



AGENDA

Ordinary Council Meeting

24 September 2024

4:30pm

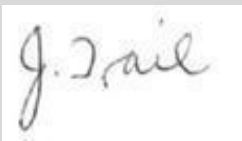
**Kambalda Recreation Centre, Barnes Drive,
Kambalda**

SHIRE OF COOLGARDIE

NOTICE OF ORDINARY MEETING OF COUNCIL

Dear Elected Member

The next Ordinary Meeting of the Shire of Coolgardie will be held on Tuesday 24 September 2024 commencing at 4:30pm.

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

**JAMES TRAIL
CHIEF EXECUTIVE OFFICER**

ORDINARY COUNCIL MEETING**24 September 2024**

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

The dates, times and locations of the Ordinary Council Meetings for 2024 are listed hereunder.

<u>Day</u>	<u>Date</u>	<u>Time</u>	<u>Venue</u>
Tuesday	23 January 2024	4:30pm	Kambalda
Tuesday	27 February 2024	4.30pm	Coolgardie
Tuesday	26 March 2024	4.30pm	Kambalda
Tuesday	23 April 2024	4.30pm	Coolgardie
Tuesday	28 May 2024	4.30pm	Kambalda
Tuesday	25 June 2024	4.30pm	Coolgardie
Tuesday	23 July 2024	4.30pm	Kambalda
Tuesday	27 August 2024	4.30pm	Coolgardie
Tuesday	24 September 2024	4.30pm	Kambalda
Tuesday	22 October 2024	4.30pm	Coolgardie
Tuesday	26 November 2024	4.30pm	Kambalda
Tuesday	17 December 2024	4.30pm	Coolgardie



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 10:30am 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.

DISCLOSURE OF INTERESTS

Notes for Guidance

IMPACT OF A FINANCIAL INTEREST (s. 5.65 & s.67. Local Government Act 1995)

A member who has a **Financial Interest** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

- a. In a written notice given to the Chief Executive Officer before the Meeting or;
- b. At the meeting immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- a. Preside at the part of the Meeting relating to the matter or;
- b. Participate in, or be present during, any discussion or decision making procedure relative to the matter, unless and to the extent that, the disclosing member is allowed to do so under *Section 5.68 or Section 5.69 of the Local Government Act 1995*.

INTERESTS AFFECTING FINANCIAL INTEREST

The following notes are a basic guide for Councillors when they are considering whether they have a **Financial Interest in a matter**.

1. A Financial Interest, pursuant to s.5.60A or 5.61 of the *Local Government Act 1995*, requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measured in money terms. There are expectations in the *Local Government Act 1995* but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e sporting, social, religious etc, and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e, if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors and ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **must** be given when the matter arises in the Agenda, and immediately before the matter is discussed. *Under s.5.65 of the Local Government Act 1995* failure to notify carries a penalty of \$10,000 or imprisonment for 2 years.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The only exceptions are:
 - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) of the *Local Government Act 1995*; or
 - 6.2 Where the Minister allows the Councillor to participate under s.5.69(3) of the *Local Government Act 1995*, with or without conditions.

INTERESTS AFFECTING PROXIMITY (s.5.60b Local Government Act 1995)

1. For the purpose of this subdivision, a person has a proximity interest, pursuant to s.5.60B of the Local Government Act 1995, in a matter if the matter concerns;
 - a. a proposed change to a planning scheme affecting land that adjoins the person's land; or
 - b. a proposed change to the zoning or use of land that adjoins the person's land; or
 - c. a proposed development (as defined in Section 5.63(5)) of land that adjoins the person's land.

2. In this section, land (the proposal land) adjoins a person's land if;
 - a. The proposal land, not being a throughfare, has a common boundary with the person's land; or
 - b. The proposal land, or any part of it, is directly across a throughfare from, the person's land; or
 - c. The proposal land is that part of a thoroughfare that has a common boundary with the person's land.

3. In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.

INTERESTS AFFECTING IMPARTIALITY

Definition: an interest, pursuant to Regulation 19AA of the Local Government (Administration) Regulations 1996, means an interest that could, or could reasonably be perceived to adversely affect the impartiality of the person having the interest; and includes an interest arising from kinship, friendship or membership of an association. It is also important to be considered in relation to the Shire of Coolgardie Code of Conduct for Council Members, Committee Members, and Candidates.

A member who has an **Interest Affecting Impartiality** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- a. In a written notice given to the Chief Executive Officer before the Meeting or;
- b. At the Meeting, immediately before the matter is discussed.

IMPACT OF AN IMPARTIALITY DISCLOSURE

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

QUESTION TIME FOR THE PUBLIC

(Please Write Clearly)

DATE: _____

NAME: _____

TELEPHONE: _____

ADDRESS: _____

QUESTION TO THE PRESIDENT:-

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

ITEM NO: _____ PAGE NO: _____

PLEASE PASS TO THE CHIEF EXECUTIVE OFFICER FOR REFERRAL TO THE PRESIDENT BY 12.30PM ON THE DAY OF THE MEETING AT THE KAMBALDA OFFICE, IRISH MULGA DRIVE, KAMBALDA OR AT THE COOLGARDIE OFFICE, BAYLEY STREET, COOLGARDIE.

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**1.1 ACKNOWLEDGEMENT OF COUNTRY**

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

2 DECLARATION OF COUNCIL MEMBERS

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

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

Nil

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

8 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

8.1 MINUTES OF THE ORDINARY COUNCIL MEETING HELD ON 27 AUGUST 2024

Date: 18 September 2024

Author: Rebecca Horan, Director of Governance and Administration

ATTACHMENTS

Nil

VOTING REQUIREMENT

OFFICER RECOMMENDATION

That the Minutes of the Ordinary Council Meeting held on 27 August 2024 be confirmed as a true and accurate record.

