



**City of  
Kalgoorlie  
Boulder**

# **MINUTES**

**of the**

**ALL PURPOSE COMMITTEE MEETING**

**Held at 6:00PM**

**on**

**8 JUNE, 2020**

**in the**

**Councillors Conference Room**

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

The Chairman declared the meeting open at 6:01pm welcoming those present.

**2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)**

**IN ATTENDANCE:**

Mayor John Bowler  
Cr Deborah Botica  
Cr Laurie Ayers  
Cr Gary Brown  
Cr Glenn Wilson  
Cr Pam Townsend  
Cr Nardia Turner  
Cr Dave Grills  
Cr Terrence Winner  
Cr John Matthew

*Via Microsoft Teams*

**MEMBERS OF STAFF:**

Mr John Walker	Chief Executive Officer
Mr Stuart Devenish	General Manager Infrastructure & Environment
Ms Holly Phillips	General Manager City Living
Mr David Trevaskis	General Manager Finance and Corporate
Ms Michelle Todd	Manager Governance & Legal Services
Mr Ric Halse	Manager Planning, Development and Regulatory Services
Mr Gerard Sherlock	Manager Infrastructure Services
Mr Brett Killen	Manager Information Communication and Technology

**APOLOGIES – ELECTED MEMBERS:**

Cr Mandy Reidy

**APOLOGIES – MEMBERS OF STAFF:**

Nil

**LEAVE OF ABSENCE:**

Cr Lisa Malicky

### **3 PETITIONS/DEPUTATIONS/PRESENTATIONS**

#### **3.1 Schematic Design Presentation - Kal City Centre**

Representatives from the City's appointed consultants, Aspect Studios Pty Ltd, presented the Schematic Designs for the Kal City Centre Project.

The Schematic Designs will inform the Design Documentation to be included in the tender package for construction – to be released to market in August 2020.

*Council discussed the inclusion of parent room facilities and disability toilets and requested the availability of the schematic designs for Councillors reference.*

### **4 DECLARATIONS OF MEMBERS' AND OFFICERS' INTEREST**

#### **4.1 INTEREST AFFECTING IMPARTIALITY CITY OF KALGOORLIE-BOULDER CODE OF CONDUCT**

Nil

#### **4.2 FINANCIAL INTEREST LOCAL GOVERNMENT ACT SECTION 5.60A**

Nil

#### **4.3 PROXIMITY INTEREST LOCAL GOVERNMENT ACT SECTION 5.60B**

Nil

### **5 CONFIRMATION OF MINUTES**

#### **COMMITTEE RECOMMENDATION**

**MOVED BY: CR LAURIE AYERS**

**SECONDED BY: CR GLENN WILSON**

#### **[Minutes of All Purpose Committee Meeting held on 11 May 2020](#)**

That the minutes of the All Purpose Committee meeting held on 11 May 2020 be confirmed as a true record of that meeting.

**CARRIED  
(10/0)**

### **6 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**

Nil

### **7 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

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## 8 REPORTS OF OFFICERS

### 8.1 GENERAL MANAGER – INFRASTRUCTURE AND ENVIRONMENT

#### 8.1.1 COMMENCEMENT OF COMMUNITY CONSULTATION LOCAL PLANNING SCHEME NO.2

<b>Responsible Officer:</b>	<b>Stuart Devenish General Manager Infrastructure and Environment</b>
<b>Author:</b>	<b>Paul Nuttall Planning and Development Team Leader</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

#### VOTING REQUIREMENTS

Simple

#### OFFICER RECOMMENDATION

That the Committee recommend Council endorse the public launch date of 30 July 2020 to commence consultation and for consultation to be completed by 2 November 2020.

#### COMMITTEE RECOMMENDATION

**MOVED BY: CR DEBORAH BOTICA**  
**SECONDED BY: CR PAM TOWNSEND**

That Council endorse the public launch date no later than 30 July 2020 to commence consultation and for consultation to be completed 90 days after commencement.

**CARRIED  
(10/0)**

*Council requested large scale display of the scheme be available to Councillors in the Town Hall Councillors meeting rooms.*

#### EXECUTIVE SUMMARY

This report seeks Council support to commence community engagement for the Local Planning Scheme No2 (LPS2).

The City has reached a point in the LPS2 preparation in which State Government requirements have been satisfied and statutory community consultation can commence. To achieve this, officers will adhere to COVID-19 guidelines as applicable during community engagement to protect community safety, and to provide appropriate web based tools to engage with the community that doesn't limit accessibility and participation.

Officers have nominated 30 July 2020 as the official launch date for community

consultation. At the conclusion of the consultation program, all public submissions will be presented to Council for consideration. Following consideration of public input into LPS2, Council has the ability to undertake modifications to the draft Scheme text or maps, prior to the referral of the Scheme to the State Government.

