



**City of
Kalgoorlie
Boulder**

AGENDA

**Notice is hereby given
for the ORDINARY Meeting of Council
commencing at 7:00PM**

on

26 AUGUST, 2019

at the

Kalgoorlie Town Hall

23 August 2019



NOTICE OF MEETING

An Ordinary Council meeting, of the City of Kalgoorlie-Boulder will be held in the **Kalgoorlie Town Hall** on **Monday, 26 August 2019** commencing at **7:00pm**.

Regards

A handwritten signature in black ink, appearing to be "John Walker", written over a horizontal line.

JOHN WALKER
Chief Executive Officer

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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS**2 OPENING PRAYER**

To be conducted by Pastor Joseph Yipwe of Churchwest.

3 DISCLAIMER READING

The Mayor will read the disclaimer to those present.

The recommendations contained in this Agenda are Officer's 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 Council's decision.

4 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

IN ATTENDANCE:

MEMBERS OF STAFF:

VISITORS:

PRESS:

APOLOGIES – ELECTED MEMBERS:

APOLOGIES – MEMBERS OF STAFF:

LEAVE OF ABSENCE:

Cr Nardia Turner

- 5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE
- 6 PUBLIC ACCESS AND PUBLIC QUESTION TIME
- 7 PETITIONS/DEPUTATIONS/PRESENTATIONS
- 8 NOTATIONS OF INTEREST
 - 8.1 INTEREST AFFECTING IMPARTIALITY CITY OF KALGOORLIE–BOULDER CODE OF CONDUCT
 - 8.2 FINANCIAL INTEREST LOCAL GOVERNMENT ACT SECTION 5.60A
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- 9 APPLICATIONS FOR LEAVE OF ABSENCE
- 10 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSIONS
- 11 CONFIRMATION OF MINUTES

[Minutes of Ordinary Council Meeting held on 12 August 2019](#)

That the minutes of the **Ordinary** meeting held on 12 August 2019 be confirmed as a true record of that meeting.

- 12 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

- 13 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION
 - 13.1.1 POLICY REVIEW EXEC-CEO-010 LEGAL REPRESENTATION FOR ELECTED MEMBERS AND EMPLOYEES

Responsible Officer: John Walker
Chief Executive Officer

Author: John Walker
Chief Executive Officer

RECOMMENDATION:

That the EXEC-CEO-010 Legal Representation for Elected Members and Employees Policy be amended by the removal of the words “*The City will not approve the payment of legal representation costs to an elected member or employee for a defamation action, or negligence action, instituted by the elected member or employee*” on page 3 of the Policy.

That the policy be further amended by the replacement of paragraph 2(b) on pages 2 and 3 of the Policy with the following new paragraph:

- 2 b) *To enable proceedings to be commenced and/or maintained by an elected member or employee to permit him or her carrying out his or her functions, for example, where an elected member or employee seeks to take action to commence defamation action or to obtain a restraining order against a person using threatening behaviour to the elected member or employee; or***

REPORT

The volume of hate comments, defamatory comments and vilification of Elected Members and Council staff, particularly on social media, is escalating and becoming more personal.

Such comments, left unchallenged, have a negative impact on those people named, denigrates the office held, impacts upon those members of the community wishing to stand for Council elections or remain as Councillors, or to work for the City.

At present, the Council's own policy limits the ability of Elected Members and employees to take legal action against perpetrators if deemed appropriate.

These cowardly and untrue attacks reflect poorly on their authors however the lack of action by those affected has encouraged even worse commentary and behaviour. Left unchecked, the attacks will continue to grow.

Recent personal threats to the safety of Council Members and/or employees by some members of the community have been disturbing and frightening. Standing for public office, or entering public service should not be an open invitation for attack. Hate crimes appear to be growing globally and they should not be left unanswered.

Amending the policy will allow the City's public officials to defend their integrity, reputations and importantly, their safety.

14 REPORTS OF COMMITTEES

14.1 ALL PURPOSE COMMITTEE MINUTES - 19 AUGUST 2019

14.1.1 BIENNIAL POLICY REVIEW

Responsible Officer: John Walker
Chief Executive Officer

Author: Michelle Todd
Manager Governance and Legal Services

Disclosure of Interest: Nil

VOTING REQUIREMENTS

Simple

OFFICER/COMMITTEE RECOMMENDATION

That Council receive the information for the biennial policy review, endorse the new policy and the amendments to existing policies as outlined in this report.

EXECUTIVE SUMMARY

Policies are determined by Council in accordance with section 2.7(2)(b) of the *Local Government Act 1995* and may be amended or deleted by Council according to circumstances. They guide the discretionary powers of Council's decision making. Reports to Council will reference any relevant policies.

A comprehensive policy review is undertaken every two years to ensure Council policies are relevant and align with the City's legislative and operational requirements. The review supports Council and City Officers in conducting effective business and providing clear and accurate direction to the community.

The preliminary review has determined a number of policies which should be a procedure, some which should be revoked, and some which require amendments to address either legislative changes or functional changes.

The City has 82 current policies, with the review to be carried out in stages enabling a substantive review to be completed.

The objective of the review process is to improve the City's policies, and ensure the policies in place effectively and appropriately serve the purpose of guiding Council in the decision making processes. This report is stage one of the review.

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the Community's Guiding Principles to demonstrate a transparent and inclusive local government.

BUDGET IMPLICATIONS

There are no financial implications resulting from the recommendations of this report.

REPORT

Policies should not be developed which deal with the functions of a CEO in accordance with s5.41 of the *Local Government Act 1995*. They should not attempt to alter provisions of legislation either.

Policies should guide Council's discretionary decision making powers and there should be appropriate procedures in place to provide for the processes to be followed when applying a Policy to a matter. Procedures can be changed by the CEO to ensure practices and processes remain appropriate, current and practical.

The review has determined there are a number of Policies which:

1. Contain information which should be provided for in a procedure;
2. Attempt to alter processes provided for in legislation;
3. Are not matters appropriate for the policy process; or
4. Require updating following legislative changes or process changes.

