMENDATION**

That Council

- 1. Endorse Agreement one for 7 rooms at Bluebush Village**

2. Endorse Agreement two for 32 rooms at Bluebush Village
3. Endorse Agreement three for 50 rooms at Bluebush Village
4. Endorse Agreement four for up to 95 rooms at Bluebush Village
5. AUTHORISE the Chief Executive to sign the attached agreements and any required documentation.

Council did not consider the Officer Recommendation because the Alternative Recommendation was superior in addressing the issues, and substantially included most of the former recommendations.

OFFICER RECOMMENDATION

That Council ACCEPT the alternative recommendation for their consideration.

ALTERNATIVE RECOMMENDATION

That Council: -

1. Request that Clause 5.1 Payment Obligations part (5) and (6) of all agreements be amended to read as follows;
 - (5) On the last Wednesday of the calendar month after the Commencement Date of the agreement, the Shire is to give Company X an invoice for the amount that, in accordance with this
Company X must, within 21 days of the date of each invoice, either –
 - a) pay to the Shire the full amount specified in the invoice; or
 - b) dispute all or part of the invoice in accordance with subclause (6).
 - (6) If Company X disputes all or any part of the amount specified in the invoice, then, within 21 days of the date of the invoice, Company X must –
 - a) pay the Shire that portion of the amount specified in the invoice that Company X does not dispute; and
 - b) for that portion of the invoice in dispute, comply with clause 7.2
2. Endorse Agreement one for 7 rooms at Bluebush Village with amended Clause 5.1 (5)(6)
3. Endorse Agreement two for 32 rooms at Bluebush Village with amended Clause 5.1 (5)(6)
4. Endorse Agreement three for 50 rooms at Bluebush Village with amended Clause 5.1 (5)(6)
5. AUTHORISE the Chief Executive to sign the attached agreements with any minor variations and any required documentation.

SPECIAL COUNCIL RESOLUTION #270/2022

Moved: Cr Kathie Lindup

Seconded: Cr Rose Mitchell

That Council ACCEPT the alternative recommendation for their consideration.

That Council: -

1. Request that Clause 5.1 Payment Obligations part (5) and (6) of all agreements be amended to read as follows;
 - (5) On the last Wednesday of the calendar month after the Commencement Date of the agreement, the Shire is to give Company X an invoice for the amount that, in accordance with this
Company X must, within 21 days of the date of each invoice, either –
 - c) pay to the Shire the full amount specified in the invoice; or
 - d) dispute all or part of the invoice in accordance with subclause (6).
 - (6) If Company X disputes all or any part of the amount specified in the invoice, then, within 21 days of the date of the invoice, Company X must –
 - c) pay the Shire that portion of the amount specified in the invoice that Company X does not dispute; and
 - d) for that portion of the invoice in dispute, comply with clause 7.2
2. Endorse Agreement one for 7 rooms at Bluebush Village with amended Clause 5.1 (5)(6)
3. Endorse Agreement two for 32 rooms at Bluebush Village with amended Clause 5.1 (5)(6)
4. Endorse Agreement three for 50 rooms at Bluebush Village with amended Clause 5.1 (5)(6)
5. AUTHORISE the Chief Executive to sign the attached agreements with any minor variations and any required documentation.

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Tammee Keast, Kathie Lindup and Rose Mitchell

Against: Nil

CARRIED BY ABSOLUTE MAJORITY 5/0

OFFICER RECOMMENDATION

That Council RESOLVES to accept the Alternate Recommendation.

SPECIAL COUNCIL RESOLUTION #271/2022

Moved: Cr Tracey Rathbone

Seconded: Cr Kathie Lindup

That Council RESOLVES to accept the Alternate Recommendation.

That Council: -

6. Request that Clause 5.1 Payment Obligations part (5) and (6) of all agreements be amended to read as follows;
 - (5) On the last Wednesday of the calendar month after the Commencement Date of the agreement, the Shire is to give Company X an invoice for the amount that, in accordance with this
Company X must, within 21 days of the date of each invoice, either –
 - e) pay to the Shire the full amount specified in the invoice; or
 - f) dispute all or part of the invoice in accordance with subclause (6).
 - (6) If Company X disputes all or any part of the amount specified in the invoice, then, within 21 days of the date of the invoice, Company X must –

e) pay the Shire that portion of the amount specified in the invoice that Company X does not dispute; and

f) for that portion of the invoice in dispute, comply with clause 7.2

7. Endorse Agreement one for 7 rooms at Bluebush Village with amended Clause 5.1 (5)(6)
8. Endorse Agreement two for 32 rooms at Bluebush Village with amended Clause 5.1 (5)(6)
9. Endorse Agreement three for 50 rooms at Bluebush Village with amended Clause 5.1 (5)(6)
10. AUTHORISE the Chief Executive to sign the attached agreements with any minor variations and any required documentation.

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Tammee Keast, Kathie Lindup and Rose Mitchell

Against: Nil

CARRIED BY ABSOLUTE MAJORITY 5/0

Councillor Sherryl Botting returned to the meeting at 6:43pm.

OFFICER RECOMMENDATION

That Council moves out of Closed Council into Open Council.

SPECIAL COUNCIL RESOLUTION #272/2022

Moved: Cr Tracey Rathbone

Seconded: Cr Tammee Keast

That Council moves out of Closed Council into Open Council.

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell

Against: Nil

CARRIED 6/0

Meeting reopened to the public at 6:47pm.

12 CLOSURE OF MEETING

The Meeting closed at 6:49pm