### **COMMUNITY STRATEGIC PLAN LINKS**

This report links to the Strategic Community Plan through the following Guiding Theme:

- **SUSTAINABLE:** We advocate for the provision of land use.

### **BUDGET IMPLICATIONS**

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

## **REPORT**

### ***Overview of LPS2 principles***

By way of background, the objective of LPS2 is to support growth and development of Kalgoorlie-Boulder by achieving outcomes that enhance liveability and promote economic activity. The below points outline the principles that underpin this:

- Increase the amount of developable land for residential and industrial development;
- Open up new areas of land for development that were previously encumbered by land reservation;
- Increase the residential density of properties around key activity nodes to provide in-fill development opportunities;
- Limit commercial sprawl and concentrate new commercial development in Kalgoorlie and Boulder town sites;
- Provide new development tools for mixed use development in the CBD to promote residential living opportunities and to stimulate the night-time economy;
- Provide new development opportunities in the rural town sites of Ora Banda and Broad Arrow;
- Speed up the processing time for certain types of land use activities;
- Expand the range of land use activities that are exempt from development approval;
- Embed development incentives into the Scheme to encourage new innovative development in the Kalgoorlie and Boulder town sites;
- Increase the size of Heritage precincts to protect heritage values and incorporate development requirements that ensure new development can co-exist with heritage buildings.

### ***Timeline***

Due to the complexities surrounding State regulations for local planning schemes, the development of LPS2 has taken a number of years. To demonstrate the progress of the LPS2 program, the below table has been put together to outline key milestones that have been achieved along with the remaining milestones required to finalise the program.

Date	Milestone	Comment
June 2012	Council resolved to commence preparation of new Local Planning Scheme	Gazetted
December 2016	Councillor workshop to formulate the new scheme	Completed
January 2018	Council endorsed modifications to the draft Local Planning Scheme	Adopted
June 2018	Draft Scheme provided to State government for review. Modifications required by State to align with regulations.	Completed
July 2018	Draft Scheme referred to EPA and DPLH Consent granted to advertise.	Approved
October 2018	Council resolved to endorse LPS2 Community Engagement Strategy	Adopted
April 2019	Day workshop with Department of Planning to clear remaining issues	Completed
December 2019	Final modifications made to draft scheme in conjunction with the Dept. of Planning. Text and Map corrections	Completed
30 July 2020 – 2 November 2020	Formal public advertisement	
	Report to Council on engagement results	
	Perform modifications to LPS2 in accordance with Council directions as required	
	Submit LPS2 to the State Government for final review and approval.	

### ***LPS2 Community Engagement Strategy***

#### ***Engagement objectives***

Objectives for the engagement draft Scheme are to:

*Communicate* The City's intentions for the new Local Planning Scheme

*Answer* Questions raised by landowners through submissions

*Inform* State agencies of the consolidated strategic approach being pursued, the statutory framework and the context for agency interests to be addressed

*Assist* Local and regional planning and economic initiatives to coordinate opportunities that may present through the Local Planning Scheme

A community engagement strategy has been proposed to achieve the objectives. The strategy which was endorsed by Council in October 2018 is attached.

The strategy compartmentalised the consultation into four stages as described below. Please refer to attached Local Planning Scheme No.02 - Community Engagement Strategy, attached to this report.

Timing of engagement activities is to relate the stages as follows:

Stage	Component	Tasks
1	Collaborate with Department of Planning officers	Review and finalise engagement activities <b>Complete</b>
2	Engagement	<ul style="list-style-type: none"> <li>• At least 3 'Open House' forums</li> <li>• Encouragement of meetings and briefings to key stakeholders, as required</li> <li>• One on one meetings with key stakeholders and residents as required</li> <li>• Telephone, email and counter enquiries</li> <li>• Website establishment</li> <li>• Newspaper advertisement</li> <li>• Media releases</li> <li>• Technical report availability</li> <li>• Formal written referrals to State agencies</li> <li>• Display information at key City sites</li> </ul>
3	Reporting to Council	Report on responses and changes incorporated to LPS2
4	Reporting to WAPC	Forward Council resolution to WAPC for endorsement of LPS2

Due to COVID-19, officers will adhere to engagement interactions to ensure social distancing restrictions are adhered to and that the community is safe during consultation events. The City has enhanced Stage 2 to incorporate new web based engagement tools which will provide an alternate to face-to-face meetings or group gatherings to share information and allow users to engage with the City. Notwithstanding, information will still be displayed in public areas such as the Town Hall, Library and Council Administration Building.

