



CONFIRMED

MINUTES

Special Council Meeting

14 February 2023

5:30pm

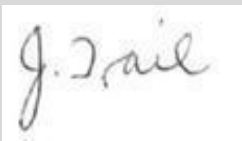
Council Chambers, Bayley Street, Coolgardie

SHIRE OF COOLGARDIE

NOTICE OF

Dear Elected Member

The next Special Council Meeting of the Shire of Coolgardie will be held on Tuesday 14 February 2023 commencing at 5:30pm.

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

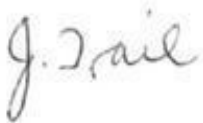
JAMES TRAIL
CHIEF EXECUTIVE OFFICER

SPECIAL COUNCIL MEETING**14 February 2023**

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

The dates, times and locations of the Ordinary Council Meetings for 2023 are listed hereunder.

<u>Day</u>	<u>Date</u>	<u>Time</u>	<u>Venue</u>
Tuesday	January 2023	N/A	-
Tuesday	28 February 2023	6.00pm	Coolgardie
Tuesday	28 March 2023	6.00pm	Kambalda
Tuesday	26 April 2023	6.00pm	Coolgardie
Tuesday	23 May 2023	6.00pm	Kambalda
Tuesday	27 June 2023	6.00pm	Coolgardie
Tuesday	25 July 2023	6.00pm	Kambalda
Tuesday	22 August 2023	6.00pm	Coolgardie
Tuesday	26 September 2023	6.00pm	Kambalda
Tuesday	24 October 2023	6.00pm	Coolgardie
Tuesday	28 November 2023	6.00pm	Kambalda
Tuesday	19 December 2023	6.00pm	Coolgardie



James Trail
Chief Executive Officer

DISCLAIMER

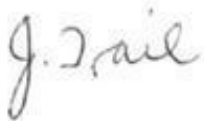
INFORMATION FOR PUBLIC ATTENDING COUNCIL MEETINGS

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 COUNCIL CHAMBERS, BAYLEY STREET, COOLGARDIE
ON TUESDAY, 14 FEBRUARY 2023 AT 5:30PM**

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Shire President, Malcolm Cullen, opened the meeting at 5:30pm 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), Rebecca Horan (Coordinator Major Projects, HR & Governance), John Ravlic (Commercial Services Consultant), Bree Crawley (Community Development Team Leader), Kasey Turner (Administration Trainee)

APOLOGIES

Nil

MEMBERS OF THE PUBLIC

Jamie Brophy, Hamish Brophy, Jan McLeod, Ann Meagher, Bob Headley

LEAVE OF ABSENCE

Nil

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 PUBLIC QUESTION TIME

Jan McLeod – Widgiemooltha

1. **What is Council's response to points raised in my submission against the granting of the lease for up to 600 rms;**
 - a) **There will be up to 1100 rms on Gnarlbine Rd?**
 - b) **There are limited or no medical services to cater for this amount of people, let alone the residents in Coolgardie?**
 - c) **The lease is to a commercial operator so why is**
 - i) **No GST included?**
 - ii) **No CPI increase?**
 - iii) **The lease \$ amount is not specified, only between \$440,000 and \$660,000 pa?**

Do not agree with assumptions or conclusions made so therefore deem this question invalid.

2. **The Purpose in the advertisement is "up to 600rm workers accommodation village". Why isn't that specified in the Special Council Resolution and Officer Recommendation?**

There is not a requirement to specify the words in the recommendation. The recommendation is valid and stands as it is for Council consideration.

3. **Why haven't traffic management plans been done in respect to the proposed 600rm camp as there are issues now with speeding and rollovers down Gnarlbine Road?**

Any requirements for traffic management will be dealt with in the Development Application. Nothing has been reported to the CEO from the Police in regard to rollovers or speeding.

4. **What is the**
 - I. **Traffic access**
 - II. **Parking areas for cars & buses?**
 - III. **Layout of the camp?**
 - IV. **Flora replacement plans? For this 600rm camp?**

If required, these issues will be dealt with under a Development Application.

5. **How will this camp fit in with the other 3 camps that abutt it?**

They will all be independent of each other.

6. **Will Council rate apply to this camp?**

Yes.

7. **How will these workers fit in with the community activities and volunteering as travel time to work + long shifts equate to long hours away from town and when rostered off they will be flying home?**

Do not agree with your assumptions or conclusions, therefore this question is not valid.

8. **How will the community know that, p.19, 'The revenue will not be used to off-set the Shire's overheads or cost of administration'?**

The community will be able to see this in reading the monthly financial management reports presented to Council.

9. **Since mining companies pay 85% of the rates and, for example, rates are received from my property RESIDENTIAL, overlaid by a MINING LEASE, rates AGAIN, why in both business plans does it state, "with declining capacity to rate"?**

The Shire is only able to rate according to legislation. Consequently, its capacity to rate using different rates in the \$ or objectives is limited.

10. **When did the legislation change for the expenditure of a Major Trading Undertaking from \$5M both Business Plans Dec 2022 to \$2M, p.16 Agenda, Feb 2023?**

Any business plans done by the Shire is in accordance with legislation and limits set under legislation.

11. **Why do you say there will be significant increase in the patronage of the Kambalda Hotel, as seen, when that was due to the mess not being operational when the camp was first occupied, whereas now the mess is operational?**

Do not agree with the assumptions or conclusions, therefore this question is not valid.

12. **How will this mess, built for the 200rm camp, be able to cater for an extra 100 workers?**

This will be dealt with in the Development Application for the new expansion if it proceeds.

13. **Since item 9.1.2 was written prior to the closure of submissions on the Business Plan, what is Council's response to;**

- i) **No parking shown on map?**
- ii) **No car, bus turnaround areas shown on plan?**
- iii) **No replacement of trees, bushes?**
- iv) **No recreational areas shown on plan?**
- v) **On land that the kids walk to school?**

Once again, these are all issues that will be dealt with at Development Application stage if required.

14. **What will happen to the side fence, which currently divides the 2 sites?**

This will be dealt with in the Development Application consideration

15. If Council approves this Kambalda camp extension, it will jeopardise any residential expansion of the town, including the Kambalda Hotel as the sewerage is only capable of 100 more connections as detailed in the camp expansion by Gold Fields, so why is Council considering approving this expansion?

Do not agree with the assumptions or conclusions, therefore this question is not valid.

16. If Council does approve this expansion, how will any RESIDENTIAL or other COMMERCIAL expansion in town occur?

Any residential or commercial expansion in town would be the subject of a development application and/or building licence. Consequently, Shire staff or Council would consider applications on their merits.

17. In relation to the Bluebush camp, ASSESSMENT OF TRANSACTION, why is it stated that, “The cost of borrowed funds is at an all-time low and will not be a significant cost burden,” when there has been 9 interest rate rises since this template was written?

Noted. Although interest rates have increased the projects continue to remain viable given the occupancy rates and agreements entered into with the Sector. Furthermore, the loans have only been taken out over 5 years.

18. The 200rm camp went from a \$4M Business Plan to a \$21M+ camp and due diligence was done on that plan, so how can the community be assured that the same won't occur again with this expansion?

A lot of assumptions are being made. Do not agree with your assumptions or conclusions. This question is not valid.

19. The viability has not been proved for the 200rm Shire camp as no figures have yet been made available to the community as promised, so wouldn't it be prudent to take a more cautious approach to see if

- i) The need is actually as stated as Kambalda will have 1,854rms available for FIFO workers without the 100rm expansion?
- ii) The existing camp is viable? And
- iii) PROFIT for the community is as promised?

The viability of the 200 person village was demonstrated in the Business Plan advertised and endorsed. Again an assumption has been made around the number of rooms available which I do not agree is valid. Financial Statements on the operations of the new village will be presented to Council either quarterly or monthly in the Council Agenda.

20. Why hasn't a traffic impact assessment and management plan been done for Bluebush Rd as traffic will be an issue?

Do not agree with the assumptions, therefore this question is invalid.

21. **Why is Council considering more loan funding when Council's Loan Policy states that the debt service coverage ratio should be above 3.0, yet it has not been above this figure since 2019?**

Currently there is not a requirement for local governments to report against financial ratio's. in the annual financial statements. The policy will need to be reviewed accordingly. Furthermore the Shire's Long Term Financial Plan will detail loan funding.

22. **Why is Council proposing to accept a tender for the installation of the camp expansion, item 9.1.4, when they have only considered approval of the Business Plan, 9.1.2, and not the APPROVAL OF THE 100RM EXPANSION itself?**

The business plan is for the 100 room expansion and the awarding of the tender is the next step in the process. The adoption of the business plan by Council is a legislative mechanism to trigger an agreement to proceed with the proposed development.

23. **What is the current principal outstanding on Council's LOANS?**

As reported to Council in the monthly financial report for the period ending 31st January 2023 page 16 - \$14.6 million

24. **What are the current interest and principal repayments on these loans?**

As reported to Council in the monthly financial report for the period ending 31st January 2023 page 16 - \$2.93 million

25. **What will happen to the Kambalda camp when there is a downturn in mining as there is no mention of this in the business plan and there should be?**

If for some reason the village is not fully occupied in a downturn, the option would present for the Shire to be able to sell rooms from the village as the Shire will own the asset.

26. **Why is this SPECIAL MEETING being held at 5.30pm when most working people are unable to attend?**

Discussions have been had that possible Council Meetings could be held in the morning, as business people have stated they prefer to attend a Council Meeting during the day.

