



**City of  
Kalgoorlie  
Boulder**

# **AGENDA**

**Notice is hereby given  
for the Ordinary Council Meeting**

**commencing at 7:00 PM**

**on**

**22 MAY 2023**

**at the**

**Kalgoorlie Town Hall**

11 May 2023



## NOTICE OF MEETING

An Ordinary Council Meeting of the City of Kalgoorlie-Boulder will be held in the **Kalgoorlie Town Hall** on **Monday, 22 May 2023** commencing at **7:00 PM**.

Regards

A handwritten signature in black ink, appearing to read "Andrew Brien". The signature is stylized with a long, sweeping line extending from the end of the name.

**ANDREW BRIEN**

Chief Executive Officer

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

### **2 OPENING PRAYER**

To be conducted by Pastor Joseph Yipwe from Churchwest.

### **3 DISCLAIMER READING**

The Mayor will read the disclaimer to those present.

Please note this meeting is being recorded and streamed live on the Council's website in accordance with Council's Recording and Streaming of Council Meetings Policy, which can be viewed on Council's website.

All reasonable care is taken to maintain your privacy; however, as a visitor in the public gallery, your presence may be recorded. By remaining in the public gallery, it is assumed your consent is given if your image is broadcast.

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**

### **4.1 Attendance**

**In Attendance:**

**Members of Staff:**

**Visitors:**

**Press:**

### **4.2 Apologies**

**Apologies – Elected Members:**

**Apologies - Members of Staff:**

### **4.3 Leave of Absence (Previously Approved)**

#### **Leave of Absence:**

Councillor Kirsty Dellar

## **5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

### **Tina Williams, resident of South Boulder asked the following questions:**

#### Question 1

Why are the attachments confidential, these should be made available to the owners/users of the buildings?

#### Response from Deputy Mayor:

The City would first need to consult with individual users to ensure they are happy with the information they have provided to Council being publicly released.

#### Question 2

In the minutes of the 27/2 it was resolved to the CEO continue negotiations, has this happened or has he just tabled that it be demolished without negotiations

#### Response from Deputy Mayor

As per tonight's report, consultation recently occurred on 5 April 2023, the report provides a high-level summary of each user's feedback in these discussions.

#### Question 3

Does the City of Kalgoorlie Boulder get \$100K a year to maintain the CSA, and if so where has that money gone, what was it spent on?

#### Response from Deputy Mayor

The City can confirm it does not receive \$100K or any other external funding per annum to maintain the CSA.

### **Ashley Yong, a resident of Kalgoorlie, asked the following question:**

#### Question 1

What funding does Council receive from the state government to upkeep Cruickshanks Sporting Arena?

#### Response from Deputy Mayor

Deputy Mayor called upon the CEO, Andrew Brien to answer. The Chief Executive Officer advised that to the best of his knowledge, the City do not receive any operational funding at all from State Government for the funding of Cruickshank Sports Arena.

**Jeremy Grazziadelli, a resident of West Lamington, asked the following questions:**

Question 1

Has Council considered the potential and longevity of Cruickshank Sporting Arena and considered the name change to obtain state and federal funding ?

Response from the Deputy Mayor

Deputy Mayor called upon the CEO, Andrew Brien to answer. The alternate motion that is being proposed tonight does actually go to the heart of the question and what options Council will consider.

## **6 PUBLIC ACCESS AND PUBLIC QUESTION TIME**

### **6.1 Public Access**

### **6.2 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**

### **8.3 Proximity Interest Local Government Act Section 5.60B**

## **9 APPLICATIONS FOR LEAVE OF ABSENCE**

## **10 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSIONS**

### **10.1 Mayor Announcements**

## **11 CONFIRMATION OF MINUTES**

That the minutes of the Ordinary Meeting of Council held on 24 April 2023 be confirmed as a true record of that meeting.