The specific technology based engagement tools that will be used in Stage 2 (Wider Community Engagement) have been listed below to demonstrate the accessibility and user-friendliness of the tools and to provide confidence that COVID-19 will not affect the outcome of community engagement:

- Dedicated website page for LPS2 engagement and information;
- Interactive public mapping system (Intramaps) to show users current land classification, and proposed land classifications under the new Scheme;
- Online factsheets about the LPS2 and FAQ about Scheme changes;
- Online engagement forms for easy submission by the user;
- Electronic versions of Scheme text to download;
- Electronic versions of Scheme map to download;

## STATUTORY IMPLICATIONS

The City is required to advertise the LPS2 for 90 days as per the *Planning and Development Act (Local Planning Schemes) regulations 2015* (Part 4, Div 2, section 22(4) (a)). Conditional consent to advertise from the Department of Planning Lands



and Heritage was granted in July 2018. Agreement has subsequently been made with the Department of Planning Lands and Heritage that these requested changes are suitable, and advertising of the Scheme.


### **POLICY IMPLICATIONS**

There are no policy implications as a result of the report recommendations.

### **COMMUNITY ENGAGEMENT CONSULTATION**

This report addresses intended consultation arrangements.

### **ATTACHMENTS**

Local Planning Scheme No.2 Engagement Strategy 

Cr Deborah Botica left the room at 6:35pm.

Cr Deborah Botica returned to the room at 6:44pm.

Cr Nardia Turner left the room at 6:44pm.

Cr Nardia Turner returned to the room at 6:46pm.

**8.2 GENERAL MANAGER - FINANCE AND CORPORATE****8.2.1 BAD DEBT WRITE OFF - DELINQUENT MINING TENEMENTS**

**Responsible Officer:** David Trevaskis  
**General Manager Finance and Corporate**

**Author:** Jocelyn Power  
**Rates Coordinator**

**Disclosure of Interest:** Nil

**VOTING REQUIREMENTS**

Absolute

**OFFICER/COMMITTEE RECOMMENDATION**

**MOVED BY:** CR TERRENCE WINNER  
**SECONDED BY:** CR GARY BROWN

That Council:

1. Review the delinquent mining tenements rates accounts as detailed in table below and recognise the outstanding debt of \$53,624.65 as uncollectable; and

UV Tenement Type	Property Count	General Rates \$	ESL \$	Legal Charges \$	Interest Charges \$	Total \$
Exploration	5	8,458.82		1,365.80	3,202.19	13,026.81
Prospecting	5	2,657.33		384.00	1,723.60	4,764.93
Mining	1	24,070.09	192.02	384.00	11,186.80	35,832.91
<b>TOTAL</b>	<b>11</b>	<b>35,186.24</b>	<b>192.02</b>	<b>2,133.80</b>	<b>16,112.59</b>	<b>53,624.65</b>

2. Resolve to write off the outstanding rates debt of \$53,624.65, comprising of general rates \$35,186.24 and service charges \$18,438.41.

**CARRIED BY ABSOLUTE MAJORITY  
(10/0)**

**EXECUTIVE SUMMARY**

The purpose of this report is to seek Council's approval to write off rates and service charges debts relating to eleven 'dead' mining tenements totalling \$53,624.65. Administrative attempts to recover the debts have not succeeded and further recovery attempts would not be cost effective.

A summary of the aged accounts is detailed in Table 2 of the report.

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## COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the following Guiding Theme:

EMPOWERED: We ensure considered decision making based on collaborative, transparent and accountable leadership.

## BUDGET IMPLICATIONS

There are financial implications resulting from the recommendations of this report. The write off will result in a reduced accounts receivable of \$53,624.65 for the current 2019/20 financial year; comprising of \$35,186.24 prior year rates revenue and \$18,438.41 service charges revenue.

Provisions have been made in the 2019/20 financial year for the loss. A budget of \$50,000 is allocated to COA 103011120 – Rates Bad Debt Write off Expense Muni to allow for rates write off.

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## REPORT

### BACKGROUND

This report provides details of delinquent rates debts which are recommended for write off. Regular reporting of bad debts is intended to encourage sound governance over collection of monies.

Section 6.12(1)(c) of the *Local Government Act 1995* gives Council the power to write off any amount of money owing to the City. Absolute majority of Council is required.

The City of Kalgoorlie-Boulder Delegation of Authority Register March 2017, provides the Chief Executive Officer (CEO) authority to write off individual rates debts up to \$100. All rates debts in excess of \$100 are to be written off by Council resolution.

### COMMENT

The eleven dead mining tenements rates accounts have been listed under the provision for doubtful debts and have been deemed 'unrecoverable'. A dead mining tenement is a claim, lease or license to mine that is inactive or has been surrendered by the applicant, withdrawn by the applicant or been forfeited.