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 DISPOSAL BY LEASE OF A PORTION OF LOT 2435 ON PLAN 107089 - CURRENTLY CROWN RESERVE 8693 GNARLBINE ROAD COOLGARDIE TO GOLDFIELDS CAMP SERVICES PTY LTD

Location: Coolgardie
Applicant: Goldfields Camps Services Pty Ltd
Disclosure of Interest: Nil
Date: 30 January 2023
Author: James Trail, Chief Executive Officer

SUMMARY

That Council APPROVES BY ABSOLUTE MAJORITY the Shire Coolgardie Lease Goldfields Camp Services Business Plan for Major Land Transaction and Major Trading Undertaking, as shown as Attachment 1, in accordance with Section 3.58 of the Local Government Act 1995, to dispose of by lease a portion of Lot 2435 on Plan 107089 – Currently Crown Reserve 8693 vested in the Shire of Coolgardie Lot 2435 Gnarlbine Road, Coolgardie, Western Australia for a workers accommodation village.

BACKGROUND

The Shire is proposing to lease a portion of Lot 2435 on Plan 107089 – Currently Crown Reserve 8693 vested in the Shire of Coolgardie for up to 150 room workers accommodation village. The worker accommodation village will provide accommodation for employees working on a local mine site. The Shire of Coolgardie is proposing to lease the land for 10 years from commencement date. The Shire resolved at the Ordinary Meeting of Council on 22nd December 2022;

RESOLUTION #289/2022

Moved: Cr Tammee Keast

Seconded: Cr Tracey Rathbone

That Council

1. By ABSOLUTE MAJORITY, pursuant to s5.42 of the Local Government Act 1995, delegate authority to the CEO to prepare a Business Plan in accordance with s3.59(2), (3) of the Local Government Act 1995, and to advertise the Plan for public comment in accordance with s3.59(4), and to bring the Plan, any public comments, and a recommendation to Council for consideration under s3.59(5) of the Act.
2. By ABSOLUTE MAJORITY, pursuant to s5.42 of the Local Government Act 1995, delegate authority to the CEO to prepare a Business Plan in accordance with s3.58(3), (4) of the Local Government Act 1995, and to advertise the Disposition by Local Public Notice for public comment in accordance with s3.58(3), and to bring the Plan, any public comments, and a recommendation to Council for consideration under s3.58(3) (b) of the Act.
3. By ABSOLUTE MAJORITY pursuant to s5.42 of the Local Government Act 1995, delegate authority to the CEO to include the following Terms and Conditions for the proposed Lease of a portion of Lot 2435 on Plan 107089 Currently Crown Reserve 8693 vested in the Shire of Coolgardie for workers accommodation:
 - (a) Lessee: Goldfields Camps Services Pty Ltd Pty Ltd

- (b) **Consideration: Annual lease payment of up to \$550,000 and contributions towards sewer and road infrastructure estimated at up to \$800,000, payment of land and sewerage rates, and payment of fees and charges for disposal of waste.**
- (c) **Market Valuation: Lease value of between \$440,000 and \$660,000 per annum**

The following public notice was advertised for public comment in accordance with s3.58(3) on Thursday 18th August 2022.

NOTICE OF DISPOSAL OF LAND SECTION 3.58 OF LOCAL GOVERNMENT ACT 1995

Notice is hereby given that the Shire of Coolgardie intends to dispose of land by way of lease.

PROPERTY:

Portion of land Lot 2435, Reserve 8693 on Plan 107089, Gnarlbine Road, Coolgardie

Lessor: Shire of Coolgardie

Lessee: Goldfields Camps Services

Purpose: Up to 600 room workers accommodation village

Commencement: 28th February 2023

Term: 10 year period

Consideration: All infrastructure and services to be paid by Lessee.

Market Valuations: Between \$440,000 and \$660,000 per annum

Copies of the disposition of land by lease of Lot 2435, Reserve 8693 on Plan 107089, Gnarlbine Road, Coolgardie can be inspected or obtained from the Shire of Coolgardie Administration Officers at Barnes Drive, Kambalda or viewed on the Shire's website at www.coolgardie.wa.gov.au

Submissions on the proposed disposition are required to be made in writing and lodged with the Chief Executive Officer, Shire of Coolgardie, PO Box 138, Kambalda WA 6442 or submitted electronically to mail@coolgardie.wa.gov.au on or before Wednesday 18th January 2023..

James Trail
Chief Executive Officer

One submission was received..

COMMENT

Many rural or remote local governments in Western Australia face declining populations. The falling population has led to stagnant or declining housing and land values and lower levels of commercial activity.

The number of households, the value of housing stock, land values and the level of commercial or industrial activity all influence the level of revenue local government is able to extract from its rate base. There is significant disparity between local government capacity to rely on own-source revenue to meet their budget needs.

Local governments that are not financially self-sufficient are less likely to be sustainable across the longer term. In Western Australia, most rural and remote councils (although representing a minority of the population) are heavily dependent on state government and commonwealth grants. The majority of these local governments receive a large proportion of their revenue from grants.- indeed several local governments' entire rate income barely covers the CEO's salary and on costs.

Most government grants are distributed on an annual basis with some certainty, however, there are no guarantees. The grant process is open to political whims of the government of the day, making it difficult for local government to plan for the future. This is why it's important for local governments to develop strong own-source income.

Service Delivery Challenge

With declining capacity to rate, local governments are faced with the sustainability challenge. Smaller populations also impact on the council's ability to collect fees and charges.

The Shire has an ongoing obligation to provide and maintain significant community assets including facilities, roads and waste and water infrastructure. Timely expenditure will ensure the Shire is not contributing to the sector's infrastructure backlog. Providing facilities and infrastructure is not cheap. Local governments also need to maintain a level of amenity and service provision to be competitive in attracting new residents, new businesses, and visitations.

The Shire's rates are raised predominately from the mining sector (over 85%). Increasingly local governments are moving away from relying on rate income and annual rate increases. For local governments to address their sustainability challenges, they need to grow their own-source income while limiting exposure risk.

The Shire economy, like the WA economy is emerging from COVID-19 related restrictions and faces a raft of new challenges in the form of supply chain disruptions, labour shortages and rising costs, punctuated by the 7.6% increase in the Perth Consumer Price Index (CPI) over the year to March 2022. Furthermore, the Shire has undergone a Gross Rental Revaluation, the last one occurring 6 years ago. The revaluation has resulted in gross rental valuations in Kambalda decreasing on average by 10.5% and in Coolgardie on average by 8%. This has implications for "balancing" the way the rate "burden" is shared across the Coolgardie community.

For the Shire to continue to strive to deliver improved and efficient services to the community with costs increasing as a minimum in excess of 7% and a decrease in gross rental values resulting in a decrease in rate revenue (unless the rates in the \$ are accordingly lifted) is impossible without generating other sources of revenue.

The Shire estimates the impact of the 7.6% increase in Perth CPI, increases in insurance, contractors, employee and operational costs to be in excess of \$1.3 million on the Shire annual operating and capital expenditure budget. In order to provide services to the community at the same level as it has done in 2021/2022 simply on rates revenue alone, given an estimated increase of in excess of \$1.3 million, would require a rate increase of in excess of 100% on residential, commercial, generally industry and light industry rate payers. Clearly this is not an action the Council could ever consider.

In order to maintain or increase the level of services to the community, in an environment of escalation costs and decrease in valuation of the majority of residential, commercial, generally industry and light industry properties in the Shire, Council has displayed exceptional leadership in planning for and progressing new revenue generating opportunities. In doing so it was in a unique position to be able to advertise only a 5% increase in the rate in the \$ for residential, commercial, generally industry and light industry rate payers in the Shire generating an estimated revenue increase of only \$81,000. The estimated increase of \$8.5 million in fees and charges associated with workers accommodation, waste facilities and the Kambalda Airport has enabled the Shire to not only improve the level of services to the community but increase the level of expenditure on renewing and maintaining roads, footpaths, drainage, buildings, and community infrastructure. Furthermore, it

has enabled the Council to consider only a 3% increase in the rate in the \$ for residential, commercial, generally industry and light industry rate payers in the Shire generating an estimated revenue increase of \$48,600.

The Shire has worked extremely hard over the past three years to create strong collaborative relationships with the mining sector, connected businesses and industry and the State Government. Consequently, the strength of these partnerships has enabled the Shire to progress revenue generating opportunities to ensure that the residential, commercial, generally industry and light industry rate payers are not burdened with massive rate increases now and into the future.

The Shire's proposed lease of land for a worker accommodation village will add another income generating asset and increase its portion of own-source income, which will also have a positive effect on its financial ratios.

The Property details are listed in the table below

Current Owner	Crown Reserve 8693 vested in the Shire of Coolgardie. The land Tenure is subject to an application to Freehold ownership to the Shire of Coolgardie
Address	Lot 2435 Gnarlbine Road, Coolgardie, Western Australia
Title Particulars	Portion of Lot 2435 on Plan 107089 Currently Crown Reserve 8693 vested in the Shire of Coolgardie
Total Land Area	Area approximately 5.5 Hectares
Zoning	Zoned rural residential under Local Planning Scheme No 5 Workforce accommodation is an "A" – use under the Scheme, which means by Council determination of the proposal following advertising.

DISPOSITION OF LAND

Public notice is required for proposed disposition of property and land, by way of lease, license or sale pursuant to Section s.3.58 and 3.59 of the Local Government Act 1995.