**12 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****12.1 Councillor John Matthew Motion Concerning Community Standards**

That Council:

1. Requests that the Mayor and CEO meet with the local parliamentary representatives to gain their assistance in working with State and Federal Departments that have a local presence with the aim of improving the standards of premises which, in many cases, do not meet the expected standards for a thriving regional centre.
2. Requests the CEO to develop a Community Standards Policy designed to fulfill the following:
  - a. Upgrade, as a matter of priority, projects identified by Council to demonstrate that Council is taking the lead in improving the standard of local facilities,
  - b. Ensures that projects for this purpose are continually identified and undertaken,
  - c. Review, at least annually Community Standards Policy to ensure that facilities are maintained at a level equal to, or above, what would be expected in a major regional city,
  - d. Ensures that the City has a mechanism to encourage and enforce, where necessary, adherence to such standards.
3. Requests the CEO to provide staff with the mechanisms to encourage and enforce planning policies designed to create and maintain landscaping associated with new and/ or existing property developments.

**13 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**

## 14 REPORTS OF COMMITTEES

### 14.1 Chief Executive Officer Review Committee - 8 May 2023

#### 14.1.1 Chief Executive Officer Annual Review

<b>Responsible Officer:</b>	Andrew Brien Chief Executive Officer
<b>Responsible Business Unit:</b>	Office of the CEO
<b>Disclosure of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. CEO Review Committee Update 1 May 2023 [14.1.1.1 - 22 pages]</li> <li>2. CONFIDENTIAL - CEO Review Committee - Minutes 27 April 2023 [14.1.1.2 - 11 pages]</li> <li>3. CONFIDENTIAL - Confidential CEO Review Committee Minutes 27 April 2023 [14.1.1.3 - 24 pages]</li> </ol>

### COMMITTEE RECOMMENDATION

That Council:

1. Endorse the Chief Executive Officer's Self Assessment Report against each of the key focus areas;
2. Endorse the Outcomes Report on the actions taken in relation to the Culture Review 2021;
3. Consider that the performance of the Chief Executive Officer has met the Council's expectations in relation to the key performance indicators and key actions from the Culture Review;
4. Endorse Option 3 as outlined in this report in relation to changes to the CEO Contract Terms and Conditions; and
5. Request that amended key performance indicators be developed following the Councillor workshop to be held on 20 May 2023 for endorsement by Council at the June Ordinary Meeting.

### Executive Summary

The Chief Executive Officer Review Committee met on 27 April 2023 to review the two performance reports prepared by the Chief Executive Officer. As an outcome of the Committee review, a recommendation was made to refer the reports to a Councillor workshop to enable input and assessment by all other elected members. This further review was undertaken at the Councillor Concept forum held on 1 May 2023.

The Committee is now required to provide a formal recommendation to Council in accordance with the contract and legislative requirements.

## Community Engagement Consultation

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

## 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 Chief Executive Officer Review Committee has previously considered the two reports prepared by the Chief Executive Officer in relation to performance over the last 12 months. The Committee Members along with other elected members present at the Councillor Concept forum held on 1 May 2023 were provided with a further opportunity to seek any additional information or supporting information.

The attachment to this report is the summary of the two reports provided by the Chief Executive Officer in relation to specific actions and updates against the key performance indicators and the Culture Review actions undertaken over the last year.

Following the Councillor Concept Forum on 1 May 2023 the Mayor requested for a Strategic Planning Workshop to be held to refine key focus areas for the Council over the next year which will also assist in the drafting of revised key performance indicators for the Chief Executive Officer.

As part of the annual review process the Council is required to undertake a review of the remuneration and contract conditions for the Chief Executive Officer. The Salary and Allowances Tribunal released their determination in relation to Chief Executive Officers on 6 April 2023 which in part states *“The Tribunal has determined that CEO Remuneration Bands be increased by 3.5%. The Tribunal considered this appropriate given the economic conditions, the wider public service framework and the mandatory 0.5% superannuation increase from July 2023”*. The Determination also identified an increase in Regional/Isolation Allowance as follows *“The Regional/Isolation Allowance rates have been reviewed and increased up to a maximum of \$10,000, reflecting market conditions and pressures”*. At the time of appointment to the role, the Council provided a Regional/Isolation Allowance of \$15,000 out of a maximum allowable of \$30,000 which has now been increased by \$8,500 taking the total allowable allowance to \$38,500.

