



# **AGENDA**

**Special Council Meeting**

**14 December 2021**

**6.00 pm**

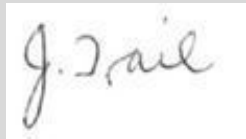
**Kambalda Recreation Centre, Barnes Drive,  
Kambalda**

**SHIRE OF COOLGARDIE**

**NOTICE OF**

Dear Elected Member

The next Special Council Meeting of the Shire of Coolgardie will be held on Tuesday 14 December 2021 commencing at 6.00 pm.

A rectangular box containing a handwritten signature in black ink that reads "J. Trail".

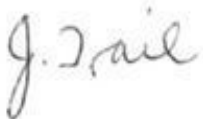
**CHIEF EXECUTIVE OFFICER**

**SPECIAL COUNCIL MEETING****14 December 2021**

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

The dates, times and locations of the Ordinary Council Meetings for 2021 are listed hereunder.

<u>Day</u>	<u>Date</u>	<u>Time</u>	<u>Venue</u>
Tuesday	January 2021	NN/A	-
Tuesday	23 February 2021	6.00pm	Kambalda
Tuesday	23 March 2021	6.00pm	Coolgardie
Tuesday	27 April 2021	6.00pm	Kambalda
Tuesday	25 May 2021	6.00pm	Coolgardie
Tuesday	22 June 2021	6.00pm	Kambalda
Tuesday	27 July 2021	6.00pm	Coolgardie
Tuesday	24 August 2021	6.00pm	Kambalda
Tuesday	28 September 2021	6.00pm	Coolgardie
Tuesday	26 October 2021	6.00pm	Kambalda
Tuesday	23 November 2021	6.00pm	Coolgardie
Tuesday	21 December 2021	6.00pm	Kambalda



James Trail  
Chief Executive Officer

**DISCLAIMER**

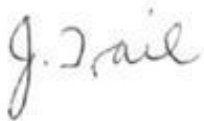
INFORMATION FOR PUBLIC ATTENDING COUNCIL MEETINGS

**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.



**QUESTION TIME FOR THE PUBLIC**

*(Please Write Clearly)*

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

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

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

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

**QUESTION TO THE PRESIDENT:-**

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

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

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**PLEASE PASS TO THE CHIEF EXECUTIVE OFFICER FOR REFERRAL TO THE PRESIDENT BY 2.30PM ON THE DAY OF THE MEETING AT THE KAMBALDA OFFICE, IRISH MULGA DRIVE, KAMBALDA OR AT THE COOLGARDIE OFFICE, BAYLEY STREET, COOLGARDIE.**

**Order Of Business**

<b>1</b>	<b>Declaration of Opening / Announcement of Visitors .....</b>	<b>11</b>
<b>1.2</b>	<b>Welcome to Country Announcement .....</b>	<b>11</b>
<b>2</b>	<b>Declaration of Council Members .....</b>	<b>11</b>
<b>3</b>	<b>Record of Attendance / Apologies / Approved Leave of Absence.....</b>	<b>11</b>
<b>4</b>	<b>Declarations of Interest .....</b>	<b>11</b>
4.1	Declarations of Financial Interests – Local Government Act Section 5.60A .....	11
4.2	Declarations of Proximity Interests – Local Government Act Section 5.60B.....	11
4.3	Declarations of Impartiality Interests – Administration Regulation 34C .....	11
<b>5</b>	<b>Public Question Time .....</b>	<b>11</b>
<b>6</b>	<b>Applications for Leave of Absence .....</b>	<b>11</b>
<b>7</b>	<b>Confirmation of Minutes of Previous Meetings.....</b>	<b>11</b>
<b>8</b>	<b>Petitions / Deputations / Presentations / Submissions .....</b>	<b>11</b>
<b>9</b>	<b>Reports of Committees.....</b>	<b>11</b>
	Nil	
<b>10</b>	<b>Reports of Officers .....</b>	<b>11</b>
<b>11</b>	<b>New Business of an Urgent Nature Introduced by Decision of Meeting .....</b>	<b>11</b>
11.1	Elected Members.....	11
11.2	Council Officers .....	11
<b>12</b>	<b>Matters Behind Closed Doors.....</b>	<b>12</b>
12.1	Proposed Workers Accommodation Village Kambalda - Business Plan for Major Trading Undertaking.....	12
<b>13</b>	<b>Closure of Meeting.....</b>	<b>13</b>

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- 1 **DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**
  - 2.1 **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"
  - 1.2 **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 – Administration Regulation 34C**
  - 5 **PUBLIC QUESTION TIME**
  - 6 **APPLICATIONS FOR LEAVE OF ABSENCE**
  - 7 **CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**
  - 8 **PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS**
  - 9 **REPORTS OF COMMITTEES**  
Nil
  - 10 **REPORTS OF OFFICERS**
  - 11 **NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING**
    - 11.1 **Elected Members**
    - 11.2 **Council Officers**

**12 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:

12.1 Proposed Workers Accommodation Village Kambalda  
- Business Plan for Major Trading Undertaking

This matter is considered to be confidential under Section 5.23(2) - d) 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 legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

13 CLOSURE OF MEETING