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

Location: Shire of Coolgardie
Applicant: Nil
Disclosure of Interest: Nil
Date: 17th September 2024
Author: Malcolm Cullen, Shire President

To commence my report this month, I would like to convey part of the communication discussed by our Local Emergency Management Committee meeting in August, regarding the coming 2024/25 Bush Fire season that is fast approaching our region.

As a pre-lude to the coming fire season all our residents and property owners can play an important role in fire prevention within our towns with simple measures such as clearing fire breaks around their properties, mowing or slashing any high grass or vegetation and removing any unwanted flammable materials from the property.

The Shire is also working with the Department of Fire and Emergency Services in planning a regional roadshow for community engagement sessions on pre fire season preparations.

Our staff are also preparing a series of social media and website communications to further prepare our communities for this coming summer.

Another matter we encounter during the summer months is the ever present mosquito, and once again our community can play a part ,by ensuring their water tank openings are securely screened ,open drums or old tyres that catch water are emptied out or covered to prevent mosquitoes breeding in these areas.

The Shire will be monitoring and baiting areas such as the waste water facility and other open water points in an endeavour to prevent and reduce mosquito breeding grounds in the townsites.

The Coolgardie Place Manager, Terri Angel has resigned from the position and moving on to new pastures in the Wheatbelt. The Shire has secured services of a new manager in Almetra Bethlehem, who will commence the position on September 20.

Almetra has quite extensive knowledge of Local Government and experience with Tourism, economic development and the DAMA Migration Programme, and I would encourage our residents to visit the Coolgardie Recreation Centre and make her most welcome to our town.

Following on from previous month's reports, I would like to advise Coolgardie residents that the ABC and SBS TV channels should be up and running in the week commencing September 23rd.

The technicians will be onsite on Tuesday 24th to install the new Headend and other equipment that should provide the Coolgardie Community with trouble free viewing for many years to come.

The months of August and September have provided for great entertainment and a flurry of events and activities for our communities and the surrounding region.

The first of these was the Coolgardie Rodeo and Truck and Ute Show held in August. There were record entries in the Truck and Ute Show held in the Truck Park in town in the morning followed by the Rodeo held at the old golf course, which was attended by over 4,000 people over the 3 day event.

The Amalgamated Prospectors and Leaseholders Association held their Annual General Meeting at the Coolgardie Recreation Centre over the weekend of 7 September, with over 130 attendees. Of note that there were quite a number of our local residents in attendance being members of APLA and keen prospectors in their own right.

And to finish this month, was one of the regions big events with the Coolgardie Day Celebrations over the weekend of 15 September. This event has grown into one of the Goldfields Regions major events attracting a crowd of over 15,000 patrons, including many former residents that come back to celebrate the birthday of the town

From all reports the day was an outstanding success, with many of the food stalls completely selling out and stall holders reporting good sales of their wares.

This event also provides the opportunity for many people to enjoy the rides and entertainment within the Goldfields that they would otherwise have to travel out of the region to find something similar.

The Shire of Coolgardie being a major sponsor of all three of these events recognises the importance of the contribution in promoting the economic and social benefit to the community and local businesses through attracting major events to our towns ,along with the many people they bring to visit our towns and the surrounding region.

It is also pleasing to note ,that all of the major mining companies and many of the associated contracting companies made significant contributions toward the holding of these events.

Cr Malcolm Cullen
Shire President.

10 PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

11 REPORTS OF COMMITTEES

Nil

12 REPORTS OF OFFICERS**12.1 Executive Services****12.1.1 RFT 04/2024 - PLUMBING PANEL**

Location: Coolgardie and Kambalda

Applicant: Nil

Disclosure of Interest: Nil

Date: 11 September 2024

Author: Celia Jordaan, Consultant

SUMMARY

That Council award Tender 04/2024 for the provision of plumbing services on the schedule of rates offered in the Respondents' tender offer for a period of three years with the option to extend the contract for a further two year period at the sole discretion of the Shire to the following contractors as part of the Plumbing Panel as listed below:

- a. GRB Resources Pty Ltd trading as Emyjor Services; and
- b. Ruka Industries Pty Ltd trading as PGE Services.

BACKGROUND

The Shire of Coolgardie issued a Request for Tender for its Plumbing Panel.

The RFT was advertised on 8 August 2024 via Tenderlink, Shire website, Kalgoorlie Miner and West Australian with submissions closing at 3pm (WST) on Tuesday, 3 September 2024.

COMMENT

The Shire of Coolgardie issued a Request for Tender for the provision of as and when required plumbing services on a schedule of rates basis for a panel of suitably qualified and experienced Contractor(s) to provide plumbing services (RFT) as set out in the Specification included in the RFT.

The scope of works includes:

- a. Scheduled plumbing maintenance, including manufactures recommended servicing tasks – to be agreed between the Principal and the Contractor.
- b. Plumbing inspections, fault finding and testing as requested.
- c. Emergency plumbing callouts when requested. Emergency callouts to be dealt with within 3 hours of first notification.
- d. Plumbing inspection and servicing reports, maintenance schedule reports and fault finding reports for all services carried out under Contract.

The contract commencement date will be 1 November 2024 was the first term of the existing plumbing panel tender completes on 31 October 2024.

The following 2 (two) organisations submitted tender offers for the Plumbing Panel as set out in the RFT (in no particular order) as Indicated below:

- a. GRB Resources Pty Ltd trading as Emyjor Services; and
- b. Ruka Industries Pty Ltd trading as PGE Services.

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

The process and outcome of the tender assessment completed, is as detailed in the Tender Assessment Workbook.