Pursuant to this; the Shire of Coolgardie needs to give public notice of consideration by the Shire Coolgardie to enter into a lease with Goldfields Camp Services Pty Ltd for a portion of Lot 2435 on Plan 107089 Currently Crown Reserve 8693 vested in the Shire of Coolgardie for workers accommodation

The portion of land of Lot 2435 on Plan 107089 Currently Crown Reserve 8693 vested in the Shire of Coolgardie is adjacent to a current workers accommodation village. Power, water and sewerage infrastructure exists on the adjacent site that can be potentially utilised.

Mining companies have approached the Shire seeking available land for workers accommodation. The demand for workers accommodation is at a crisis point. The Shire's investment in facilitating the proposed lease of land will go some way to addressing this crisis, which will further enable local economic growth underpinned by the mining sector.

The purpose of the proposed lease is to facilitate workers accommodation for Goldfields Camp Services Pty Ltd..

KEY TERMS OF THE PROPOSED LEASE

Lessor:	Shire Coolgardie
Lessee:	Goldfields Camp Services Pty Ltd
Area:	Lot 2435 on Deposited Plan 107089 being a portion of the land contained in certificate of title volume LR3132 folio 189
Purpose:	Workers Accommodation
Commencement:	28 February 2023.
Term:	4 years with a further two options of 4 years ceasing on 31st October 2034
Permissible Use:	Workers Accommodation
Consideration:	All infrastructure and services to be paid by Lessee.
Market Valuation:	Between \$440,000 and \$660,000 per annum

CONSULTATION

Council Members

State Agencies

Goldfields Camp Services

STATUTORY ENVIRONMENT

Section 3.59 of the Local Government Act 1995 details the process governing Commercial Enterprises by local governments, including Major Land Transactions and Major Trading Undertakings.

For a local government which is not in the metropolitan area, or is not a major regional centre (defined in the LGA as having more than 20,000 population) a Major Land Transaction is defined by the Act to be a land transaction that is not exempt under the Act, and where the total value of:

- a) The consideration under the transaction; and
- b) Anything done by the local government for achieving the purposes of the transaction; is more, or is worth the lesser of, \$2 million, or 10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year.

For a local government which is not in the metropolitan area, or is not a major regional centre (defined in the LGA as having more than 20,000 population) a Major Trading Undertaking is defined as a trading undertaking that:

- a) in the last completed financial year, involved; or
- b) in the current financial year or the financial year after the current financial year, is likely to involve; expenditure by the local government of the lesser of, \$2 million, or 10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year.

The Trading Undertaking means an activity carried on by a local government with a view to producing profit.

Before the Shire enters into a Major Land Transaction or commences a Major Trading Undertaking, it is required to prepare a Business Plan that includes an overall assessment of the proposed Major Trading Undertaking and Major Land Transaction including:

- a) expected effect on the provision of facilities and services by the Shire;

- b) expected effect on other persons providing facilities and services in the district;
- c) expected financial effect on the Shire;
- d) expected effect on the Shire's Plan for the future;
- e) the ability of the Shire to manage the performance of the transactions; and
- f) any other matter prescribed for the purposes of the subsection.

The Local Government Act 1995 also requires the Shire to give state-wide public notice that:

- the Shire proposes to enter into a Major Land Transaction and Major Trading Undertaking described in the notice; and
- a copy of the Business Plan may be inspected or obtained at any place specified in the notice.

The Shire is to make a copy of the Business Plan available for public inspection in accordance with the notice. The Shire is to also publish a copy of the Business Plan on its official website.

Submissions about the proposed land transaction or undertaking may be made to the Shire before a day to be specified in the notice, being a day that is not less than six weeks after the notice is given.

After the last day for submissions, the Shire is to consider any submissions made and may decide by absolute majority to proceed with the undertaking and transaction as proposed or so that it is not significantly different from what was proposed.

Public notice is also required for any proposed disposition of property and land, by way of lease, license or sale pursuant to Section s.3.58 and 3.59 of the Local Government Act 1995.

Section 3.58 of the Local Government Act 1995 states;

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

- (a) it gives local public notice of the proposed disposition –
 - (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government

before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

In summary, the details of the disposition must be disclosed, including the description of the property in question, the consideration (price) and the market value.

Public comments are to be invited on the proposed disposition and the submissions will be considered by Council after the closing date, should submissions be made.

POLICY IMPLICATIONS

N/A

FINANCIAL IMPLICATIONS

Financial analysis has been undertaken for the option of leasing land for workers accommodation.

The proposed lease indicates that a lease for workers accommodation will include but not limited to:

- Annual lease fee for the portion of land estimated up to \$550,000
- Payment of land and sewerage rates
- Payment of fees and charges for disposal of waste

- Contribution towards infrastructure estimated up to \$800,000

Additional revenue from the proposed lease of land for workers accommodation will assist the Shire to maintain or increase the level of services to the community, in an environment of escalating costs and decrease in valuation of the majority of residential, commercial, generally industry and light industry properties in the Shire. The Shire has an ongoing obligation to provide and maintain significant community assets including facilities roads and waste and water infrastructure and deliver services.

2022/23 Budget

The Shire has adopted its 2022/23 Annual Budget. The 2022/23 budget concentrates on core services, efficiencies, an extensive array of community initiatives and renewal and maintenance of the Shires many assets.

The 2022/2023 Annual Budget highlights operating revenue of \$26,895,575 compared to \$13,821,180 in 2021/2022 and operating expenditure of \$24,079,858 compared to \$16,728,630 in 2021/2022. Consequently, for the 2022/2023 year the budget operating surplus is \$2,815,717 compared to an operating deficit in 2021/2022 of \$2,907,450. This extraordinary turn around estimated at \$5,723,167 is a direct result of the progression of new revenue generating opportunities. Furthermore, for the first time, the Shire will end up with an estimated positive operating surplus ratio.

The 2022/2023 Annual Budget also highlights an estimated \$7,296,251 net cash provided by operating activities. The significance of this cannot be underestimated. Very few local governments in WA would have a ratio of 74% of rates revenue contributing to the renewal of road, building, footpath, drainage and community infrastructure.

Further highlights of the 2022/2023 Annual Budget include ambitious estimated capital expenditure programme of \$29.7 million. This includes;

- Renewal Carins Road \$900,000
- Renewal Coolgardie North Road \$400,000
- Renewal Gnarlbine Road \$200,000
- Renewal Ladyloch/Tindals Intersection \$400,000
- Renewal Sharpe Drive Kurrawang \$300,000
- Coolgardie Sewerage Renewal \$1,600,000
- Drainage Renewal \$100,000
- Coolgardie Refuse Site Renewal \$275,000
- Processing Facility for Plastics and Tyres Coolgardie Refuse Site \$4,000,000
- Kambalda Airport Runway Renewal including lighting and fencing \$6,650,000
- EV Charging Station \$100,000
- Completion of Coolgardie Cultural and Community Hub \$640,000
- Coolgardie Cultural and Community Hub Fit Out \$150,000
- Tyre Shredder for Coolgardie Refuse Site \$1,000,000
- Completion of Kambalda Workers Accommodation Village \$7,300,000.
- Land Development Planning \$80,000
- Repayment of Borrowing estimated at \$1.6 million

Operating Highlights of the 2022/2023 Annual Budget include estimated expenditure of \$10.5 million and increase of \$1.7 million from 2021/2022;

- Kambalda Resource Centre operations and activities \$148,000
- Coolgardie Resource Centre operations and activities \$234,100
- Meals on Wheels Programme \$60,000
- Law and order and public safety \$244,000
- Provision of health services \$480,000
- Provision of mental health and wellbeing \$100,000
- Maintenance aged care accommodation \$127,000
- Provision of waste services \$1,840,000
- Coolgardie Swimming Pool operations and activities \$290,275
- Kambalda Swimming Pool operations and activities \$568,000
- Maintenance Parks, Gardens and Reserves \$1,239,000
- Coolgardie Recreation Centre operations and activities \$429,000
- Kambalda Recreation Centre operations and activities \$1,150,000
- Community Development and Heritage \$403,000
- Road, footpath, verge maintenance \$2,160,000
- Tourism and Area promotion and activities \$592,000
- Economic Development \$470,000

Direct Community Benefit

The revenue from the proposed lease for workers accommodation village will contribute directly to benefit the community. The revenue will not be used to off-set the Shire's overheads or cost of administration. The revenue will be used to maintain and enhance services, community programmes and events and community 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

An inclusive, safe and vibrant community

Attracting funding to support the sustainability and growth of our local Community groups

Effective management of infrastructure, heritage and environment

Facilitating urban and rural planning and development

ATTACHMENTS

1. J McLeod - Submission - Disposal of Land

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council;

1. APPROVES BY ABSOLUTE MAJORITY the Shire Coolgardie Lease Goldfields Camp Services Pty Ltd Business Plan for Major Land Transaction and Major Trading Undertaking, as shown as Attachment 1, in accordance with Section 3.58 of the Local Government Act 1995, to dispose of by lease a portion of Lot 2435 on Plan 107089 – Currently Crown Reserve 8693 vested in the Shire of Coolgardie Lot 2435 Gnarlbine Road, Coolgardie, Western Australia for a workers accommodation village
2. Approves by Absolute Majority for the following Terms and Conditions for the proposed lease of a Portion of Lot 2435 on Plan 107089 – currently Crown Reserve 8693 vested in the Shire of Coolgardie to apply:
 - a. Lessor: Shire Coolgardie
 - b. Lessee: Goldfields Camp Services Pty Ltd
 - c. Lease Area: Lot 2435 on Deposited Plan 107089 – being a portion of the land contained in certificate of title volume LR3132 folio 189.
 - d. Purpose: Workers Accommodation
 - e. Commencement: 28th February 2023
 - f. Term: 10 years commencing on the Commencement Date and expiring on the Expiry Date, unless terminated earlier
 - g. Permissible Use: Workers Accommodation
 - h. Consideration: All infrastructure and services to be paid by the Lessee.
 - i. Annual lease payment of between \$440,000 and \$660,000 per annum