In consideration of the options provided the Chief Executive Officer has identified that as part of the overall employment package Council housing has been provided which is a direct cost to the City, therefore, foregoing any change to the cash

component of the remuneration package is considered appropriate this year as is no change to the Regional/Isolation Allowance.

In terms of the self-assessment process the Chief Executive Officer identified potential options for changes to the terms and conditions as outlined below:

- Option 1 - Changes consistent with the Salary and Allowances Tribunal of an increase of 3.5% overall remuneration package inclusive of an increase to the Regional/Isolation Allowance (currently \$15,000pa)
- Option 2 – Increase in base salary consistent with the remainder of the organisation which is set at 4% under the Enterprise Agreement plus the superannuation increase in line with legislative provisions, however no change to the Regional/Isolation Allowance
- Option 3 – (recommend by CEO) No change to base salary (noting that superannuation will still increase by 0.5% in line with legislative changes) and provision of additional annual/executive leave (additional 5 days per annum)
- Option 4 – Other changes as determined by the Committee.

**Option 1** – The Determination by the Salary and Allowances Tribunal provides the overarching framework for all local government Chief Executive Officers. In making the Determination the Tribunal has taken into consideration factors such as inflationary pressures, State Government parity issues and legislative changes such as superannuation increases. The Tribunal identifies that whilst the level of remuneration has been increased for each Band (Kalgoorlie-Boulder is a Band 1 local government), it still remains that each local government is required to make a formal determination of any changes to the annual remuneration of the Chief Executive Officer. At present the total remuneration is approximately 5.8% below the total allowable, hence the increase proposed under this option would result in an increase still below the maximum allowable including a minor increase of \$525pa to the Regional/Isolation Allowance.

**Option 2** – The increase in base salary of 4% is consistent with all other staff across the organisation and would still fall within the Determination of the Tribunal. This option allows for changes to base salary and superannuation but does not propose any changes to the Regional/Isolation Allowance. Whilst this option ensures some consistency with other staff, the Enterprise Agreement specifically excludes the Chief Executive Officer and therefore, whilst consistent is not considered to be appropriate in this instance given the Determination of the Tribunal at a lower rate.

**Option 3** – This option provides for no increase in base salary, noting that superannuation will increase in line with legislation, however provides for an additional 5 days annual/executive leave in recognition of the outcomes achieved over the last year. This is the preferred option of the Chief Executive Officer.

**Option 4** – This option is to be determined by the Committee noting the outcomes of the Salary and Allowances Tribunal and the recommended option of the Chief Executive Officer.

### **Statutory Implications**

Any changes to the employment terms and conditions are required to be consistent with the Salary and Allowances Tribunal Determination, the Chief Executive Officer's Contract of Employment and the provisions of the Local Government Act 1995 as it relates to the conditions of employment for Chief Executive Officers.

**Policy Implications**

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

## 15 REPORTS OF OFFICERS

### 15.1 Chief Executive Officer

#### 15.1.1 Monthly Financial Report - March 2023

<b>Responsible Officer:</b>	Casey Radford Finance Manager
<b>Responsible Business Unit:</b>	Finance
<b>Disclosure of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple
<b>Attachments:</b>	1. Monthly Financial Report - March 2023 [15.1.1.1 - 25 pages]

#### 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 31 March 2023.

#### 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 March 2023.

#### Community Engagement Consultation

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

#### 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.

CAPABLE: We will have the resources to contribute to our community and economy.

#### Budget Implications

There are no financial 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 31 March 2023 income is under budget by (9.37%) and expenditure is under budget by (6.43%), 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 (9.37%), (\$7,994,825) under budget. The sub programs which are outside the allowable variance are as follows.