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

- a. Stage 1: Non-compliance with stage 1 – no option to proceed (not applicable)
- b. Stage 2: Compliance criteria – no material deficiencies;
- c. Stage 3: In order for tenderers to be taken through to stage 4, tenderers needed to demonstrate that it had the experience, capability and resources to complete the requirements of the RFT;
- d. Stage 4: Evaluation of pricing based on the elements included in the RFT.

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

CRITERIA	WEIGHTING
Relevant Experience	40%
Key Resources	20%
Pricing	40%

The following is noted from the tender assessment:

NO	TENDERER	COMMENTS
1	GRB Resources Pty Ltd trading as Emyjor Services	Compliant tender. No issues or conflict of interest noted.
2	Ruka Industries Pty Ltd trading as PGE Services	Compliant tender. No issues or conflict of interest noted.

Summary scoring against selection criteria is as follows:

SELECTION CRITERIA	PRO-RATA WEIGHTED SCORE
	Total (100%)
GRB Resources Pty Ltd trading as Emyjor Services	76%
Ruka Industries Pty Ltd trading as PGE Services	73%

CONSULTATION

Bec Horan, Director of Governance and Administration, Coolgardie Shire

Pergy Matsika, Manager of Waste Services, Coolgardie Shire

STATUTORY ENVIRONMENT

Local Government Act 1995, Section 3.57

POLICY IMPLICATIONS

NIL

FINANCIAL IMPLICATIONS

The funds for the services are included in the 2023/2024 budget.

STRATEGIC IMPLICATIONS**A thriving local economy**

Encouraging the development of local business education and support

Accountable and effective leaders

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. RFT 04-2024 - Plumbing - Tender Assessment Workbook - Confidential
2. RFT 04-2024 - Plumbing Panel - Confidential
3. RFT 04/2024 - Plumbing - Qualitative Revoiew Combined - Confidential

VOTING REQUIREMENT

Officer Recommendation

That Council:-

GRB Resources Pty Ltd trading as Emyjor Services

1. **ACCEPT** the tender submitted by GRB Resources Pty Ltd trading as Emyjor Services ABN 30 602 973 642 for :
 - a. the provision of as and when required plumbing services on a panel basis as set out in the RFT;
 - b. On the basis as set out in the tender on the basis of the schedule of rates provided for the scheduled as and when required plumbing services on a panel basis;
 - c. For the period of three years with the option to extend the contract for a further two year period at the sole discretion of the Shire.
2. **DELEGATE** authority to the Chief Executive Officer to enter into negotiations and finalise the contract with GRB Resources Pty Ltd trading as Emyjor Services ABN 30 602 973 642 for:
 - a. the provision of as and when required plumbing services on a panel basis as set out in the RFT;
 - b. On the basis as set out in the tender on the basis of the schedule of rates provided for the scheduled as and when required plumbing services on a panel basis;
 - c. For the period of three years with the option to extend the contract for a further two year period at the sole discretion of the Shire.
3. **AUTHORISE** the Shire President and CEO to affix the Common Seal on the required documents.

Ruka Industries Pty Ltd t/a PGE Services

1. **ACCEPT the tender submitted by Ruka Industries Pty Ltd t/a PGE Services ABN 17 629 226 062 for :**
 - a. the provision of as and when required plumbing services on a panel basis as set out in the RFT;
 - b. On the basis as set out in the tender on the basis of the schedule of rates provided for the scheduled as and when required plumbing services on a panel basis;
 - c. For the period of three years with the option to extend the contract for a further two year period at the sole discretion of the Shire.
2. **DELEGATE authority to the Chief Executive Officer to enter into negotiations and finalise the contract with Ruka Industries Pty Ltd t/a PGE Services ABN 17 629 226 062 for:**
 - a. the provision of as and when required plumbing services on a panel basis as set out in the RFT;
 - b. On the basis as set out in the tender on the basis of the schedule of rates provided for the scheduled as and when required plumbing services on a panel basis;
 - c. For the period of three years with the option to extend the contract for a further two year period at the sole discretion of the Shire.
3. **AUTHORISE the Shire President and CEO to sign and affix the Common Seal on the required documents.**

**12.1.2 CONSIDERATION OF PUBLIC SUBMISSIONS
S.3.59 MAJOR TRADING UNDERAKING AND MAJOR LAND TRANSACTION: PROPOSED
LEASE OF KAMBALDA AIRPORT TO MINERAL RESOURCES LIMITED.**

Location: Kambalda Airport
Applicant: Minerals Resources Limited
Disclosure of Interest: Nil
Date: 17 September 2024
Author: James Trail, Chief Executive Officer

SUMMARY

At its June 2024 meeting the Shire considered a unsolicited proposal from Mineral Resources Limited (MRL) where that company proposed to lease the Kambalda Airport from the Shire for 21 years and operate the airport as a charter airport for MRL employees and other charter services. At that meeting the Council resolved to call for Public Submissions on the proposal under section 3.59 of the Local Government Act.

The proposal was advertised via:

- An Advertisement in the West Australian and Kalgoorlie Miner newspaper on Friday 14th September 2024
- The Shire's website on the 12th June 2024

At the closing of public submissions on 26th July 2024, a total of five (5) submissions had been received. This report details the issues/items that have been raised during the public comment period, provides commentary on each issue/item and seeks Councils consideration on whether it wishes to proceed with the proposal or not.

BACKGROUND

In early 2024, MRL representatives approached the Shire's administration to discuss opportunities and options pertaining to the management and operation of the Kambalda Airport. MRL indicated that it wished to pursue control of management/operations of the Airport for an extended period and that, should it obtain that control, it would invest heavily in the Airport infrastructure and would return a financial contribution to the Shire.