MOTION

Moved: Cr Tracey Rathbone

Seconded: Cr Rose Mitchell

That Council;

1. APPROVES BY ABSOLUTE MAJORITY the Shire Coolgardie Lease Goldfields Camp Services Pty Ltd Business Plan for Major Land Transaction and Major Trading Undertaking, as shown as Attachment 1, in accordance with Section 3.58 of the Local Government Act 1995, to dispose of by lease a portion of Lot 2435 on Plan 107089 – Currently Crown Reserve 8693 vested in the Shire of Coolgardie Lot 2435 Gnarlbine Road, Coolgardie, Western Australia for a workers accommodation village
2. Approves by Absolute Majority for the following Terms and Conditions for the proposed lease of a Portion of Lot 2435 on Plan 107089 – currently Crown Reserve 8693 vested in the Shire of Coolgardie to apply:
 - a. Lessor: Shire Coolgardie

- b. Lessee: Goldfields Camp Services Pty Ltd
- c. Lease Area: Lot 2435 on Deposited Plan 107089 – being a portion of the land contained in certificate of title volume LR3132 folio 189.
- d. Purpose: Workers Accommodation
- e. Commencement: 28th February 2023
- f. Term: 10 years commencing on the Commencement Date and expiring on the Expiry Date, unless terminated earlier
- g. Permissible Use: Workers Accommodation
- h. Consideration: All infrastructure and services to be paid by the Lessee.
- i. Annual lease payment of between \$440,000 and \$660,000 per annum

In Favour: Nil

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

LOST 0/6

OFFICER RECOMMENDATION

That Council ACCEPT the alternate Officer Recommendation for consideration.

SPECIAL COUNCIL RESOLUTION #05/2023

Moved: Cr Tracey Rathbone

Seconded: Cr Rose Mitchell

That Council ACCEPT the alternate Officer Recommendation for consideration.

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

Against: Nil

CARRIED BY ABSOLUTE MAJORITY 6/0

ALTERNATIVE RECOMMENDATION

That Council;

1. APPROVES BY ABSOLUTE MAJORITY the Shire Coolgardie Lease Goldfields Camp Services Pty Ltd Business Plan for Major Land Transaction and Major Trading Undertaking, in accordance with Section 3.58 of the Local Government Act 1995, to dispose of by lease a portion of Lot 2435 on Plan 107089 – Currently Crown Reserve 8693 vested in the Shire of Coolgardie Lot 2435 Gnarlbine Road, Coolgardie, Western Australia for a workers accommodation village
2. Approves by Absolute Majority for the following Terms and Conditions for the proposed lease of a Portion of Lot 2435 on Plan 107089 – currently Crown Reserve 8693 vested in the Shire of Coolgardie to apply:
 - a. Lessor: Shire Coolgardie

- b. Lessee: Goldfields Camp Services Pty Ltd
 - c. Lease Area: Lot 2435 on Deposited Plan 107089 – being a portion of the land contained in certificate of title volume LR3132 folio 189.
 - d. Purpose: Workers Accommodation
 - e. Commencement: 28th February 2023
 - f. Term: 10 years commencing on the Commencement Date and expiring on the Expiry Date, unless terminated earlier
 - g. Permissible Use: Workers Accommodation
 - h. Consideration: All infrastructure and services to be paid by the Lessee.
 - i. Annual lease payment of between \$440,000 and \$660,000 per annum
3. Authorise the Shire President and CEO to affix the Common Seal on required documents

OFFICER RECOMMENDATION

That Council RESOLVES to accept the alternate Officer Recommendation.

SPECIAL COUNCIL RESOLUTION #06/2023

Moved: Cr Tracey Rathbone

Seconded: Cr Tammee Keast

That Council RESOLVES to accept the alternate Officer Recommendation.

That Council;

1. **APPROVES BY ABSOLUTE MAJORITY the Shire Coolgardie Lease Goldfields Camp Services Pty Ltd Business Plan for Major Land Transaction and Major Trading Undertaking, in accordance with Section 3.58 of the Local Government Act 1995, to dispose of by lease a portion of Lot 2435 on Plan 107089 – Currently Crown Reserve 8693 vested in the Shire of Coolgardie Lot 2435 Gnarlbine Road, Coolgardie, Western Australia for a workers accommodation village**
2. **Approves by Absolute Majority for the following Terms and Conditions for the proposed lease of a Portion of Lot 2435 on Plan 107089 – currently Crown Reserve 8693 vested in the Shire of Coolgardie to apply:**
 - a. **Lessor: Shire Coolgardie**
 - b. **Lessee: Goldfields Camp Services Pty Ltd**
 - c. **Lease Area: Lot 2435 on Deposited Plan 107089 – being a portion of the land contained in certificate of title volume LR3132 folio 189.**
 - d. **Purpose: Workers Accommodation**
 - e. **Commencement: 28th February 2023**
 - f. **Term: 10 years commencing on the Commencement Date and expiring on the Expiry Date, unless terminated earlier**
 - g. **Permissible Use: Workers Accommodation**
 - h. **Consideration: All infrastructure and services to be paid by the Lessee.**
 - i. **Annual lease payment of between \$440,000 and \$660,000 per annum**
3. **Authorise the Shire President and CEO to affix the Common Seal on required documents**

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

Against: Nil

CARRIED BY ABSOLUTE MAJORITY 6/0



SUBMISSION FORM – DISPOSAL OF LAND

Reserve 8693, Lot 2435 on Plan 107089, Gnarlbine Road, Coolgardie

Submitter Identification	
Name	MRS. JAN MCLEOD
Contact Phone	0427 208023
Postal Address	WIDGIEMOOLTHA via NORSEMAN WA 6443
Email	- j.mcleod 17-01-2023

Details of property affected by the proposal	
Affected property Address	
Current use (i.e. Business / residence)	
Details of the impact	

- Object
- Do not object

Comments
I object to the leasing of the land to Goldfields Camps Services Pty. Ltd as it is for a 600 room camp.
Adjacent to this site to the north is SITE 1, ~ 3.1 ha leased to RANGECON for 20 yrs for up to a 150 room camp.
On the south side is SITE 3, just over 2.2 ha leased to Focus for up to a 150 room camp.
On the east side is the existing and operational FORD BAYLEY CAMP with the capability of housing

200 workers.

This equates to a total of 1100 FIFO workers

Considering the lack of medical services in town, the impact of traffic movements on the local residents and the rosters that limit community involvement; another camp, especially of this size (600m) will not benefit the town of Coolgardie.

As the lease is to a commercial operator, I question the fact that no GST is included and it is up to \$550,000 per year which means it may not even be that much and that value is just the mean lease value of the market valuation.

Also, no increases due to CPI or any other reasons are included as it is a flat rate for 10 years. The vagueness of the financial obligation and other contributions to road and sewer - not defined - concern me.

For these reasons I am against the Disposal of Land by Lease a portion of Lot 2435 on Plan 107089, Gnarlbine Road, COOLGARDIE.

Yours faithfully,

* FOR PUBLICATION *

Jill Leod 17/01/2023
(Mrs J. McLeod)

WIDGIEMOULTHA

**9.1.2 PROPOSED WORKERS ACCOMMODATION VILLAGE EXPANSION KAMBALDA
- BUSINESS PLAN FOR MAJOR TRADING UNDERTAKING**

Location: Kambalda
Applicant: Nil
Disclosure of Interest: Nil
Date: 1 February 2023
Author: James Trail, Chief Executive Officer

SUMMARY

That Council APPROVES BY ABSOLUTE MAJORITY - The Business Plan for Major Land Transaction and Major Trading Undertaking, in accordance with Section 3.59 of the Local Government Act 1995 to expand Bluebush Village by 100 rooms located at Lot 562 Bluebush Road, Kambalda West, Western Australia.

BACKGROUND

Council at its Ordinary Meeting held on the 22nd December 2022 resolved the following:-

RESOLUTION #1/2022

Moved: Cr Kathie Lindup
Seconded: Cr Sherryl Botting

That By ABSOLUTE MAJORITY, pursuant to s5.42 of the Local Government Act 1995, delegate authority to the CEO to prepare a Business Plan in accordance with s3.59(2), (3) of the Local Government Act 1995, and to advertise the Plan for public comment in accordance with s3.59(4), and to bring the Plan, any public comments, and a recommendation to Council for consideration under s3.59(5) of the Act.

COMMENT

The CEO prepared a Business Plan and the following public notice was advertised for public comment in accordance with s3.59(4) of the Local Government Act.

**MAJOR LAND TRANSACTION AND MAJOR TRADING UNDERTAKING****Lot 562 Bluebush Road, Kambalda West**

The Shire of Coolgardie is proposing to expand Bluebush Village with an additional 100 rooms located at Lot 562 Bluebush Road Kambalda West, Western Australia.

A Business Plan has been prepared in accordance with Section 3.59 of the Local Government Act 1995.

A copy can be inspected or obtained from the Shire of Coolgardie Administration Offices at Barnes Drive, Kambalda or viewed on the Shire's website at www.coolgardie.wa.gov.au

Public submissions are invited on the proposed business plan and should be addressed to the Chief Executive Officer, Shire of Coolgardie, PO Box 138, Kambalda WA 6442.