In order to facilitate a full review and improvement of the policy and procedure processes for the City, this report details the proposed changes for seven (7) policies, as stage 1 of the full policy review.

EXEC-OHS-001 Occupational Safety and Health Policy

The City is introducing an Occupational Safety and Health Policy. This supports the City's commitment to protecting safety, health and wellbeing of all personnel in the workplace including City employees, contractors, volunteers and visitors. The policy is supported by the relevant legislation, Australian Standards, Codes of Practice and City procedures.

EXEC-OD-003 Recruitment and Selection of Senior Employees

This policy be revoked.

Division 4 – Local Government Employees of the *Local Government Act 1995* contains provisions for the recruitment and selection of Senior Employees and the upcoming legislative changes will introduce prescribed model standards for the recruitment of CEO's. Policies must not attempt to encroach on legislation. This policy should be revoked.

EXEC-CEO-006 Major Event Sponsorship.

This policy be updated to and improved to remove the processes which should be provided for within an appropriate procedure.

EXEC-CEO-007 Sponsorship of Charity Corporate Golf Days

This policy be revoked. The City has a current Event Sponsorship Policy (EXEC-CEO-007) which contains provisions for the sponsorship of City events. It is not necessary to have a second policy for one particular category of event sponsorship. The procedure for Event Sponsorship will address the categories of events.

EXEC-CEO-011 Public Question and Access Time at Council Meetings

This policy be amended. The policy cannot contain provisions contrary to legislation. The changes have addressed legislative irregularities. The relevant procedure will provide for the processes in operating this policy.

EXEC-CEO-012 Audio Visual Recording of Council Meetings

This policy has been amended to incorporate improvements through the implementation of a procedure to govern the guidelines for the recording of meetings. The processes previously accounted for in the policy are more appropriately provided for by way of a procedure.

DC-HC-004 Prosecution

This policy be revoked.

The policy is unsupportive to the process and is unnecessary. Legislative provisions, and restrictions by delegated authority ensure appropriate processes are followed by the City in instances where it is reasonable for the City to consider prosecution. In the interests of improving the City's operative functions, it is recommended this policy be revoked.

These changes will improve the City's policies and procedures processes and effectively improve the operative functions of the City and Council.

STATUTORY IMPLICATIONS

Policies are endorsed by Council in accordance with s2.7 of the *Local Government Act 1995*.

POLICY IMPLICATIONS

The individual policy documents will be updated as recommended by the Committee and endorsed by Council. All Council policies are available to view on the City website

COMMUNITY ENGAGEMENT CONSULTATION

No community consultation was considered necessary in relation to the recommendations of the report.

ATTACHMENTS

EXEC-OSH-001 


EXEC-OD-003 

EXEC-CEO-006 

EXEC-CEO-007 

EXEC-CEO-011 

EXEC-CEO-012 

DC-HC-004 

14.1.2 ABORIGINAL PLACE NAME INITIATIVE

Responsible Officer:	Holly Phillips General Manager City Living
Author:	Jane Menzies Manager Place and Activation
Disclosure of Interest:	Nil

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That the Committee:

Consider its interest in exploring opportunities to reawaken local languages through place naming, and the mechanisms for advancing proposals.

COMMITTEE RECOMMENDATION

That Council support exploring opportunities to use local languages through place naming and the mechanism for advancing proposals be through the Council's RAP process.

EXECUTIVE SUMMARY

In July, the Minister for Aboriginal Affairs; Lands, Hon Ben Wyatt MLA and Minister for Local Government, Hon David Templeman MLA wrote to local government authorities encouraging them to become active participants in embracing Aboriginal language names by bringing forward proposals for place naming.

The Aboriginal Place Name Initiative arrives at a key juncture in the planning of the City's second Reconciliation Action Plan and the advancement of the Kal City Centre Transformation Project.

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the Community's Guiding Principles:

- Value our strong social fabric including local culture and heritage

BUDGET IMPLICATIONS

There are no financial implications resulting from the recommendations of this report.

REPORT

The McGowan Government's Aboriginal place naming initiative presents an opportunity for the City to celebrate its First Nations Peoples and local narratives in the form of legacy and place-making.

It also presents an opportunity to build in new key performance indicators within current and future iterations of the City's Reconciliation Action Plan, which is now due for revision; as well as becoming a key consideration in the place-making planning phases of the Kal City Centre Transformation Project.

In addition, the initiative may promote increased livability, social cohesion and tourism while allowing the City to lead on National issues at a municipal level.

Opportunities Council may wish to consider include:

- Invite key representatives from the local Aboriginal Community, Aboriginal Language Centre, Native Title and body corporates to inform proposals;
- Liaising with Landgate and the Geographic Names Committee to integrate local languages into new zoning, developments, street names, parks and spaces in Kalgoorlie-Boulder;
- Creating policies for acknowledgement and inclusion of Aboriginal language and culture within the planning phases of significant City projects and developments;
- Renaming a Council meeting room to honour local Aboriginal and Torres Strait Islander languages and customs;
- Identifying existing City-owned buildings which could be appropriate for naming/re-naming; and
- Refreshing entry statements with a bilingual approach, e.g. 'Welcome to Karlkula', 'Welcome to Kalgoorlie'.

All considerations will need to be culturally sensitive and appropriate, and involve consultation and approval from key stakeholders. However, it is an opportunity for the Committee should it wish to, to out-reach and acknowledge Kalgoorlie-Boulder's rich cultural fabric, as well as the identities and histories that shaped it.

STATUTORY IMPLICATIONS

There are no statutory implications resulting from the recommendations of this report.

POLICY IMPLICATIONS

There are no policy implications resulting from the recommendations of this report.

COMMUNITY ENGAGEMENT CONSULTATION

No community consultation was considered necessary in relation to the recommendations of the report.