MRL were advised that the Kambalda Airport land is series of Crown Reserves that the Shire has Management Orders on (ie the land is owned by the State.) The Management Orders permit the Shire to lease the land for up to 21 years. Furthermore, MRL was advised that if the land was to be transferred via a lease arrangement it would be considered a 'disposition' under the Local Government Act and that a disposition of this nature could be done in one of three ways – via Public Tender, via Public Auction or via Private Treaty. MRL indicated a preference for a private treaty disposition. MRL was advised that Ministerial approval from the State Minister for Lands is also required.

The size and nature of the proposed private treaty lease of the Airport triggered the Major Trading Undertaking and Major Land Transaction provisions of the Local Government Act. These provisions required the development of a Business Plan with that plan being advertised and public submissions on the plan being considered prior to the transaction commencing/being approved.

Post a series of meetings to discuss the proposal, a Local Government Act compliant Business Plan was prepared for the Councils consideration. Council unanimously agreed to seek public submissions on the Business Plan for the proposed lease.

COMMENT

At the conclusion of the public submission period submissions had been received from the following five (5) individuals/groups:

- Jan McLeod
- Kambalda Skysports
- Lunnon Metals
- Karora Resources
- Wyloo Minerals

The Attached Schedule of Submissions details the nature of the comments and/or objections to the proposed transaction. Officers have added commentary on the matters where additional clarification or certainty has been obtained during the public comment period. While the Schedule provides more detail on comments/concerns, the matters raised in the submissions can be briefly summarised as pertaining to the following issues:

1. Continued community and community group access to Airport.
2. Retention of reasonable 3rd party access to Airport facilities by non-MRL users.
3. Management of fees for 3rd party use of airport including concerns that fees will increase.
4. Termination provisions in the event that MRL wants to exit the lease during the proposed 21yr lease term.
5. Compliance queries/concerns re the proposed transaction.

Calling for submissions on the Business Plan demonstrated an intent to proceed with the proposal, but it did not make a final commitment to the proposal. This report seeks Council consideration of whether it wishes to proceed with the proposal.

If Council agrees to proceed with the transaction numerous further matter will need to be resolved including:

- Seeking and obtaining Ministerial approval for the proposed lease.
- Complying with the section 3.58(4)(c) of the Local Government Act 1995 by seeking advertising the market valuation of the lease and proposed lease consideration and seeking public comment on this matter.
- Negotiating and finalising a formal lease agreement between the parties that contains terms that are not materially different to those that were included in the advertised Business Plan.

CONSULTATION

As outlined above and in the attachment, comments/submissions were received from five (5) individuals/organisations on this proposal.

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 Undertaking.

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:

- The consideration under the transaction; and
- Anything done by the local government for achieving the purposes of the transaction; is more, or is worth more, than \$2 million.

A Major Trading Undertaking is defined as a trading undertaking that:

- in the last completed financial year, involved; or
- in the current financial year or the financial year after the current financial year, is likely to involve; expenditure by the local government of more than \$5 million for the purposes of this definition.

This proposal meets the definition of Major Land Transaction and Major Trading Undertaking.

The Act requires that a Business Plan for the Major Land Transaction and Major Trading Undertaking be advertised for a minimum of 42 days. Once this advertising period closed, the Local Government is to consider any submissions that are made and may decide to:

1. Proceed with the transaction as proposed;
2. Proceed with a modified version of the proposal, as long as it is significantly different than the advertised proposal; or
3. Not proceed with the transaction

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Historically the Kambalda Airport has operated at an operating loss with costs exceeding revenues. In more recent times the airports operating revenues have been exceeding operating costs as passenger and flight movement numbers have increased. While the operating position is positive, financing costs in the form of loan repayments for previous works that have been undertaken at the facility mean that total revenues for the facility do not cover total costs.

The financial implications of this proposed transaction were outlined in the June 2024 Council report and are described in more detail in the Business Plan that was advertised. In summary, the proposal:

- Eliminates financial risks (both operational and capital) of operating the Kambalda Airport during the lease term
- Commits the Lessee to spending a minimum of \$30M on the Shire's airport asset with no contributions being required by the Shire.
- Guarantees a fixed revenue stream to the Shire through an Annual lease fee and a variable income stream through the collection of a fee per passenger that utilised the Airport (excluding MRL passengers).

STRATEGIC IMPLICATIONS

A thriving local economy

Encouraging and attracting new investment and advocating for local employment

Supporting local businesses in the Shire

Supporting and encouraging mining and processing industries

ATTACHMENTS

1. **Schedule of Submissions. S3.59 Business: Proposed Lease of Kambalda Airport to Mineral Resources Ltd.**

VOTING REQUIREMENT

Absolute Majority

OFFICER RECOMMENDATION**That Council**

1. In accordance with S3.59 of the Local Government Act, agrees to proceed with the proposal that is detailed in the Business Plan: Proposal to lease the Kambalda Airport to Mineral Resources Ltd

2. Authorises the CEO to undertake actions to complete this transaction including:
 - Seeking and obtaining consent for the proposal from the Minister for Lands.
 - Advertising the Disposition by Local Public Notice for public comment in accordance with s3.58(4)(c) of the Local Government Act 1995 and to bring any public comments, and a recommendation to Council for consideration under S3.58(3) of the Act.
 - Negotiating and executing a formal lease agreement between the parties that is not materially different to the terms that are outlined in the Business Plan and this report.

12.1.3 FINANCIAL MANAGEMENT STRATEGY

Location: Shire Coolgardie
Applicant: N/A
Disclosure of Interest: Nil
Date: 20th September 2024
Author: James Trail, Chief Executive Officer

SUMMARY

That Council receive the Financial Management Strategy 2024.