Submissions must be received by 10.00am (WST) Monday 6th February 2023.

At the close of the advertising period Council will consider all submissions and make determination on the proposed Business Plan.

James Trail
Chief Executive Officer

The public notice was advertised in the West Australian and Kalgoorlie Miner on Friday 23rd December 2022 and the Shire of Coolgardie website. Submissions closed at 10am on Monday 6th February 2023 and one submission was received.

CONSULTATION

Community

Staff

Mining Industry

Businesses

STATUTORY ENVIRONMENT

Section 3.59 of the LGA sets out the steps required for commercial enterprises by local governments and Section 10 of the Local Government (Functions and General) Regulations 1996 sets out the requirements for a business plan for a major trading undertaking. As required by Section 3.59 of the LGA, local governments undertaking commercial enterprises are required to:

1. Prepare a business plan;
2. Undertake local and statewide advertising of the business plan; and
3. Consider any submissions received. The Business Plan for the Major Trading Undertaking is required under section 3.59 of the LGA because it's an activity carried out by the Local Government with a view to producing profit to it.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Risk analysis was done as part of due diligence in preparation of the financial modelling including the business plan to ensure the workers accommodation village would generate sufficient funds to cover the cost of servicing the loan funds. Ultimately any loan funding provided to the Shire from any financial institution will be subject to due diligence and risk assessment.

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

Effective management of infrastructure, heritage and environment

Supporting the development of diverse housing and land options

ATTACHMENTS**1. J McLeod Submission - Proposed Workers Accommodation Village Expansion****VOTING REQUIREMENT**

Absolute Majority

OFFICER RECOMMENDATION

That Council APPROVES BY ABSOLUTE MAJORITY - The Business Plan for Major Land Transaction and Major Trading Undertaking, in accordance with Section 3.59 of the Local Government Act 1995 to expand Bluebush Village by 100 rooms located at Lot 562 Bluebush Road, Kambalda West, Western Australia.

SPECIAL COUNCIL RESOLUTION #07/2023

Moved: Cr Tracey Rathbone

Seconded: Cr Sherryl Botting

That Council APPROVES BY ABSOLUTE MAJORITY - The Business Plan for Major Land Transaction and Major Trading Undertaking, in accordance with Section 3.59 of the Local Government Act 1995 to expand Bluebush Village by 100 rooms located at Lot 562 Bluebush Road, Kambalda West, Western Australia.

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

Against: Nil

CARRIED BY ABSOLUTE MAJORITY 6/0

SHIRE OF COOLGARDIE
 RECORD No
 OFFICER: *Kree Crawley*
 06 FEB 2023
 FILE No
 ACTION DATE: *Received 8:56am*



FOR PUBLICATION
J McLeod 6-2-2023

SUBMISSION FORM – MAJOR LAND TRANSACTION & MAJOR TRADING UNDERTAKING

LOT 562 BLUEBUSH ROAD, KAMBALDA

Submitter Identification	
Name	<i>MRS JAN MCLEOD</i>
Contact Phone	<i>0427208023</i>
Postal Address	<i>WIDGIEMOOLTHA via NORSEMAN WA 6443</i>
Email	<i>-</i>

Details of property affected by the proposal	
Affected property Address	
Current use (i.e. Business / residence)	
Details of the impact	

- Object *J McLeod 6-2-2023*
 Do not object

Comments

I object to the EXPANSION of the BLUEBUSH VILLAGE for the following reasons :-

- without this expansion and not counting the hotel's rooms and their proposed expansion, there will be 1,822 rooms available for FIFO workers in Kambalda*
- the costs for the 200 m camp went from \$4M*

②

to \$21+M

- the costs for this expansion will no doubt increase as no installation costs have been detailed
- the Shire has not proved the viability of the 200m camp and this should be done prior to any expansion
- the figures in this plan are static (not increasing) over the life of the plan - this is unrealistic
- the Shire blamed cost increases for the costs increasing dramatically for the 200m camp (\$4-21M)
- poor accounting
- are the figures GST inclusive or exclusive?
- it has not been shown if the mess at the 200m camp is able to cater for another 100 people
- parking will be an issue as cars are parking in the NURSING POST carpark now
- no parking shown on plan
- no bus turnaround shown on plan
- no trees, no replacement flora
- no recreation areas shown incl. indoor and outdoor
- increase in traffic will ~~cause~~ impact residents in BLUEBUSH RD.
- on land that kids walk to school
- Council does not mention income from grants
- decrease in house valuations does not impact rates revenue significantly as only 15% of rates whereas mining tenements have had increases in valuations which accounts for 85% of rates
- has not been shown that FIFO workers integrate into community life
 - lack of volunteers
 - lack of sporting teams

(cont →)

(3)

- since the MESS is now operational at the camp, the workers aren't going to the Hotel for meals, as they were
- interest rates are not at an "all-time low" as there has been at least 4 interest rate rises
- the commercial operators not counting the hotel will account for 1614 rooms + hotel (32) = 1646 Rooms
- no actual financial figures have been provided for the 200 rm camp
- there is no close-out plan for the 200 rm camp nor this expansion when mining declines
- no specific figures on how the \$6M will be accounted
- limited medical services
- variable interest rates now 8% p.a.
- if this expansion and the hotel's expansion go ahead :-

2,054 ROOMS

1646	
+ 200	- shire
100	- shire expansion
100	- hotel expansion
<u>2054</u>	

For all of the above reasons, I am against, OBJECT, to the expansion of Bluebush Village.

J. McLeod
6-2-2023

9.1.3 MAJOR TRADING UNDERTAKING RESERVE 8693, LOT 2435 ON PLAN 107089, GNARLBINE ROAD COOLGARDIE - GOLDFIELDS CAMP SERVICES PTY LTD

Location: Coolgardie
Applicant: Goldfields Camp Services Pty Ltd
Disclosure of Interest: Nil
Date: 1 February 2023
Author: James Trail, Chief Executive Officer

SUMMARY

That Council APPROVES BY ABSOLUTE MAJORITY the Shire Coolgardie Lease Goldfields Camp Services Pty Ltd Business Plan for Major Land Transaction and Major Trading Undertaking, in accordance with Section 3.59 of the Local Government Act 1995, to lease a portion of Lot 2435 on Plan 107089 - Currently Crown Reserve 8693 vested in the Shire of Coolgardie Lot 2435 Gnarlbine Road, Coolgardie, Western Australia for up to 600 room workers accommodation village.

BACKGROUND

Council at its Ordinary Meeting held on Tuesday 22nd December 2023 resolved the following:-

RESOLUTION #289/2022

Moved: Cr Tammee Keast

Seconded: Cr Tracey Rathbone

That Council

1. **By ABSOLUTE MAJORITY, pursuant to s5.42 of the Local Government Act 1995, delegate authority to the CEO to prepare a Business Plan in accordance with s3.59(2), (3) of the Local Government Act 1995, and to advertise the Plan for public comment in accordance with s3.59(4), and to bring the Plan, any public comments, and a recommendation to Council for consideration under s3.59(5) of the Act.**
2. **By ABSOLUTE MAJORITY, pursuant to s5.42 of the Local Government Act 1995, delegate authority to the CEO to prepare a Business Plan in accordance with s3.58(3), (4) of the Local Government Act 1995, and to advertise the Disposition by Local Public Notice for public comment in accordance with s3.58(3), and to bring the Plan, any public comments, and a recommendation to Council for consideration under s3.58(3) (b)of the Act.**
3. **By ABSOLUTE MAJORITY pursuant to s5.42 of the Local Government Act 1995, delegate authority to the CEO to include the following Terms and Conditions for the proposed Lease of a portion of Lot 2435 on Plan 107089 Currently Crown Reserve 8693 vested in the Shire of Coolgardie for workers accommodation:**
 - (a) **Lessee: Goldfields Camps Services Pty Ltd Pty Ltd**
 - (b) **Consideration: Annual lease payment of up to \$550,000 and contributions towards sewer and road infrastructure estimated at up to \$800,000, payment of land and sewerage rates, and payment of fees and charges for disposal of waste.**
 - (c) **Market Valuation: Lease value of between \$440,000 and \$660,000 per annum**

COMMENT

The Shire is proposing to lease a portion of Lot 2435 on Plan 107089 – Currently Crown Reserve 8693 vested in the Shire of Coolgardie for up to 600 room workers accommodation village. The worker accommodation village will provide accommodation for employees working on a local mine site. The Shire of Coolgardie is proposing to lease the land for 10 years from commencement date.

The following public notice was advertised on the Shire of Coolgardie website and in the Kalgoorlie Miner and West Australian on Friday 23rd December 2022 for public comment in accordance with s3.59(4) of the Local Government Act 1995.



MAJOR LAND TRANSACTION AND MAJOR TRADING UNDERTAKING
RESERVE 8693 LOT 2435 ON PLAN 107089, GNARLBINE ROAD, COOLGARDIE

The Shire of Coolgardie is proposing to lease a portion of Lot 2435 on Plan 107089 Currently in Crown Reserve 8693 vested in the Shire of Coolgardie for up to 600 room workers accommodation village. The Shire of Coolgardie is proposing to lease the land for 10 years.

Currently Crown Reserve 8693 is vested in the Shire of Coolgardie and the land tenure is subject to an application to freehold ownership to the Shire of Coolgardie. Crown Reserve 8693 is currently zoned rural residential under Local Planning Scheme No 5.