ATTACHMENTS

Aboriginal Place Name Initiative 

14.1.3 STATUS OF STRATEGIC PROJECTS RELEASED TO THE MARKET

Responsible Officer: John Walker
Chief Executive Officer

Author: Holly Phillips
General Manager City Living

Disclosure of Interest: Nil

VOTING REQUIREMENTS

Simple

OFFICER/COMMITTEE RECOMMENDATION

That Council note the status of the Expressions of Interest (EOI), Request for Tenders (RFT) and Requests for Quotations (RFQ) released to the market place, being:

- a) Request for Quotation for Feasibility Study for 5G and Associated Services Across the Goldfields;
- b) Request for Quotation for Feasibility and Options Study Hannans North Tourist Mine and Mining Hall of Fame;
- c) Request for Quotation for Research Report - Impact of FIFO Employment Arrangements on the Kalgoorlie-Boulder Economy and Community;
- d) Request for Expressions of Interest for Kalgoorlie Airline Services; and
- e) Request for Tender for Detailed Design - Kal City Centre Economic Transformation.

EXECUTIVE SUMMARY

The purpose of this report is for Council to receive an update on strategic EOI's, RTF's and RFQ's released to the market for goods and services.

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the Community's Guiding Principles to be a strong and vibrant community that plans for a diversified future.

BUDGET IMPLICATIONS

The City has allocated appropriate budget allocations to support expenditure on the items listed in this report through adoption of the 2019/20 budget.

REPORT

Since the beginning of the year the City has been working towards advancing several EOI's, RFT's and RFQ's for projects of strategic importance.

These projects are outlined in Table 1.1.

TABLE 1.1 – STRATEGIC PROJECTS RELEASED TO THE MARKET PLACE

REQUEST	TYPE	DATE RELEASED	DATE CLOSED	EXPECTED AWARD DATE
Feasibility Study for 5G and Associated Services Across the Goldfields	RFQ	1/05/19	30/06/19	August 2019
Feasibility and Options Study Hannans North Tourist Mine	RFQ	16/07/2019	30/07/2019	August 2019
Research Report - Impact of FIFO employment arrangements on the Kalgoorlie-Boulder economy and community	RFQ	25/07/2019	9/08/2019	August 2019
Airline Services	EOI	17/08/2019	19/09/2019	Next Stage RFT
Detailed Design - Kal City Centre Economic Transformation	RFT	17/08/2019	4/09/2019	September 2019

PROJECTS SUMMARY**FEASIBILITY STUDY FOR 5G AND ASSOCIATED SERVICES ACROSS THE GOLDFIELDS**

A request for quote was sought for a feasibility study into 5G and associated services across the Goldfields, and potential benefits upgrades the service would offer.

The City faces similar regional economic development challenges that most locations are grappling with – the need for modern digital infrastructure including access to high speed, secure, reliable mobile telecommunication capabilities through technologies like 5G to facilitate the accelerating demand for digital services in their locations.

5G networks have the capability to deliver faster speeds, better reliability and improved capacity. This will bring benefits for consumers and businesses, such as faster streaming, reduced latency and better network performance in peak times.

5G will impact every industry – autos, healthcare, manufacturing, mining, distribution and emergency services, just to name a few. It is purposely designed so that these industries can take advantage of cellular connectivity in ways that wouldn't have been possible before, and to scale upwards as use of 5G expands.

Intention of the study is to determine the role the City could play as the catalyst for industry investment in 5G and data centre services by profiling potential demand and then working with commercial partners to validate business cases for investment.

This project links to the *Information Communication and Technology (ICT) Strategy document for 2018-2021*, endorsed by Council on 13 May 2019. The strategy recognizes that Smart Cities is an initiative to increase efficiencies, sustainability, enhance quality of life and economic development while reducing costs.

Although this strategy is based on the City's operations, it should be acknowledged this is of economic benefit to the City as a community and it is important to develop infrastructure, encourage investment and to increase liveability measures for the City to attract and retain residents.

FEASIBILITY AND OPTIONS STUDY HANNANS NORTH TOURIST MINE

The City on behalf of the Kalgoorlie-Boulder Tourism Advisory Board sought proposals for a feasibility and options study for the creation of an identifiable tourism product at Kalgoorlie's Hannans North Tourist Mine (HNTM) and Australian Prospectors and Miners Hall of Fame (MHoF).

The study will be the first part of a two-phase project exploring the creation of discernible and saleable tourism products for Kalgoorlie-Boulder.

Scope for phase two is currently in development and will explore the holistic overhaul of Kalgoorlie-Boulder's tourism industry, attracting new visitors and leveraging marketing potential of the City on a local, state, national and international scale.

Release of the RFQ reflects Councils endorsement of the direction for the future of Tourism and Tourism Governance for the City of Kalgoorlie-Boulder on 9 July 2019; authorising the CEO to enact all necessary actions that are required to develop a strategy and structure for the future.

RESEARCH REPORT – IMPACT OF FIFO EMPLOYMENT ARRANGEMENTS ON THE KALGOORLIE-BOULDER ECONOMY AN COMMUNITY

The City intends to commission a research report to investigate and reveal the real impact of FIFO employment arrangements on the Kalgoorlie-Boulder economy and community. The purpose of the report is to prepare the City to negotiate alternative solutions and approaches to FIFO workforces with industry, relevant stakeholders and Government.

It is the intention of the City to utilise the acquired data and the practical recommendations produced in the report to reduce FIFO employment arrangements

in Kalgoorlie-Boulder, aiming to boost the local population, economy and sustainability of the regional City.

Commissioning of the research follows Council's endorsement on 15 July 2019 to commission appropriate external research into all aspects of the effects of FIFO on the community of Kalgoorlie-Boulder and the health, mental health and social wellbeing of FIFO workers.

AIRLINE SERVICES

The City of Kalgoorlie-Boulder is seeking EOI's from the general aviation industry to provide flight services to Kalgoorlie-Boulder including services to Perth and other possible destinations.

Interested aviation operators are encouraged to submit proposals to create opportunities for travel focussed on the local market that create recreational, tourism and business options for visitors, residents and local business owners.