BACKGROUND

The Shire and DLGSC met informally in March 2024 relating to feedback received from the Ministers Office on the Shires Finances. This is due to the complexity of the Shires Finances now that there are four commercial activities and the Budget of the Shire has nearly tripled in size. An informal follow up meeting was held on the 28th August following the closing date of the first instalment for rates. It was agreed that the Shire would expand its financial management strategy to include regular reporting on cashflow from all four commercial activities and the consolidated Shire services. The strategy needs to detail measures to address budget and cashflow challenges experienced in May and June. Furthermore the plan needs to include proactive strategies to address those challenges into the future as well as mitigating the need for additional loans, overdrafts, or any other forms of financial liabilities.

COMMENT

The DLGSC made the observation on the monthly financial report at 30 June tabled at the 23 July OCM – trade and other payables there was \$4.5 million over 30 days overdue and this did not include loan repayments. At that point in time the cash in the bank at the 30th June was less than \$4.5 million. The DLGSC acknowledged that they were using the publicly available information that all rate payers have access to and would not be aware of any additional information without seeking clarity like the recording of the overdraft.

At the earlier meeting in March this year it was explained that this was likely to be the scenario. The Shire adopted its 2024/2025 Budget in early July to ensure that cash at bank would be significant by the end of August.

The budget showed nearly \$9 million in net cash provided by operating activities to go towards finance repayments of \$8.3 million. The loan repayments due at the end of June have been allowed for in the 2024/2025 Budget. This was achieved also through efficiency savings. Furthermore the estimated year end operating deficit was overstated by the \$1.4 million overdraft.

Furthermore the Shire use of the overdraft loan for 2024/2025 has been detailed in note 7 of the 2024/2025 Statutory Budget. It was also dealt with in note 7 of the 2023/2024 Statutory Budget as well as being detailed in note 14 and note 27 of the Draft Annual Financial Statements for the period ending 30th June 2024.

CONSULTATION

Council

Department Local Government

Staff

STATUTORY ENVIRONMENT

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Accountable and effective leader

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. **Financial Management Strategy**

VOTING REQUIREMENT

OFFICER RECOMMENDATION

That Council receive the Financial Management Strategy 2024.

12.2 Operation Services

12.2.1 DOME STORAGE KAMBALDA WEST SERVICE STATION - BLUEBUSH ROAD

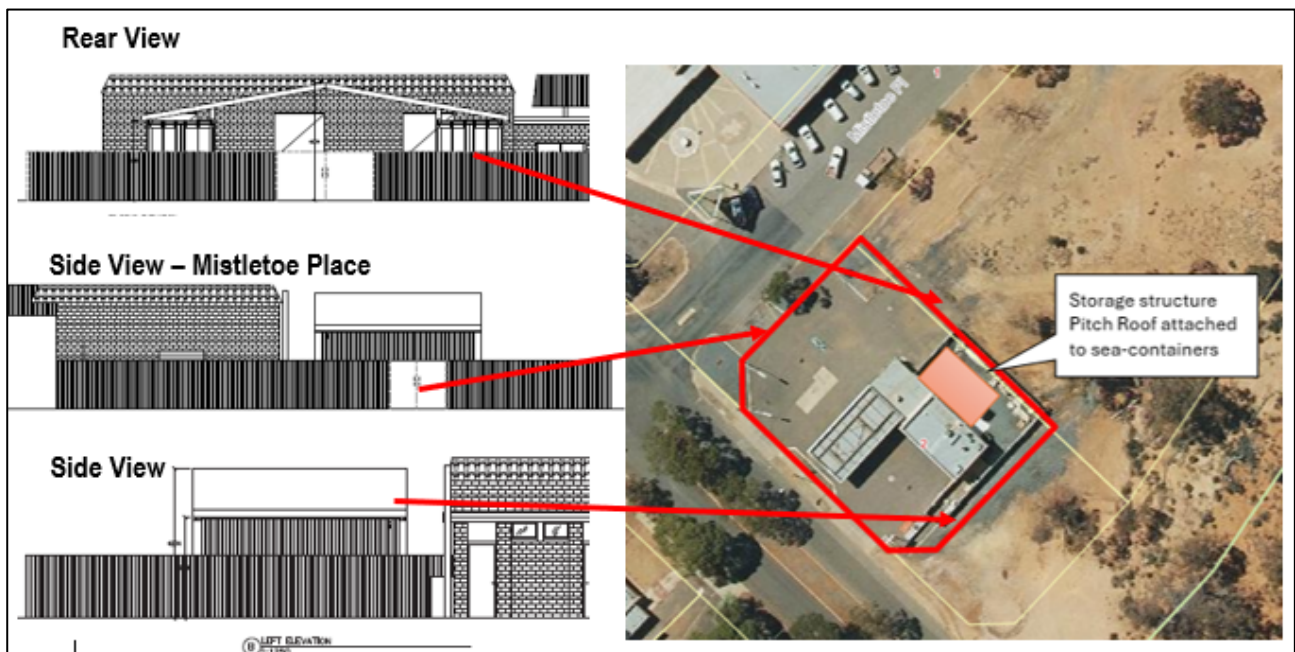
Location: Lot 2, No 2 Bluebush Road, Kambalda West
 Applicant: Roadhouse Network Pty Ltd
 Disclosure of Interest: Nil
 Date: 09 September 2024
 Author: Francesca LeFante, Town Planning Consultant

SUMMARY

The Shire has received a modified application for installation of a pitched roof storage facility on No 2 Bluebush Road, Kambalda West (PA24-11) comprising: -

- The proposed gable Roof is 12.69m (l) x 6.06m (w)
- To be attached to the outer mounts on the 20foot containers
- Providing 8m storage area including vehicles between the containers
- Material is Trimdeck Sheeting in Monument colour
- The structure is all galvanised, pre punch and bolted framing, with barge flashing on both ends.