A Business Plan has been prepared in accordance with Section 3.59 of the Local Government Act 1995. A copy can be inspected or obtained from the Shire of Coolgardie Administration Offices at Barnes Drive, Kambalda or viewed on the Shire's website at www.coolgardie.wa.gov.au

Public submissions are invited on the proposed business plan and should be addressed to the Chief Executive Officer, Shire of Coolgardie, PO Box 138, Kambalda WA 6442.

Submissions must be received by 4.00pm (WST) Tuesday 7th February 2023.

At the close of the advertising period Council will consider all submissions and make determination on the proposed Business Plan.

James Trail
Chief Executive Officer

Submissions closed at 4pm on Tuesday 7th February 2023 and one submission was received

CONSULTATION

Council Members

State Agencies

Mining Company

STATUTORY ENVIRONMENT

Section 3.59 of the Local Government Act 1995 details the process governing Commercial Enterprises by local governments, including Major Land Transactions and Major Trading Undertakings.

For a local government which is not in the metropolitan area, or is not a major regional centre (defined in the LGA as having more than 20,000 population) a Major Land Transaction is defined by the Act to be a land transaction that is not exempt under the Act, and where the total value of:

- a) The consideration under the transaction; and
- b) Anything done by the local government for achieving the purposes of the transaction; is more, or is worth the lesser of, \$2 million, or 10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year..

For a local government which is not in the metropolitan area, or is not a major regional centre (defined in the LGA as having more than 20,000 population) a Major Trading Undertaking is defined as a trading undertaking that:

- a) in the last completed financial year, involved; or
- b) in the current financial year or the financial year after the current financial year, is likely to involve; expenditure by the local government of the lesser of, \$2 million, or 10% of the operating expenditure incurred by the local government from its municipal fund in the last completed financial year.

The Trading Undertaking means an activity carried on by a local government with a view to producing profit.

Before the Shire enters into a Major Land Transaction or commences a Major Trading Undertaking, it is required to prepare a Business Plan that includes an overall assessment of the proposed Major Trading Undertaking and Major Land Transaction including:

- a) expected effect on the provision of facilities and services by the Shire;
- b) expected effect on other persons providing facilities and services in the district;
- c) expected financial effect on the Shire;
- d) expected effect on the Shire's Plan for the future;
- e) the ability of the Shire to manage the performance of the transactions; and
- f) any other matter prescribed for the purposes of the subsection.

The Local Government Act 1995 also requires the Shire to give state-wide public notice that:

- the Shire proposes to enter into a Major Land Transaction and Major Trading Undertaking described in the notice; and
- a copy of the Business Plan may be inspected or obtained at any place specified in the notice.

The Shire is to make a copy of the Business Plan available for public inspection in accordance with the notice. The Shire is to also publish a copy of the Business Plan on its official website.

Submissions about the proposed land transaction or undertaking may be made to the Shire before a day to be specified in the notice, being a day that is not less than six weeks after the notice is given.

After the last day for submissions, the Shire is to consider any submissions made and may decide by absolute majority to proceed with the undertaking and transaction as proposed or so that it is not significantly different from what was proposed.

Public notice is also required for any proposed disposition of property and land, by way of lease, license or sale pursuant to Section s.3.58 and 3.59 of the Local Government Act 1995.

Section 3.58 of the Local Government Act 1995 states;

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

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

- (i) describing the property concerned; and
- (ii) giving details of the proposed disposition; and
- (iii) inviting submissions to be made to the local government

before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

In summary, the details of the disposition must be disclosed, including the description of the property in question, the consideration (price) and the market value.

Public comments are to be invited on the proposed disposition and the submissions will be considered by Council after the closing date, should submissions be made.

POLICY IMPLICATIONS

N/A

FINANCIAL IMPLICATIONS

Financial analysis has been undertaken for the option of leasing land for workers accommodation.

The proposed lease indicates that a lease for workers accommodation will include but not limited to:

- Annual lease fee for the portion of land estimated up to \$550,000
- Payment of land and sewerage rates
- Payment of fees and charges for disposal of waste
- Contribution towards infrastructure estimated up to \$800,000

Additional revenue from the proposed lease of land for workers accommodation will assist the Shire to maintain or increase the level of services to the community, in an environment of escalating costs and decrease in valuation of the majority of residential, commercial, generally industry and light industry properties in the Shire. The Shire has an ongoing obligation to provide and maintain significant community assets including facilities roads and waste and water infrastructure and deliver services.

2022/23 Budget

The Shire has adopted its 2022/23 Annual Budget. The 2022/23 budget concentrates on core services, efficiencies, an extensive array of community initiatives and renewal and maintenance of the Shires many assets.

The 2022/2023 Annual Budget highlights operating revenue of \$26,895,575 compared to \$13,821,180 in 2021/2022 and operating expenditure of \$24,079,858 compared to \$16,728,630 in 2021/2022. Consequently, for the 2022/2023 year the budget operating surplus is \$2,815,717 compared to an operating deficit in 2021/2022 of \$2,907,450. This extraordinary turn around estimated at \$5,723,167 is a direct result of the progression of new revenue generating opportunities. Furthermore, for the first time, the Shire will end up with an estimated positive operating surplus ratio.

The 2022/2023 Annual Budget also highlights an estimated \$7,296,251 net cash provided by operating activities. The significance of this cannot be underestimated. Very few local governments in WA would have a ratio of 74% of rates revenue contributing to the renewal of road, building, footpath, drainage and community infrastructure.

Further highlights of the 2022/2023 Annual Budget include an ambitious estimated capital expenditure programme of \$29.7 million. This includes;

- Renewal Carins Road \$900,000
- Renewal Coolgardie North Road \$400,000
- Renewal Gnarlbine Road \$200,000
- Renewal Ladyloch/Tindals Intersection \$400,000
- Renewal Sharpe Drive Kurrawang \$300,000
- Coolgardie Sewerage Renewal \$1,600,000
- Drainage Renewal \$100,000
- Coolgardie Refuse Site Renewal \$275,000
- Processing Facility for Plastics and Tyres Coolgardie Refuse Site \$4,000,000
- Kambalda Airport Runway Renewal including lighting and fencing \$6,650,000
- EV Charging Station \$100,000
- Completion of Coolgardie Cultural and Community Hub \$640,000
- Coolgardie Cultural and Community Hub Fit Out \$150,000
- Tyre Shredder for Coolgardie Refuse Site \$1,000,000
- Completion of Kambalda Workers Accommodation Village \$7,300,000
- Land Development Planning \$80,000
- Repayment of Borrowing estimated at \$1.8 million

Operating Highlights of the 2022/2023 Annual Budget include estimated expenditure of \$10.5 million and increase of \$1.7 million from 2021/2022 ;

- Kambalda Resource Centre operations and activities \$148,000
- Coolgardie Resource Centre operations and activities \$234,100
- Meals on Wheels programme \$60,000
- Law and order and public safety \$244,000
- Provision of Health Services \$480,000
- Provision of mental health and wellbeing \$100,000
- Maintenance aged care accommodation \$127,000
- Provision of waste services \$1,840,000
- Coolgardie Swimming Pool operations and activities \$290,275
- Kambalda Swimming Pool operations and activities \$568,000
- Maintenance Parks, Gardens and Reserves \$1,239,000
- Coolgardie Recreation Centre operations and activities \$429,000
- Kambalda Recreation Centre operations and activities \$1,150,000
- Community Development and Heritage \$403,000
- Road, footpath, verge maintenance \$2,160,000
- Tourism and Area promotion and activities \$592,000
- Economic Development \$470,000

Direct Community Benefit

The revenue from the proposed lease for worker's accommodation village will contribute directly to benefit the community. The revenue will not be used to off-set the Shire's overheads or cost of administration. The revenue will be used to maintain and enhance services, community programmes and events and community 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

An inclusive, safe and vibrant community

Attracting funding to support the sustainability and growth of our local Community groups

Effective management of infrastructure, heritage and environment

Facilitating urban and rural planning and development

ATTACHMENTS

1. **J McLeod Submission - Major Land Transaction and Major Undertaking Reserve 8693, Lot 2435 Gnarlbine Road**

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council APPROVES BY ABSOLUTE MAJORITY the Shire Coolgardie Lease Goldfields Camp Services Pty Ltd Business Plan for Major Land Transaction and Major Trading Undertaking, in accordance with Section 3.59 of the Local Government Act 1995, to lease a portion of Lot 2435 on Plan 107089 - Currently Crown Reserve 8693 vested in the Shire of Coolgardie Lot 2435 Gnarlbine Road, Coolgardie, Western Australia for up to 600 room workers accommodation village.

SPECIAL COUNCIL RESOLUTION #08/2023

Moved: Cr Kathie Lindup

Seconded: Cr Sherryl Botting

That Council APPROVES BY ABSOLUTE MAJORITY the Shire Coolgardie Lease Goldfields Camp Services Pty Ltd Business Plan for Major Land Transaction and Major Trading Undertaking, in accordance with Section 3.59 of the Local Government Act 1995, to lease a portion of Lot 2435 on Plan 107089 - Currently Crown Reserve 8693 vested in the Shire of Coolgardie Lot 2435 Gnarlbine Road, Coolgardie, Western Australia for up to 600 room workers accommodation village.