Expressions are intended to be targeted at the local market, creating lifestyle benefits that have the potential to increase the liveability of Kalgoorlie-Boulder to attract and retain residents and support local industry.

From the current Strategic Community Plan 2015-2025, in endorsing the EOI for Airline Services, Council is following the guiding principle of delivering a safe and integrated transport network.

Dependent on interest from the market place, the next stage of this project may be a RTF.

DETAILED DESIGN – KAL CITY CENTRE ECONOMIC TRANSFORMATION

The City is moving forward to establish its strategic significance as an important major city and major mineral economic generator. With plans to encourage economic diversification through the Kal City Centre project and increase the liveability aspect of Kalgoorlie-Boulder to attract and retain residents.

Progression of the Kal City Centre from the place plan conducted in 2018 now requires preparation of Detailed Designs to bring concepts gathered from community consultation into workable detailed designs.

Upon detailed design being completed for the project, the next phase will be construction of key areas identified to transform the Kal City Centre.

On 11 February 2019 Council formally approved a contribution of \$8 million towards the Kal City Centre Project from the City's reserve funds over the course of the next three years, with funds to be allocated in a manner consistent with priority development precincts and the intent of the Financial Assistance Agreement.

STATUTORY IMPLICATIONS

There are no statutory implications resulting from the recommendations of this report.

POLICY IMPLICATIONS

There are no policy implications resulting from the recommendations of this report.

COMMUNITY ENGAGEMENT CONSULTATION

No community consultation was considered necessary in relation to the recommendations of the report.

14.2 COMMERCIAL BUSINESSES COMMITTEE MINUTES - 20 AUGUST 2019

14.2.1 PRESENTATION OF THE COMMERCIAL BUSINESSES UNAUDITED PROFIT AND LOSS STATEMENTS JULY 2018 TO JULY 2019

Responsible Officer: Xandra Curnock
Acting Chief Financial Officer

Author: Casey Radford
Finance and Systems Coordinator

Disclosure of Interest: Nil

VOTING REQUIREMENTS

Simple

OFFICER/COMMITTEE RECOMMENDATION

That Council accept the following financial reports for the below mentioned Commercial business units:

Goldfields Arts Centre
Goldfields Oasis
Kalgoorlie Boulder Airport
Kalgoorlie Golf Course

EXECUTIVE SUMMARY

The purpose of this report is to review the unaudited financial position of the City's commercial business units for the year ended 30 June 2019.

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the Community's Guiding Principles to ensure a financially stable local government.

BUDGET IMPLICATIONS

There are no financial implications resulting from the recommendations of this report.

REPORT

The unaudited profit and loss statements of the City's commercial businesses for July 2018 to June 2019 have now been completed and are attached with commentary for Elected Members consideration.

STATUTORY IMPLICATIONS

There are no statutory implications resulting from the recommendations of this report.

POLICY IMPLICATIONS

There are no policy implications resulting from the recommendations of this report.

COMMUNITY ENGAGEMENT CONSULTATION

No community consultation was considered necessary in relation to the recommendations of the report.

ATTACHMENTS

KALGOORLIE BOULDER AIRPORT REPORT 2018/19 

KALGOORLIE GOLF COURSE REPORT 2018/19 

GOLDFIELDS OASIS REPORT 2018/19 

GOLDFIELDS ARTS CENTRE REPORT 2018/19 

15 REPORTS OF OFFICERS

15.1 GENERAL MANAGER – INFRASTRUCTURE AND ENVIRONMENT

15.1.1 PROPOSED EXCISION OF PORTION OF RESERVE 31919

Responsible Officer:	Stuart Devenish General Manager Infrastructure & Environment
Author:	Matilda Hodge Planning Officer
Disclosure of Interest:	Nil
Assessment Number:	A29701
Owners Name:	City of Kalgoorlie-Boulder
Application Number:	N/A
Applicants Name:	Gary Austin
Development Value:	N/A

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council resolve to:

1. Request the Minister for Lands to amend the boundaries of Reserve 31919, pursuant to s51 of the *Land Administration Act 1997* to enable Lot 552 on DP 417551 to be amalgamated with adjacent Lot 3013 (12) Hamilton Street, Boulder.
2. Authorise the Chief Executive Officer and Mayor to sign and affix the Common Seal of the City of Kalgoorlie-Boulder in accordance with part 19.1(2) of the *Standing Order Local Law* to any required documentation.

EXECUTIVE SUMMARY

The owner of 12 Hamilton Street, Boulder, Mr Austin, is seeking Council's support to excise a 194m² portion of Reserve 31919 to enable the purchase and amalgamation with his property.

This request stemmed from actions initiated by the City that sought to formalise rear lane access to five lots fronting Hamilton Street and to the recently constructed State Emergency Services facility at Forrest Street. During consultation with affected property owners, Mr Austin requested to purchase the section of the proposed laneway directly abutting his property instead of the land being dedicated as a laneway.

The City has a management order over Crown Reserve 31919 for the purposes of

'Civic Purpose', 'Park' and 'Tourism Purposes'. The proposed excision would not compromise the function of the Reserve or the laneway, and will not impact on other landowners.

The landowner has indemnified the City of Kalgoorlie-Boulder from all costs and claims resulting from this process.

As the land is surplus to the needs of the City, arrangements to allow Mr Austin to acquire the land are supported. The terms of the recommendation provide for such.

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the Community's Guiding Principles:

- Plan for regulated sustainable land use and development

BUDGET IMPLICATIONS

There are no financial implications resulting from the recommendations of this report as the landowner has provided an undertaking to indemnify the City of Kalgoorlie-Boulder from any costs associated with this process.

REPORT

Gary Austin, owner of Lot 3013 (12) Hamilton Street, Boulder, is seeking Council's support to excise a 194m² portion of Reserve 319119 to enable the purchase and amalgamation of the excised portion of the Reserve with his land.

Crown Reserve 31919 is reserved 'Public Purpose' under the Local Planning Scheme and current use on the land includes the new State Emergency Service (SES) building, an air quality monitoring station and a scaffolding workshop (refer Figure 1).