Refer Attachments 1-3



The applicant has provided a proposed master plan showing indicative future development in the context of service station and screening to the rear and side of the site (**Refer Attachment 3**) This plan is for information and does not form part of the current proposal.

BACKGROUND

The site is located at the corner of Mistletoe Place and Bluebush Road, Kambalda West. The property is currently development with existing Service Station building. The storage area is located at the rear of the existing building within an enclosed storage area.

In March 2024, Council approved a Pylon Sign with a height of 3 metres (PA24/02) on the site as part of the service station use.

In May 2024 Council refused the proposal for a Dome storage structure on the following grounds: -

1. *The proposed structure design and streetscape appearance is inconsistent with LPS5 Clause 16 – Commercial Zone objectives to main the compatibility of the streetscape in terms of height, style, and materials.*
2. *Non-compliance with Schedule 2 – Minimum landscaping, the proposal has insufficient on-site landscaping to screen sea-container and dome structure from the street.*
3. *The visual amenity of sea-containers and dome structure is industrial in design and inconsistent with Local Planning Policy – Sea Container (provisions 5 and 6).*

At the August 2024 Councillor information session, feedback was provided on storage and structures in townsite commercial zone. Shire officers met with representatives of Top Group and provide a copy of the design information. **Refer Attachment 4.**

COMMENT

The site contains a services station, the building and associated canopy has recently been upgraded. This application is for storage associated with the service station, located at the rear of the existing building within the rear fenced area.

The site is zoned Commercial under Local Planning Scheme No 5. The objectives of the commercial zone are:

- *To provide for a range of shops, offices, restaurants and other commercial outlets in defined townsites or activity centres.*
- *To maintain the compatibility with the general streetscape, for all new buildings in terms of scale, height, style, materials, street alignment and design of facades.*
- *To ensure that development is not detrimental to the amenity of adjoining owners or residential properties in the locality.*

The surrounding land uses comprise: -

- Opposite shopping centre - Mistletoe Place
- Opposite residential - Bluebush Road
- Vacant land to rear and site

The Scheme development provisions set out in Schedule 2 and comprise the following.

- Setbacks (Street – Nil setback, Rear & Side – setback in accordance with BCA)
- Landscaping - as required by Council.
- Height – No height controls in Commercial Zone
- All service areas to be located behind the street setback and appropriately screen.

In terms of the design, form and visual impacts, the following is provided: -

- The site is located on the corner of Bluebush Road and Mistletoe Place.
- The existing building and service station have an overall height of 4.520m,
- The Storage structure has a pitched roof ridge height of 4235mm falling to 2861mm at the sides where the roof extends over the sea-containers,
- The site include various screened areas along the boundary
- The structure is setback over 20 metres from site boundary, and on a similar alignment with the existing structures. Opposite the Shopping Centre building and parking

The form and scale, including roof structure and material are consistent with commercial developments preferred design as contained on the Commercial Storage Images in **Attachment 4**. Accordingly, it is recommended that the proposal be approved subject to relevant planning conditions.

Options

The following options are Council available: -

Option 1: Approval for the proposal, subject to conditions

Option 2: Refuse the proposal.

Option 3: Defer the proposal for further information.

CONSULTATION

Shire Environmental Health Officer

STATUTORY ENVIRONMENT

Local Planning Scheme.

Planning and Development Act and Regulations.

Deemed Provisions.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

A thriving local economy

Encouraging the development of local business education and support

Supporting local businesses in the Shire

Accountable and effective leaders

Developing strong partnerships with stakeholders for the benefit of our community

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

ATTACHMENTS

1. **Sire Plan & Elevations**
2. **Details & Materials**
3. **Masterplan**
4. **Commercial Storage Images**

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council **APPROVE** the proposed Storage structure sea-container with pitched roof PA24-11 as shown on the accompanying plans at Lot 2 No 2 Bluebush Road, Kambalda West subject to the following: -

Conditions:

1. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. Development shall be in accordance with the attached approved plans.
3. Screening to be provided by uniform fencing to a minimum height of 1.8m surrounding the rear storage area and sea-containers.

Advice Notes

1. This Determination Notice is not a Building Permit or Health Approval, nor authorise such works. All separate applications and approvals must be obtained prior to the commencement of construction on site, whichever occurs first.
2. No building or construction activities shall be carried out before 7.00am or after 7.00pm, Monday to Saturday, and not at all on Sunday or Public Holidays.
3. If an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.

12.2.2 PROPOSED OVERSIZED OUTBUILDING PRIOR TO DWELLING

Location: Lot 2354 No. 111 Mac Donald Street, Coolgardie
Applicant: Dale Richardson
Disclosure of Interest: Nil
Date: 18th September 2024
Author: Francesca LeFante, Town Planning Consultant

SUMMARY

For Council to consider an application (PA24-09) for:

- an oversized (shed) outbuilding located at the rear of the site 111 MacDonald Street, Coolgardie. The outbuilding (shed) is 150 sqm being 10 x 15m. Variations are sought for size and height under the R-Code Design Principles.
- The applicant is also seeking support for the construction of the outbuilding prior to the dwelling.

In support of the proposal the applicant has advised the following: -

- Oversized Outbuilding - the size of the shed is to
 - To store my caravan 3.5m high, boat, similar height, car, motorcycle, tools etc. The height of my caravan and boat, both being approximately 3.4m high, which requires the 3.5m high roller doors.
 - Similar size to the shed next door
- Timing of works –
 - Shed erected first to store building materials, fittings, appliances etc while the house is being built, concerns about theft in the town
 - I plan to have both house and shed completed within 2 years (hopefully sooner) providing I can find a local builder to start asap and there is no hold up with materials etc.

BACKGROUND

Site

The site is currently vacant and is located to the northeast of Coolgardie townsite residential area.