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

Against: Nil

CARRIED BY ABSOLUTE MAJORITY 6/0

SHIRE OF COOLGARDIE		 <p>FOR PUBLICATION J. McLeod 6-2-2023</p>
RECORD No	OFFICER ... <i>Bree Crawley</i>	
FILE No	06 FEB 2023	
ACTION DATE	<i>Received 3:22pm</i>	
Shire of Coolgardie Mother of the Goldfields		

SUBMISSION FORM – MAJOR LAND TRANSACTION & MAJOR TRADING UNDERTAKING

Reserve 8693, Lot 2435 on Plan 107089, Gnarlbine Road, Coolgardie

Submitter Identification	
Name	JAN McLEOD
Contact Phone	0427208023
Postal Address	WIDGIEMOOLTHA VIA NORSEMAN WA 6443
Email	—

Details of property affected by the proposal	
Affected property Address	
Current use (i.e. Business / residence)	
Details of the impact	

- Object *J. McLeod* 6-2-2023
- Do not object

Comments

I object to the MAJOR LAND TRANSACTION and MAJOR TRADING UNDERTAKING on Reserve 8693, Lot 2435 on Plan 107089, Gnarlbine Rd, Coolgardie, for the following reasons: -

- the lease is for 10 yrs with no monetary increases over that 10 yrs
- there is no doctor/chemist in town and medical services are extremely limited (if any)
- the following have accommodation

- Coolgardie Motel
- Safari Inn
- Denver City Hotel
- Ford - Bayley Camp - 200 rms
- Focus - up to 150 rms
- Evolution - up to 150 rms
- this up to 600 rm accommodation is being placed between the 2 camps that are being built (upto 150 rm each) and adjacent to the Ford - Bayley Camp (200rm)
- there are traffic issues now, down Gnarlbine Rd, speeding and 2 roll-overs
- no layout, design plans of the camp
- no access roads
- no parking plans
- no traffic management studies
- no flora replacement
- no indication of how it fits in with ^{the} other camps
- no indication of how FIFO workers will fit in with the community apart from generalisations
- FIFO workers will not be available for volunteering, community events due to rosters and by being FIFO
- Shire has not managed responsibly the Bluebush camp Kanbalda \$4M BUSINESS PLAN - \$21M expenditure.
- no separate accounts have been set up for this camp as promised and it has been operating since November 2022.
- want to see correct accounting as this has not happened with the Bluebush camp
- residents ~~were~~ in Coolgardie were complaining about not being informed of the works currently in progress with the camps - trees being removed
- damage & restricting access to properties
- this was noted at the A.E.M, Coolgardie 31-1-2023 YET Council did NOT inform the community that submissions for the 600rm camp close the following TUES. 7-2-23 at 10:00am.

FOR ALL of the ABOVE I OBJECT to these TRANSACTIONS.

FOR PUBLICATION
J. H. Wood 6-2-2023

9.1.4 RFT 12/2022 - PROPOSED KAMBALDA ACCOMMODATION VILLAGE EXPANSION PROJECT

Location: Kambalda
Applicant: NIL
Disclosure of Interest: NIL
Date: 8 February 2023
Author: Celia Jordaan, Consultant

SUMMARY

That Council award Tender 12/2022 – Kambalda Accommodation Village Expansion Project to JMAC Civil Pty Ltd for Separable Portions 1,2,3 4 and 5 on a direct purchase and capital works basis.

BACKGROUND

The Shire of Coolgardie issued a Request for Tender for the supply and installation of an additional 100 camp rooms and 2 laundries to expand its existing Bluebush Accommodation Village in Kambalda on the separable portions as set out in the RFT Scope of Works.

The RFT was advertised on 23 December 2022 via Tenderlink, Shire website, Kalgoorlie Miner and West Australian with submissions closing at 4pm Thursday 19 January 2023.

COMMENT

The scope of works was broken down into the following separable portions:-

- a. **Separable Portion 1: Facility Supply**, including sourcing and/or manufacturing of the rooms and laundries and supply and installation of all fixtures, fittings and related supply as well as the required information and details to tie-in and install the units and facilities (e.g. power consumption, water requirements, layout).
- b. **Separable Portion 2: Planning and Approvals**, including development application planning and approvals, layout and detailed design of the Kambalda Village expansion and oversight and supervision as registered builder.
- c. **Separable Portion 3: Site Preparation Works**, including site clearing, bulk earthworks and site preparation.
- d. **Separable Portion 4: Freight, Delivery and Placement**, including transportation, delivery, building placement, tie-ins and connection of items supplied/sourced/for installation (e.g. air conditioners);
- e. **Separable Portion 5: 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.

Electrical works and plumbing works were out of scope for this RFT. However, there was a high expectation by the Shire that local contractors will be engaged to assist in various aspects of the installation of the village type accommodation, including the Shire's appointed electrical and plumbing/gas contractors. It is anticipated that the electrical and plumbing works will be completed using existing panel contractors on a similar basis as was completed for the Bluebush Village Camp Facilities.

The Shire reserved the right to include or exclude Separable Portions from the Scope of Works and award the Separable Portions to various contractors.

The following 5 (five) organisations submitted tender offers for the Kambalda Village Expansion Project as set out in the RFT (in no particular order) on the financial basis and for the Separable Portions as indicated below:

No	Tenderer	Financial Basis	Separable Portions Offered
1	Fleetwood WA & SA Pty Ltd	Direct Purchase Only	Separable Portion 1 only
2	Jinski Pty Ltd	Option to Lease/Buy Direct Purchase	Separable Portions 1, 2, 3, 4 and 5
3	JMAC Civil Pty Ltd	Option to Lease/Buy Direct Purchase	Separable Portions 1, 2, 3, 4 and 5
4	Rangecon Pty Ltd	Direct Purchase Only	Separable Portions 1, 2, 3, 4 and 5
5	Zenacon Pty Ltd	Direct Purchase Only	Separable Portions 1, 2, 3, 4 and 5

The tenders were assessed against meeting the requirements with respect to compliance, qualitative criteria and pricing criteria. The outcome of the assessment completed, is set out below and included in the related documentation as provided with this Tender Assessment Workbook.

The detailed process and outcome of the tender assessment completed (including the pricing breakdown for the respective Separable Portions), is as detailed in this Tender Assessment Workbook.

In terms of the evaluation of the RFT, the RFT evaluation was broken down into the following main stages:

- a. Stage 1: Mandatory Criteria
- b. Stage 2: Compliance Criteria
- c. Stage 3: Qualitative Criteria (assessed against Separable Portion 1 – Direct Purchase only and against All Separable Portions combined)
- d. Stage 4: Pricing.

The selection criteria and weighting for the RFT was as follows:

CRITERIA	WEIGHTING
Works Delivery and Execution	20%
Experience and Resources	40%
Pricing	40%

The overall scoring against the evaluation criteria was as follows:

Separable Portion Assessed	Fleetwood	Jinski	JMAC	Rangecon	Zenacon
Separable Portion 1 – Direct Purchase	71%	58%	76%	75%	64%
All Separable Portions		55%	80%	71%	64%

The evaluation panel assessed that it delivered best value for money to the Shire to:

- a. award all separable portions included in the RFT to JMAC Civil Pty Ltd based on the selection criteria, the overall price and ability to deliver and install the facilities by 30 June 2023;
- b. not to award any tender based on a lease/buy basis as the external financing offers received by the Shire, delivered better value for money to the Shire than the lease/buy back options included in the RFT.

It is estimated that the electrical and plumbing/sewerage installation works will be approximately \$2.0 million. The Shire has issued a tender RFT 01/2023 for installation of the proposed village expansion. The tenders will be considered at a special meeting in early March.

CONSULTATION

Barry Donkin, Project Manager

John Ravlic, Commercial Services Consultant

Celia Jordaan, Procurement/Contract Consultant

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 3.57

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

The funds for installation of the accommodation village in Kambalda are included in the recommendation and any further requirements will be dealt with as part of the 2022/2023 Budget Review and Review of the LTFP. Council may be required to increase 2023/2024 budget allocations for the project for both expenditure and revenue.

STRATEGIC IMPLICATIONS**A thriving local economy**

Encouraging and attracting new investment and advocating for local employment

Accountable and effective leaders

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. **Tender Assessment Workbook - Confidential**
2. **Tender 12/2022 - Compliance Assessment - Confidential**
3. **Tender 12/2022 - Finance Option Comparison - Confidential**
4. **Tender 12/2022 - Qualitative Assessment - Confidential**
5. **Draft Lease - Confidential**

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION

That Council:-

1. Accept the tender submitted by JMAC Civil Pty Ltd ABN 90 643 460 557 for the supply, delivery and installation of the Kambalda Village Expansion Project for:
 - a. Separable Portion 1: Facility Supply, including sourcing and/or manufacturing of the rooms and laundries and supply and installation of all fixtures, fittings and related supply as well as the required information and details to tie-in and install the units and facilities (e.g., power consumption, water requirements, layout).
 - b. Separable Portion 2: Planning and Approvals, including development application planning and approvals, layout and detailed design of the Kambalda Village expansion and oversight and supervision as registered builder.
 - c. Separable Portion 3: Site Preparation Works, including site clearing, bulk earthworks and site preparation.
 - d. Separable Portion 4: Freight, Delivery and Placement, including transportation, delivery, building placement, tie-ins and connection of items supplied/sourced/for installation (e.g. air conditioners);
 - e. Separable Portion 5: 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.

To the total fixed lump sum value of \$4,746,730.04 excluding GST for Separable Portions 1, 2, 3, 4 and 5.