In 2016, the City proposed to dedicate a portion of R31919 as Road Reserve for the purposes of a laneway to formalise long-standing access to the rear of properties fronting Hamilton Street and to service the recently constructed State Emergency Services facility at Forrest Street.

Mr Austin is seeking to acquire the section of land at the rear of his property instead of the land becoming a public laneway. The lane was not proposed to extend to any properties to the north. Consequently, acquisition of this land by a private owner will not impact upon the access to any adjoining properties.



Figure 1 – Crown Reserve 31919

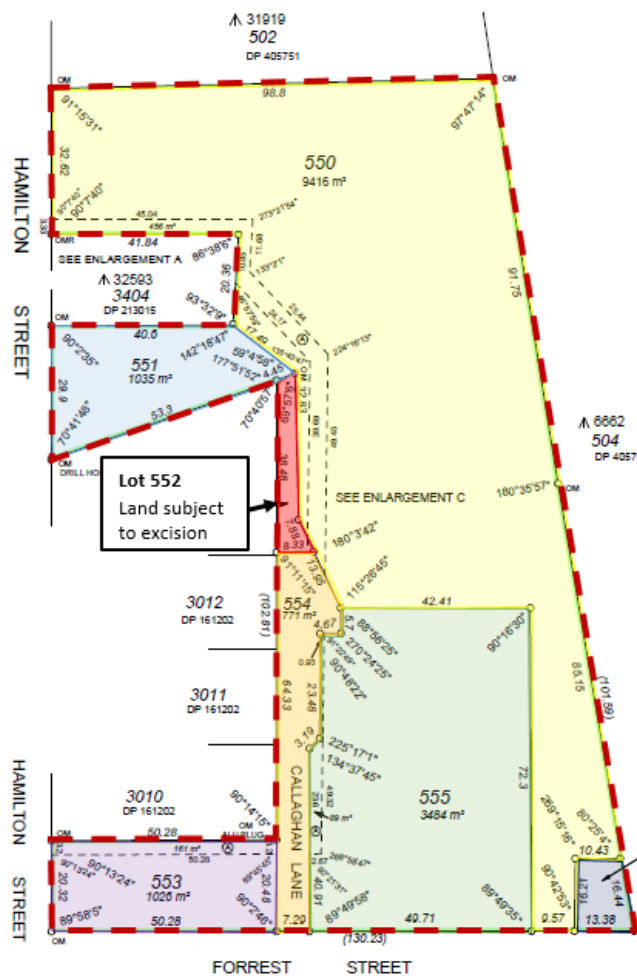


Figure 2 – Lots within Reserve 31919

Lot 552 as illustrated at Figure 2 is 194m² and aligns with the existing fence line that has been informally established. Figure 2 also shows the location of an easement placed through the Reserve which is in place for the protection of drainage infrastructure. This easement protrudes 2m² into the land subject to excision.

Should Lot 522 be purchased by the applicant, the zoning of this section of land can be adjusted to 'General Residential' under the proposed Local Planning Scheme 2.

The applicant has indemnified the City against all costs and claims associated with this excision and subsequent amalgamation of the land into his Lot.

Should Council support the proposal, the applicant will be able to pursue the acquisition of the land in accordance with s51 of the *Land Administration Act 1997*. Arrangements in this regard are negotiated with the State Government.

STATUTORY IMPLICATIONS

There are no statutory implications resulting from the recommendations of this report.


POLICY IMPLICATIONS

There are no policy implications resulting from the recommendations of this report.

COMMUNITY ENGAGEMENT CONSULTATION

Community consultation has been undertaken in relation to the dedication of a portion of R31919 as Road Reserve for a ROW. Plans circulated identified the portion of land sought to be acquired by the applicant. No objections were received.

ATTACHMENTS

Attachment 1- Plans Circulated for Community Consultation 

Attachment 2- Letter of Indemnification from Land Owner 

15.2 CHIEF FINANCIAL OFFICER

15.2.1 STATEMENT OF FINANCIAL ACTIVITY - MAY 2019

Responsible Officer:	Xandra Curnock Acting Chief Financial Officer
Author:	Ishani Subaharan Corporate Accountant
Disclosure of Interest:	Nil

VOTING REQUIREMENTS

Absolute

OFFICER RECOMMENDATION

That Council in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, receive the Statement of Financial Activity for the period ending 30 June 2019.

EXECUTIVE SUMMARY

In accordance with regulation 34 of the *Local Government (Financial Management) Regulations 1996* (“**the Regulations**”), the City is to prepare a monthly Statement of Financial Activity for approval by Council. Attached for consideration is the completed Statement of Financial Activity for the period ending 31 May 2019.

It is noted that the delay in reporting in this format has little meaning given end of year accounts 2019/20 budgeting.

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the Community's Guiding Principles to demonstrate a transparent and inclusive local government.

BUDGET IMPLICATIONS

There are no budget implications resulting from the recommendations of this report.

REPORT

The Statement of Financial Activity 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. It was also intended to link operating results with balance sheet items and reconcile with the end of month balances.

In accordance with the Regulations, a report must be compiled on variances greater than the percentage agreed by Council which is currently plus (+) or minus (-) 10% or \$50,000, whichever is the greater.

For the year to date to 30 June 2019, income is over budget by 1.23% and expenditure is under budget by 4.04%, commentary is provided at sub program level. A nil variance means that the year to date actual value is identical to the year to date budget estimate. Comments are therefore provided where the variances value is > 10% and > \$50,000 under or over budget.

INCOME CATEGORIES

Overall stated income is within the allowable variance as dictated by Council, being 1.23%, \$586,269 over budget. The sub programs which are outside the allowable variance is as follows.

Other Culture

Description	YTD Budget	YTD Actual	YTD Variance
Other Culture	\$918,397	\$599,178	-\$319,218

The main variance in this subprogram relates to timing of Goldfields Art Centre income. There were significantly less shows than anticipated during FY 2019 due to touring performances which hired the venue.