The debts date back more than five years. Information recorded on the related rate accounts show regular attempts to recover the debts have been unsuccessful. The continued cost of pursuing payment of the debts has been costly with little results. Of the \$53,624.65 to be written-off, \$51,793.64 is connected to nine Fairstar Resources Limited tenements, a company which went into receivership in July 2015.

It has been determined that due to the age of the accounts, the debts are unrecoverable and are recommended for write off. In circumstances where it is not viable to continue legal action for recovery, Council is then left with no choice but to write-off the debt.

**Table 2      Aged Rates Accounts**

<b>Billing Period</b>	<b>Age of Debt (years)</b>	<b>Property Count</b>	<b>Total Outstanding \$</b>
2010/11	10	1	1,461.99
2013/14	7	1	35,832.91
2014/15	6	4	6,936.75
2015/16	5	4	5,303.89
2016/17	4	1	4,089.11
<b>Total</b>		<b>11</b>	<b>53,624.65</b>

As stated, the majority of these debts are a number of years old and the process of debt recovery has been regular and persistent without success. Importantly, the City processes have been modified over time to ensure that there should not be recurring instances.

The practise of regularly reporting such matters and obtaining Council approval for debt write off enables sound corporate governance. As a minimum requirement, this process has been implemented into the debt recovery procedural guidelines, ensuring that costs from the current financial year/s are not carried forward as a burden to future financial periods.

## **STATUTORY IMPLICATIONS**

*Local Government Act 1995*

### *6.12. Power to defer, grant discounts, waive or write off debts*

- (1) *Subject to subsection (2) and any other written law, a local government may —*
  - (a) *when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or*
  - (b) *waive or grant concessions in relation to any amount of money; or*
  - (c) *write off any amount of money, which is owed to the local government.*

*\* Absolute majority required.*

- (2) *Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.*
- (3) *The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.*
- (4) *Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.*

## **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.

## 8.2.2 CHIEF EXECUTIVE OFFICER DELEGATED AUTHORITY

**Responsible Officer:** David Trevaskis  
General Manager Finance and Corporate

**Author:** Michelle Todd  
Manager Governance and Legal Services

**Disclosure of Interest:** Nil

### VOTING REQUIREMENTS

Absolute

### OFFICER/COMMITTEE RECOMMENDATION

**MOVED BY:** CR LAURIE AYERS  
**SECONDED BY:** CR JOHN MATTHEW

That the Committee recommend Council endorse the amendment to the Chief Executive Officer delegated authority Finance 07 – Writing Off of Minor Balances as follows:

Council delegates the authority to the CEO to authorise the writing off of debts under \$5,000.00 for the following:

1. Rates debts carried in the Rates Debtors Ledger; and
2. General debts carried in the various Sundry Debtors ledgers.

**CARRIED BY ABSOLUTE MAJORITY  
(10/0)**

### EXECUTIVE SUMMARY

This report is presented to Council to address a requisite amendment to the Finance 07 – Writing off of Minor Balances delegation to the CEO. The treatment of the various debts in this delegation are varied without cause. The proposed amendment will bring consistency to the Finance 07 delegated authority to the CEO in the way the organisation manages both rates debts and general debts.

This amendment to the delegation is consistent with other Local Governments and will facilitate operational efficiencies and improve the financial management operations for the organisation.

### COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the following Guiding Theme/s:

- **EMPOWERED:** We ensure considered decision making based on collaborative, transparent and accountable leadership.

### BUDGET IMPLICATIONS

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

**REPORT**

The current delegated authority for Finance 07 – Writing Off of Minor Balances varies for rates debts and general debts. The CEO is currently authorised to write off rates debts balances carried in the Rates Debtors Ledger of up to \$100, while the authorisation for writing off of general debts carried in the various Sundry Debtors ledgers is capped at \$5,000.

The effect of the current delegation sees minor rates balances presented to Council for consideration where it would be more effected to be managed at an operational level.

Council regularly receive rates updates by reports directly to Council and through the quarterly Finance and Audit Committee meetings which includes information relating to the writing off of debts balances under this delegated authority.

It is recommended Council endorse the amendment to the CEO's current delegations.

**STATUTORY IMPLICATIONS**

Section 6.12(c) of *Local Government Act 1995*

**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.

**9 CONFIDENTIAL ITEMS**

Nil.

**10 DATE OF NEXT MEETING**

The next All Purpose Committee Meeting will be on Monday 13 July 2020.

**11 CLOSURE**

There being no further business, the Chairman, Mayor John Bowler, thanked those present for their attendance and declared the meeting closed at 6:56pm.