The site adjoins residential dwelling to the west, vacant sites to the east and south.

The land opposite the site is undeveloped public open space.

There are a mix of dwelling styles in this part of the townsite.



The site: -

- Is zoned Residential R10/30 under the Shire Local planning Scheme No 5 and
- has an area of 1011 sqm and adjoins residential properties at the rear and side of the site.



History

In July 2022 Council consider and deferred a proposed for a repurposed dwelling. The Scheme defines a repurposed dwelling as “a building or structure not previously used as a single house, which has been repurposed for use as a dwelling, and classifies the land use as a “D” discretionary use which means that the use is not permitted unless the local government has exercised its discretion by granting development approval. This proposal was not progressed, and the site sold to the current owner.

Planning Legislation Exempted works – single dwelling

- The site is currently vacant. The plans submitted include a new-build small single residential dwelling orientated to MacDonald Street which is consistent with the Scheme and R-Code definitions of a single dwelling. The dwelling complies with the R-Codes provisions relating to setbacks, parking and open space, as such its exempt from planning approval under the Planning and Development (Local Planning Schemes) Regulations 2015 - Clause 61. There are no mandatory architectural design or material provisions.

COMMENT

Council consideration is sought for (1) oversized outbuilding and (2) request from the applicant to construct the shed prior to the development of the single residential dwelling to enable him to store his material and vehicles

Oversized Outbuilding (Shed)

Under the Residential Design Codes where proposals do not meet the deemed to comply provisions the Council is required to exercise judgement to determine the proposal.



Under the R-Codes outbuildings associated with a dwelling site are to be assessed as either

- Small outbuildings or
- Large and multiple outbuildings).

This proposal is considered classification B - Large and Multiple Outbuildings, the deemed to comply provisions are: -

- individually or collectively does not exceed 60m² in area or 10 per cent in aggregate of the site area, whichever is the lesser.
- set back in accordance with R-Codes Table 2a;
- does not exceed a wall height of 2.4m.
- does not exceed a ridge height of 4.2m.
- not located within the primary or secondary street setback area; and
- does not reduce the open space and outdoor living area requirements in Table 1.

The proposed Outbuilding has an area of 150 sqm, consideration is required as the proposed outbuilding exceeds the deemed to comply provisions of the Clause 5.4.3 - Residential Design Codes requirements including: -

Standard	Requirement	Proposal	Variance
Area	60 sqm	150 sqm	70sqm
Height <ul style="list-style-type: none"> • Wall • Roof (ridge) 	2.4 m 4.2 m	4.1 m 4.982m	1.7 m 0.782m
Front (Streetscape) setback	6.0 m	Behind dwelling	Complies
Setbacks <ul style="list-style-type: none"> • Side (western) – 10m • Rear laneway (southern) - 15m 	1.5 m 1.5 m	1.0 m 5 m	0.5m Nil

In relation to outbuildings (sheds) the design principle provides the following guidance when considering variations:

“Outbuildings that do not detract from the streetscape or the visual amenity of residents or neighbouring properties.

- Side boundary - The proposed should increase the setback to 1.5 metres consistent with the R-Code provisions to minimise development and use of the adjoining vacant site.

The proposed shed will require compliance with the Building Code of Australia (BCA) including fire wall materials and treatments relating to a reduced boundary setback. A condition of the approval includes requirement to submit a building permit, survey details confirming the boundary setback and associated fire separation compliance and treatments.

The proposed outbuilding is considered to meet the design considerations of the R-Codes. The height variations are appropriate in the context and character of the area, adjoining sites and existing structures. However, the proposed outbuilding should comply with the setback provisions in the absence of adjoining landowner comments.

There is minimal impact on the streetscape given the setback to the outbuilding and proposed dwelling fronting MacDonald Street.

Works Timeframe

The applicant is seeking construction of the shed prior to the dwelling to enable secure storage of building materials, equipment, fittings, appliances etc while the house is being built, due to concerns about theft. The anticipated timeframe to complete construction of the house and shed is within 2 years.

The DPLH has prepared an Outbuilding Fact Sheet for residential areas to assist in interpreting the definition and treatment of outbuildings in planning documents and state the following:

- *A shed structure is not an outbuilding if it is proposed on a lot without a dwelling.*
- *Outbuildings and sheds are not land uses in themselves, therefore a land use needs to be established to determine whether it is permissible under the local planning scheme.*
- *Without a dwelling, a shed by itself takes on a warehouse / storage land use, which is not usually permitted in a residential zone.*

A warehouse/storage use in a residential zone is not permitted under the Shire Local Planning Scheme No 5.

Other councils have policy provisions which provide some flexibility for site that outside of townsite areas, such as:-

- Rural zones – sheds can be built prior to house but require a building permit and builder nominated
- Townsite residential zones this is generally not supported due to concerns of industrial building form
- Limiting the size of the outbuilding to less than 40sqm, similar in size and location as a garage, with builder nominated and bond payable prior to building permit

The Shire has no specific policy position on this matter.

To ensure compliance with the Scheme land use, it is recommended that the Shire include specific provisions – such as maximum size, timeframe for completion of dwelling, building permit and bond to ensure that the shed meets the requirements of the scheme land use and requires that completion of the residential dwelling in a timely manner.