Construction – Road Bridges Depots

Description	YTD Budget	YTD Actual	YTD Variance
Construction – Road Bridges Depots	\$1,799,902	\$2,405,326	\$605,425

This is a timing variance relating to Regional Road works being completed and invoiced prior to June year end.

Aerodromes

Description	YTD Budget	YTD Actual	YTD Variance
Aerodromes	\$11,802,851	\$13,056,649	\$1,253,798

Airport has performed above expectations with record passenger numbers in FY 2019. Actual passenger numbers of 305k vs FY 2019 budget of 272k.

Economic Development

Description	YTD Budget	YTD Actual	YTD Variance
Economic Development	\$962,278	\$539,913	-\$422,365

This is mainly due to timing delay in \$500k grant from WA Treasury re Hannan Street Revitalisation program. This will now be received in FY 2020.

General Administration Overheads

Description	YTD Budget	YTD Actual	YTD Variance
General Administration Overheads	\$984,413	\$876,530	-\$107,883

This is mainly due to reimbursements being \$98k less than anticipated.

Salaries and Wages

Description	YTD Budget	YTD Actual	YTD Variance
Salaries and Wages	\$257,516	\$202,369	-\$55,147

There has been significant turnover of staff, resulting in delays filling vacancies, which has resulted in reduces salaries and wages compared to budgeted expectations.

Town Planning Schemes

Description	YTD Budget	YTD Actual	YTD Variance
Town Planning Schemes	\$337,000	\$58,557	-\$278,443

This is wholly attributable to profit on sale of assets being \$278k less than anticipated.

EXPENSE CATEGORIES

Overall stated expenditure is within the allowable variance as dictated by Council, being 4.04% \$2,614,393 under budget. The sub programs which are outside the allowable variance is as follows.

Other Welfare

Description	YTD Budget	YTD Actual	YTD Variance
Other Welfare	\$673,332	\$549,736	-\$123,597

Other Welfare costs are less than budget mainly due to materials spend being (\$59k), salaries and wages being (\$32k), and contractors being (\$10k) less than anticipated

Other Community Amenities

Description	YTD Budget	YTD Actual	YTD Variance
Other Community Amenities	\$663,637	\$591,779	-\$71,858

Contractor spend was (\$51k) less than budget, and material spend (\$19k) less than budget.

Libraries

Description	YTD Budget	YTD Actual	YTD Variance
Libraries	\$915,801	\$778,779	-\$137,022

(\$77k) of the variance is due to salaries and wages being less than budgeted. Other admin costs fell (\$20k) under budgeted expectations.

Other Culture

Description	YTD Budget	YTD Actual	YTD Variance
Other Culture	\$2,769,812	\$2,181,630	-\$588,182

As per income above, there have been less shows held at the Art Centre, and more touring acts, resulting in reduced materials and contractor expenditure (\$436k). Wages and salaries were (\$124k) less than budgeted, due to movements in staff during the year.

Road Plant Purchases

Description	YTD Budget	YTD Actual	YTD Variance
Road Plant Purchases	\$92,412	\$32,562	-\$59,850

This wholly relates to Loss on sales of assets. Loss was lower than budgeted.

Building Control

Description	YTD Budget	YTD Actual	YTD Variance
Building Control	\$686,460	\$443,208	-\$243,253

(\$202k) of the variance relates to salaries and wages, due to staff movements.

General Administration Overheads

Description	YTD Budget	YTD Actual	YTD Variance
General Administration Overheads	-\$1,627	-\$408,712	-\$407,084

The majority of this variance relates to admin costs which need to be reallocated.

Public Works Overheads

Description	YTD Budget	YTD Actual	YTD Variance
Public Works Overheads	\$1	\$106,674	\$106,673

Admin costs were \$183k higher than expected, majority of these will be re-allocated, this partially offset by a reduction in employee costs (\$38k) and materials and contracts (\$30k)

Plant Operation Cost

Description	YTD Budget	YTD Actual	YTD Variance
Plant Operation Cost	-\$1	\$193,027	\$193,027

This variance relates to internal plant hire being \$160k higher than budget, plus employee costs \$27k.

Business Unit Operations

Description	YTD Budget	YTD Actual	YTD Variance
Business Unit Operations	\$844,057	\$730,008	-\$114,050

The majority if this variance is due to an under spend in materials and contracts of (\$145k), partially offset by an increase in employee costs of \$41k.

CAPITAL CATEGORIES

June 2019 capital expenditure is under budget by \$11,544,385 YTD. Actual YTD expenditure is \$10,892,585 versus budgeted YTD spend of \$22,436,970.

The main variance is in Land and Buildings (\$6,006,303), this is largely due to a delay in budgeted works programs for EGCC Roof replacement (\$195K) and the Golf course club house project (\$55K). These projects have experienced delays, subsequently provision has been made in the 2020 budget to allow for this. At this stage both projects look as though they will start next financial year.

Infrastructure - Roads variance of (\$2,287,962) is largely due to a delay in budgeted works programs.

Infrastructure Parking has a variance of (\$292,412) which is due to small delays in the program.

Infrastructure Drainage has a variance of (\$381,079) which is a result of advancement in the program due to re-prioritisation of drainage works projects.

The remaining variances are largely due to timing differences in the budgeted capital programs, including Investment Property (\$777,662), Plant and equipment (\$529,943), Infrastructure – Sewerage (\$349,389), Infrastructure - Parks (\$345,025), Infrastructure - Effluent (\$140,000) and Infrastructure - Footpaths (\$116,028).

UNAUDITED

Please note, all the above mentioned figures are unaudited and are subject to change following external financial auditors review.

STATUTORY IMPLICATIONS

The Statement of Financial Activity has been prepared in accordance with the requirements of the Regulations.

POLICY IMPLICATIONS

There are no policy implications resulting from the recommendations of this report.

COMMUNITY ENGAGEMENT CONSULTATION

No community consultation was considered necessary in relation to the recommendations of the report.