2. That the Council approves a provisional amount to the value of \$81,648.00 excluding GST for minor scope changes, material supplies, trenching, contingencies and design finalisation in addition to the fixed lump sum pricing received from JMAC Civil Pty Ltd;
3. Delegation of authority to the Chief Executive Officer to enter into negotiations with JMAC Civil Pty Ltd ABN 90 643 460 557 to enter into negotiations and finalise the contract with JMAC Civil Pty Ltd for the direct purchase and capital works included in Separable Portions 1, 2, 3, 4 and 5, including the provisional items subject too;
 - a. Clarifications being satisfied associated with any cost savings with its tender submission and;
 - b. Any further variations of a minor nature
4. Delegation of authority to the Chief Executive Officer to enter into negotiations with external leasing companies to finalise the negotiations, financing, lease term (48 months) and contract for the supply of the camp rooms and laundries supplied as part of Separable Portions 1 to the capital value of up to \$3,700,000.00 excluding GST.
5. AUTHORISE the Shire President and Chief Executive are authorised to sign and affix the Common Seal to any required documentation.
6. Approves a budget amendment increase of \$4,746,730.04 for the supply, delivery and installation of the Kambalda Village Expansion Project (Job No. C13097 – Housing and Workers Accommodation) to be funded by an increase in Financing Activities Leasing proceeds up to \$3,700,000 and an increase in Loan Proceeds Housing and Workers Accommodation 090977 of \$1,000,000 .

MOTION

Moved: Cr Tracey Rathbone

Seconded: Cr Kathie Lindup

That Council:-

1. **Accept the tender submitted by JMAC Civil Pty Ltd ABN 90 643 460 557 for the supply, delivery and installation of the Kambalda Village Expansion Project for:**

- a. **Separable Portion 1: Facility Supply, including sourcing and/or manufacturing of the rooms and laundries and supply and installation of all fixtures, fittings and related supply as well as the required information and details to tie-in and install the units and facilities (e.g., power consumption, water requirements, layout).**
- b. **Separable Portion 2: Planning and Approvals, including development application planning and approvals, layout and detailed design of the Kambalda Village expansion and oversight and supervision as registered builder.**
- c. **Separable Portion 3: Site Preparation Works, including site clearing, bulk earthworks and site preparation.**
- d. **Separable Portion 4: Freight, Delivery and Placement, including transportation, delivery, building placement, tie-ins and connection of items supplied/sourced/for installation (e.g. air conditioners);**
- e. **Separable Portion 5: 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.**

To the total fixed lump sum value of \$4,746,730.04 excluding GST for Separable Portions 1, 2, 3, 4 and 5.

2. That the Council approves a provisional amount to the value of \$81,648.00 excluding GST for minor scope changes, material supplies, trenching, contingencies and design finalisation in addition to the fixed lump sum pricing received from JMAC Civil Pty Ltd;
3. Delegation of authority to the Chief Executive Officer to enter into negotiations with JMAC Civil Pty Ltd ABN 90 643 460 557 to enter into negotiations and finalise the contract with JMAC Civil Pty Ltd for the direct purchase and capital works included in Separable Portions 1, 2, 3, 4 and 5, including the provisional items subject too;
 - a. Clarifications being satisfied associated with any cost savings with its tender submission and;
 - b. Any further variations of a minor nature
4. Delegation of authority to the Chief Executive Officer to enter into negotiations with external leasing companies to finalise the negotiations, financing, lease term (48 months) and contract for the supply of the camp rooms and laundries supplied as part of Separable Portions 1 to the capital value of up to \$3,700,000.00 excluding GST.
5. AUTHORISE the Shire President and Chief Executive are authorised to sign and affix the Common Seal to any required documentation.
6. Approves a budget amendment increase of \$4,746,730.04 for the supply, delivery and installation of the Kambalda Village Expansion Project (Job No. C13097 – Housing and Workers Accommodation) to be funded by an increase in Financing Activities Leasing proceeds up to \$3,700,000 and an increase in Loan Proceeds Housing and Workers Accommodation 090977 of \$1,000,000 .

In Favour: Nil

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

LOST 0/6

OFFICER RECOMMENDATION

That Council ACCEPT the alternate Officer Recommendation for consideration.

SPECIAL COUNCIL RESOLUTION #09/2023**Moved: Cr Rose Mitchell****Seconded: Cr Sherryl Botting****That Council ACCEPT the alternate Officer Recommendation for consideration.****In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Tammee Keast, Kathie Lindup and Rose Mitchell****Against: Nil****CARRIED BY ABSOLUTE MAJORITY 6/0****ALTERNATIVE RECOMMENDATION**

That Council:-

1. Accept the tender submitted by JMAC Civil Pty Ltd ABN 90 643 460 557 for the supply, delivery and installation of the Kambalda Village Expansion Project for:
 - a. Separable Portion 1: Facility Supply, including sourcing and/or manufacturing of the rooms and laundries and supply and installation of all fixtures, fittings and related supply as well as the required information and details to tie-in and install the units and facilities (e.g., power consumption, water requirements, layout).
 - b. Separable Portion 2: Planning and Approvals, including development application planning and approvals, layout and detailed design of the Kambalda Village expansion and oversight and supervision as registered builder.
 - c. Separable Portion 3: Site Preparation Works, including site clearing, bulk earthworks and site preparation.
 - d. Separable Portion 4: Freight, Delivery and Placement, including transportation, delivery, building placement, tie-ins and connection of items supplied/sourced/for installation (e.g. air conditioners);
 - e. Separable Portion 5: 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.

To the total fixed lump sum value of \$4,746,730.04 excluding GST for Separable Portions 1, 2, 3, 4 and 5.

2. That the Council approves a provisional amount to the value of \$81,648.00 excluding GST for minor scope changes, material supplies, trenching, contingencies and design finalisation in addition to the fixed lump sum pricing received from JMAC Civil Pty Ltd;
3. Delegation of authority to the Chief Executive Officer to enter into negotiations with JMAC Civil Pty Ltd ABN 90 643 460 557 to enter into negotiations and finalise the contract with JMAC Civil Pty Ltd for the direct purchase and capital works included in Separable Portions 1, 2, 3, 4 and 5, including the provisional items subject too;
 - a. Clarifications being satisfied associated with any cost savings with its tender submission and;
 - b. Any further variations of a minor nature
4. Delegation of authority to the Chief Executive Officer to enter into negotiations with external leasing companies to finalise the negotiations, financing, lease term (60 months) and contract for the supply of the camp rooms and laundries supplied as part of Separable Portions 1 to the capital value of up to \$3,700,000.00 excluding GST.
5. AUTHORISE the Shire President and Chief Executive to sign and affix the Common Seal to any required documentation.

6. Approves a budget amendment increase of \$4,746,730.04 for the supply, delivery and installation of the Kambalda Village Expansion Project (Job No. C13097 – Housing and Workers Accommodation) to be funded by an increase in Financing Activities Leasing proceeds up to \$3,700,000 and an increase in Loan Proceeds Housing and Workers Accommodation 090977 of \$1,000,000 .

OFFICER RECOMMENDATION

That Council RESOLVE to accept the alternate Officer Recommendation.

SPECIAL COUNCIL RESOLUTION #10/2023

Moved: Cr Tracey Rathbone

Seconded: Cr Tammee Keast

That Council RESOLVE to accept the alternate Officer Recommendation.

That Council:-

1. Accept the tender submitted by JMAC Civil Pty Ltd ABN 90 643 460 557 for the supply, delivery and installation of the Kambalda Village Expansion Project for:
 - a. Separable Portion 1: Facility Supply, including sourcing and/or manufacturing of the rooms and laundries and supply and installation of all fixtures, fittings and related supply as well as the required information and details to tie-in and install the units and facilities (e.g., power consumption, water requirements, layout).
 - b. Separable Portion 2: Planning and Approvals, including development application planning and approvals, layout and detailed design of the Kambalda Village expansion and oversight and supervision as registered builder.
 - c. Separable Portion 3: Site Preparation Works, including site clearing, bulk earthworks and site preparation.
 - d. Separable Portion 4: Freight, Delivery and Placement, including transportation, delivery, building placement, tie-ins and connection of items supplied/sourced/for installation (e.g. air conditioners);
 - e. Separable Portion 5: 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.

To the total fixed lump sum value of \$4,746,730.04 excluding GST for Separable Portions 1, 2, 3, 4 and 5.

2. That the Council approves a provisional amount to the value of \$81,648.00 excluding GST for minor scope changes, material supplies, trenching, contingencies and design finalisation in addition to the fixed lump sum pricing received from JMAC Civil Pty Ltd;
3. Delegation of authority to the Chief Executive Officer to enter into negotiations with JMAC Civil Pty Ltd ABN 90 643 460 557 to enter into negotiations and finalise the contract with JMAC Civil Pty Ltd for the direct purchase and capital works included in Separable Portions 1, 2, 3, 4 and 5, including the provisional items subject too;
 - a. Clarifications being satisfied associated with any cost savings with its tender submission and;
 - b. Any further variations of a minor nature
4. Delegation of authority to the Chief Executive Officer to enter into negotiations with external leasing companies to finalise the negotiations, financing, lease term (60 months) and contract for the supply of the camp rooms and laundries supplied as part of Separable Portions 1 to the capital value of up to \$3,700,000.00 excluding GST.

5. AUTHORISE the Shire President and Chief Executive to sign and affix the Common Seal to any required documentation.
6. Approves a budget amendment increase of \$4,746,730.04 for the supply, delivery and installation of the Kambalda Village Expansion Project (Job No. C13097 – Housing and Workers Accommodation) to be funded by an increase in Financing Activities Leasing proceeds up to \$3,700,000 and an increase in Loan Proceeds Housing and Workers Accommodation 090977 of \$1,000,000 .

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

Against: Nil

CARRIED BY ABSOLUTE MAJORITY 6/0

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

10.1 Elected Members

10.2 Council Officers

11 CLOSURE OF MEETING

The Meeting closed at 6:03pm.