Options

Council has the following options

- Option 1 – Approve the proposal – with conditions.
- Option 2 – Refuse the Outbuilding proposal.
- Option 3 – Deferred pending further information regarding the proposal.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Planning Scheme.
Planning and Development Act and Regulations.
Deemed Provisions.
Local Government Act 1995

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

A thriving local economy

Supporting local businesses in the Shire

Encouraging the development of local business education and support

Accountable and effective leaders

Developing strong partnerships with stakeholders for the benefit of our community

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

ATTACHMENTS

1. Attachment 1 - Shed Plans - Site, Floor and Elevation
2. Attachment 2 - DPLS Fact Sheet - Outbuildings

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION

That Council APPROVES the Oversized Outbuilding PA24-09 as shown on plans at Lot 2354 No 111 MacDonald Street, Coolgardie as shown in the approved plans and subject to the following:

Conditions:

1. This decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the specified period, the approval shall lapse and be of no further effect.
2. The development shall comply with the approved plans (including any amendments marked in red).
3. The Outbuilding being setback 1.5m from the Western side boundary and 1.5m from the rear laneway. Modified plans to be submitted as part of the Building Permit stage
4. Potential bond of \$5,000 and agreement to ensure the external appearance of the developments has been completed in accordance with any plans submitted
5. Construction of the outbuilding may only commence once the dwelling has obtained a building permit issued and builder nominated, with the dwelling being completed with 2 years.
6. Prior to commencement of works, the landowner shall enter into a legal agreement with the local government, which shall be drafted by the local government's solicitors at the expense of the owner (unless otherwise agreed) that:
 - a. A bank guarantee for the full amount of the bond of \$10,000 will be provided to the local government; and
 - b. Failure to comply with the conditions imposed by the local government on this development approval will result in the forfeiture of the bond (full or part) and removal of the building and remediation of the land unless otherwise determined by the local government; and
 - c. Upon completion of the Dwelling, the bond will be released
7. This approval is for a residential outbuilding requiring the completion of the residential dwelling on the site within 2 years.
8. In the absence of a residential building this land use will be inconsistent and contrary to the Scheme provisions and will require removal from the site.
9. The Outbuilding shall not be used for human habitation, commercial or industrial purposes.
10. The site and development to be connected to reticulated townsite infrastructure, including sewer, water and power.
11. All stormwater generated by the development must be contained and disposed of on-site to the satisfaction of the Shire of Coolgardie.

Advice Notes

1. This Determination Notice is not a Building Permit or Health Approval, nor authorise such works. All separate applications and approvals must be obtained prior to the commencement of construction on site, whichever occurs first.
2. No building or construction activities shall be carried out before 7.00am or after 7.00pm, Monday to Saturday, and not at all on Sunday or Public Holidays.

3. Should the applicant be aggrieved by the decision, or any condition imposed, then an appeal should be lodged either with the State Administrative Tribunal within 28 days of the date of this decision.

12.2.3 LIST OF PAYMENTS - AUGUST 2024

Location: Nil
Applicant: Nil
Disclosure of Interest: Nil
Date: 16 September 2024
Author: Anita Nathan, Director of Corporate Services

SUMMARY

For Council to receive the list of accounts for August 2024.

BACKGROUND

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

COMMENT

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

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

Significant Payments for the month of August 2024 are: -

1. Northern Rise – Management of Bluebush Village
2. St John Medical Kambalda – Service Provision At Kambalda Medical Centre October – March 2024
3. Modularis Pty Ltd - 11 Goodenia Court
4. LGIS WA – Annual LGIS Insurance For 2024/2025

CONSULTATION

Nil

STATUTORY ENVIRONMENT

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

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS**Accountable and effective leaders**

Maintain integrated strategic and operational plans

High quality corporate governance, accountability and compliance

ATTACHMENTS

1. List Of Payments August 2024

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That Council RECEIVE listing (attached) of accounts paid during the month of August 2024 by the Chief Executive Officer under delegated authority of Council.

1. Municipal accounts totalling \$3,839,224.76 on municipal vouchers EFT27732 – EFT27918, Cheques 53590 - 5359 and Direct Debits DD9374 – DD9385
2. Credit card payments totalling \$26,619.23
3. Fuel card payments totalling \$52,980.72
4. Woolworths cards totalling \$1,385.66

12.2.4 MONTHLY FINANCIAL STATEMENTS FOR THE MONTH ENDED 31 JULY 2024

Location: Shire of Coolgardie
Applicant: Shire of Coolgardie
Disclosure of Interest: Nil
Date: 16 September 2024
Author: Anita Nathan, Director of Corporate Services

SUMMARY

This report recommends that the Monthly Statement of Financial Activity report for the period ending 31 July 2024 is presented to Council for adoption.

BACKGROUND

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

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

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

COMMENT

Attached for consideration is the completed Monthly Financial Report.

The document attached includes Statements of Financial Activity by Program, and Nature and Type, Notes to the financial statements, an explanation of material variance as well as a summary of bank account balances at 31 July 2024, loan repayments, and reserve account status.

In accordance with the *Local Government (Financial Management) Regulations*, a report must be compiled on variances greater than the percentage agreed by Council which is currently 10% or \$10,000. With the report prepared at program level, comments have been made regarding variances. A nil variance is equal to 100%, meaning that the year-to-date actual is identical to the year to date budget. Comments are therefore provided where variance values are <90% or >100% and the dollar variance exceeds \$10,000.

CONSULTATION

Nil

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 6.4

Local Government (Financial Management) Regulations 1996 Section 34

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

(1A) In this regulation —

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

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

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

Accountable and effective leaders

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

High quality corporate governance, accountability and compliance

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

ATTACHMENTS

1. Monthly Financials July 2024
2. Management Report July 2024 - Confidential

VOTING REQUIREMENT

Simple majority

OFFICER RECOMMENDATION

That the Monthly Financial Activity Statement for the period 1 July 2023 to 31 July 2024 be received.

12.3 Commercial Services

Nil

13 ITEMS FOR INFORMATION ONLY

Nil

14 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

15.1 Elected Members

15.2 Shire Officers

16 MATTERS BEHIND CLOSED DOORS

Nil

17 CLOSURE OF MEETING