ATTACHMENTS

STATEMENT OF FINANCIAL ACTIVITY - JUNE 2019 

15.2.2 ACCOUNTS PAYABLE FOR THE MONTH OF JULY 2019

Responsible Officer: Xandra Curnock
A/Chief Financial Officer

Author: Casey Radford
Finance & Compliance Coordinator

Disclosure of Interest: Nil

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council receive the list of payments totalling \$5,512,110.76 as presented for the month of June 2019.

EXECUTIVE SUMMARY

The purpose of this report is to receive the list of payments made from the Municipal and Trust funds including a summary report of the Corporate Credit Card transactions incurred by authorised card holders.

The Chief Executive Officer has been delegated the power to make payments from the Municipal and Trust funds in accordance with budget allocations. The City provides payment facilities to suppliers either by cheque, electronic funds transfer (EFT), and credit card.

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the Community's Guiding Principles to demonstrate a transparent and inclusive local government.

BUDGET IMPLICATIONS

There are no financial implications resulting from the recommendations of this report.

REPORT

Attached to this report are the lists of all cheques and EFT payments made during the month of July 2019 and a list of corporate credit card transactions by card holder of the same period totalling \$5,512,110.76.

Municipal EFT	\$5,175,775.53
Municipal Cheque	\$130,395.24
Direct Debit	\$146,896.43
Trust EFT	\$26,779.06
Trust Cheque	\$0
Debit Cards	\$12,279.02
Credit Cards	\$19,985.48
Total	\$5,512,110.76

STATUTORY IMPLICATIONS

The Accounts Payable for the Month of July 2019 has been prepared in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996*.

POLICY IMPLICATIONS

All purchases by authorised officers are to be completed in accordance with Policy CORP AP 001– Purchasing.

COMMUNITY ENGAGEMENT CONSULTATION

No community consultation was considered necessary in relation to the recommendations of the report.

ATTACHMENTS

MUNICIPAL EFT PAYMENTS JULY 19 

MUNICIPAL CHEQUE PAYMENTS JULY 19 

DIRECT DEBIT PAYMENTS JULY 19 

TRUST EFT PAYMENT JULY 19 

DEBIT CARD PAYMENTS JULY 19 

CREDIT CARD PAYMENTS JULY 19 

15.3 GENERAL MANAGER – CITY LIVING

15.3.1 T001 19/20 - WILLIAM GRUNDT MEMORIAL LIBRARY AND EASTERN GOLDFIELDS COMMUNITY CENTRE RE-ROOFING

Responsible Officer:	Holly Phillips General Manager City Living
Author:	Francois Botha Projects and Tenders Coordinator
Disclosure of Interest:	Nil

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council:

1. Award Tender number T001 – 19/20 – William Grundt Memorial Library and Eastern Goldfields Community Re-roofing to Safeway Building & Renovations Pty Ltd for the sum of \$493,243.35 (Excl. GST)
2. Reallocate budgets: Workorder # 34028034 and 34028054 to Workorder 34048004 and reallocate Workorder # 86048124 to Workorder 66048014.
3. Authorise the Mayor and CEO to sign the contract documents under the common seal of the City of Kalgoorlie-Boulder in accordance with part 19.1 (2) of the Standing Order Local Law.

EXECUTIVE SUMMARY

The purpose of this report is for Council to consider the offers received for Tender T001 19/20 William Grundt Memorial Library (WGML) and Eastern Goldfields Community Centre (EGCC) re-roofing.

The public tender process led to eight (8) submissions being received of which Safeway Building & Renovations Pty Ltd has scored the highest and is considered to be most advantageous.

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the Community's Guiding Principles for Infrastructure:

- Ensure a sustainable asset and infrastructure base.

BUDGET IMPLICATIONS

The City has allocated \$988,500 in the 2019/2020 budget over four (4) accounts and an additional account for the Solar PV of \$50 000 to fund the WGML and EGCC re-roofing.

It is proposed to re-allocate the following budgets:

- Workorder **34028034** / Evaporative Air Conditioning System In (Egcc) Hall (Renewal/Replacement) to reallocate to Workorder **34048004** / Replacement Roof Of Egcc Hall (New/Upgrade)
- Workorder **34028054** / Egcc Building Renewals (Renewal/Replacement) to reallocate to Workorder **34048004** / Replacement Roof Of Egcc Hall (New/Upgrade)
- Workorder **86048124** / Pv Project Solar CKB Infrastructure (New/Upgrade) to reallocate to Workorder **66048014** / Library Roof Tile Replacement (Renewal/Replacement)

REPORT

The purpose of this report is for Council to consider the submissions received for Tender T001 19/20 WGML and EGCC re-roofing.

Background

On 11 February 2019 Council resolved to not award Tender T010 18/19 WGML and EGCC re-roofing; and accept that the project be considered as per the Local Government (Function and General) Regulations 1996 Part 4 [Provision of Goods and Services], Division 2 [Tenders for providing goods or services (s.3.57)], 11 (2), (c), (i).

These resolutions eventuated as the public tender process conducted in late 2018 resulted in two (2) submissions being received of which none were considered to be most advantageous due to being 30% over budget.

The project comprises the removal of the current tiled roofs and replacement with Colourbond roof sheeting on the WGML, EGCC facilities located at 13 Roberts Street, Kalgoorlie WA 6430.

Other works include replacement of affected water damaged ceilings, decommissioning of the current evaporative air conditioner system and installation of a new Air conditioning split systems, the design, supply and installation of a Rooftop Solar Photovoltaic (PV) System at the WGML and external painting for both facilities.

Since Council's resolution in February, officers have re-scoped the works to require all facilities to remain open for the duration of the project, and notified key industry contractors of the City's intent to tender for the works.

Subsequently the City tendered the works on 6 July 2019 with tenders closing on 25 July 2019.

The revised approach proved to be successful with eight (8) submissions received.

Tender Assessment

Eight (8) submissions were received for T001 19/20, being:

WACO Pty Ltd;
ACORP Construction Pty Ltd;
Safeway Building & Renovations Pty Ltd;
Johns Lyng Insurance Building Solutions (WA) Pty Ltd;
KBE Australia;
PMC Roofing Pty Ltd;
Top Gun Roofing and Restoration; and
West Australian Construction Group Pty Ltd.

Each tender submission was assessed by a panel of City officers. Two (2) submissions were assessed to be non-compliant with the City's 'Request for Tender' document and six (6) submissions were assessed as correct and compliant with the document.

Specifications and drawings in the tender comprised of two (2) stages and three (3) separable portions:

Stages

- **Stage 1** – The removal of the existing roof tiles and replacement with Colourbond or similarly approved roof sheeting on the WGML; and
- **Stage 2** – The removal of the existing roof tiles and replacement with Colourbond or similarly approved roof sheeting on the EGCC.

Separable Portions

- **Separable Portion 1 – Provisional Item** – Replacement of the affected water damaged ceilings in the EGCC and repair of evaporative ceiling vent openings;
- **Separable Portion 2 – Provisional Item** – Design and construct a 30kW 25Kva Solar PV System; and
- **Separable Portion 3 – Provisional Item** – External painting services.

Tenderers were assessed on the basis of the following qualitative criteria and weighting:

- Relevant Experience (15%);
- Key Personnel (15%);
- Key Personnel – Regional Contracting (5%);
- Demonstrated Understanding (35%); and
- Price (30%).

The demonstrated understanding of the project was determined to be the most significant criteria due to the change in scope to keep the facilities operational during the project, the requirement for this criteria was for submissions to clearly demonstrate how the contractor was going to engage this principle. The clear understanding of working with center managers and the projects team as to exact locations of site fencing, exclusion zones within the centers and safe initiatives to minimize impacts on daily operations and to provide a safe and controlled construction environment for patrons and pedestrians whilst minimizing cost and impact to the City's business functions.

Average aggregate scores across the criteria are shown below:

<i>Tenderers</i>		<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>	<i>E</i>	<i>H</i>	<i>I</i>	<i>J</i>
Relevant Experience	15%	8.50%	10.50%	0.00%	8.50%	14.00%	11.30%	0.00%	7.00%
Key Personnel	15%	9.50%	12.50%	0.00%	8.50%	13.00%	10.00%	0.00%	6.00%
Key Personnel - Regional	5%	5.00%	2.10%	0.00%	0.00%	1.00%	1.24%	0.00%	5.00%
Demonstrated Understanding	35%	12.83%	28.00%	0.00%	12.83%	32.20%	10.50%	0.00%	7.00%
Pricing	30%	9.55%	18.35%	0.00%	13.78%	18.25%	16.78%	0.00%	13.29%
TOTAL weighted score	100.00%	45.38%	71.45%	0.00%	43.62%	78.45%	49.82%	0.00%	38.29%

Tenderers C and I were assessed as non-compliant submissions and therefore were disqualified thus scoring 0% against all criteria.

Tender Panel Assessment Panel Recommendation

The submission provided by Tenderer E was considered by the panel to be the most advantageous based on their demonstrated experience and understanding in completing similar projects and initiatives to keep facilities operational. Tenderer E's pricing component was also most advantageous at approximately 47.5% below the allocated budget allowances.

Further, their submission identified \$96,896 worth of works and materials which they intend to procure locally. This represents 19.6% of their proposed costs. By comparison the other local tenders met criteria requirements, however after Regional Price Preference policy was applied the proposed costings were in the range of 30 to 40% higher than Tenderer E.

Reference checks carried out by City officers were all satisfactory. Financial credit checks have also been carried out for risk management of contract signing and are satisfactory.

Accordingly, it is recommended that Council award the tender to Tenderer E - Safeway Building & Renovations Pty Ltd.

STATUTORY IMPLICATIONS

Tenders were called in accordance with section 3.57 of the Local Government Act 1995 and Local Government (Function and General) Regulations 1996 Part 4, Division 2, Regulation 11 (a) which requires tenders to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, worth more than \$150,000 unless sub-regulation (2) states otherwise.

POLICY IMPLICATIONS

The tender process ensures Policy CORP-AP-001 relating to purchasing is satisfied. Further, the requirement for public tender where the aggregate value exceeds \$150,000 is complied with.

COMMUNITY ENGAGEMENT CONSULTATION

No community consultation was considered necessary in relation to the recommendations of the report.

16 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

17 INFORMATION BULLETIN**17.1 CHIEF EXECUTIVE OFFICER****17.1.1 INFORMATION ITEM 26 AUGUST 2019**

Responsible Officer: John Walker
Chief Executive Officer

Author: Karen Theaker
Governance Officer

Disclosure of Interest: Nil

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council receive the information.

EXECUTIVE SUMMARY

The purpose of this report is to keep Elected Members informed on items for information as received by the City.

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the Community's Guiding Principles to demonstrate a transparent and inclusive local government.

BUDGET IMPLICATIONS

There are no financial implications resulting from the recommendations of this report.

REPORT

The City of Kalgoorlie-Boulder regularly receives and produces information for receipt by the Elected Members.

INFORMATION ITEM:	DATE:
Water Services KPI	August 2019
Engineering Major Projects	August 2019
PDRS Information Bulletin	July 2019
Graffiti Report	July 2019

STATUTORY IMPLICATIONS

There are no statutory implications resulting from the recommendations of this report.

POLICY IMPLICATIONS

There are no policy implications resulting from the recommendations of this report.


COMMUNITY ENGAGEMENT CONSULTATION

No community consultation was considered necessary in relation to the recommendations of the report.

ATTACHMENTS

Water Services KPI Report August 2019 

Engineering Projects Info August 2019 

PDRS Information Bulletin July 

Graffiti Report July 2019 

18 CONFIDENTIAL ITEMS

19 DATE OF NEXT MEETING

The next Ordinary Council Meeting will be on Monday 9 September 2019.

20 CLOSURE