### Other General Purpose Funding

Description	YTD Budget	YTD Actual	YTD Variance
<b>Other General Purpose Funding</b>	<b>\$2,696,204</b>	<b>\$1,498,440</b>	<b>(\$1,197,764)</b>

The variance is due to interest on investments being more than budgeted, this is due to the interest rate received being higher than expected.

### Other Welfare

Description	YTD Budget	YTD Actual	YTD Variance
<b>Other Welfare</b>	<b>\$2,259,578</b>	<b>\$1,382,758</b>	<b>(\$876,820)</b>

The variance is due to Youth Hub project being deferred to next year.

### Staff Housing

Description	YTD Budget	YTD Actual	YTD Variance
<b>Staff Housing</b>	<b>\$124,934</b>	<b>\$51,601</b>	<b>(\$73,333)</b>

The variance is due to rent income received on fixed term housing being less than budgeted for.

**Town Planning & Regional Development**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Town Planning &amp; Regional Development</b>	<b>\$127,638</b>	<b>\$185,884</b>	<b>\$58,246</b>

The variance is due to the planning application fees of \$55k being more than budget.

**Other Community Amenities**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Other Community Amenities</b>	<b>\$218,244</b>	<b>\$7,850</b>	<b>(\$210,394)</b>

The variance is due to the Kalgoorlie Boulder Urban Landcare Group contribution \$210k budgeted but not received.

**Other Recreation & Sport**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Other Recreation &amp; Sport</b>	<b>\$3,856,760</b>	<b>\$4,269,058</b>	<b>\$412,298</b>

The variance is due to increased member numbers for the Oasis health club of \$179k. The Golf Course has also seen an increase in income due to a busy events schedule over the summer period. Higher food and beverage sales of \$26k attributable higher than budgeted Golf Course membership income of \$34k, higher Golf Course equipment hire income of \$48k, higher Golf Course green fees income of \$27k as well as higher pro shop sales of \$25k, compared to budget.

**Other Culture**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Other Culture</b>	<b>\$527,311</b>	<b>\$661,953</b>	<b>\$134,643</b>

The variance is due to the increased events income of \$46k and operating grants for the sunset concert series and multicultural festival of \$83k.

**Construction Roads Bridges Depots**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Const Roads Bridges Depots</b>	<b>\$5,964,101</b>	<b>\$4,669,887</b>	<b>(\$1,294,215)</b>

This variance is a timing difference for regional roads, roads to recovery and blackspot funding.



**Maintenance Roads Bridges Depots**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Maintenance Roads Bridges Depots</b>	<b>\$138,988</b>	<b>\$75,170</b>	<b>(\$63,818)</b>

This variance is a timing difference for the bike plan development grant.

**Tourism and Area Promotion**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Tourism and Area Promotion</b>	<b>\$4,167</b>	<b>\$54,877</b>	<b>\$50,710</b>

The variance is due to a refund that was obtained for prior expenditure associated with the Tourism Conference hosted by CKB.

**Economic Development**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Economic Development</b>	<b>\$8,346,428</b>	<b>\$3,345,244</b>	<b>(\$5,001,184)</b>

This variance is due to timing differences in the drawdown of grant funds for the Kalgoorlie City Centre project, held by the WA Treasury Corporation of (\$5.6m), and the invoicing of commercial water customers of \$497k.

**EXPENSE CATEGORIES**

Overall stated expenditure is (6.43%), (\$4,271,468) under budget. The sub programs which are outside the allowable variance are as follows.

**Rates Revenue**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Rates Revenue</b>	<b>\$738,799</b>	<b>\$663,377</b>	<b>(\$75,422)</b>

This is due to a timing difference and will be cleared by year end.

**Members of Council**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Members of Council</b>	<b>\$1,107,977</b>	<b>\$984,827</b>	<b>(\$123,149)</b>

This is due to reduced administration overhead costs.

**Other Governance**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Other Governance</b>	<b>\$1,485,741</b>	<b>\$1,088,287</b>	<b>(\$300,558)</b>

This variance is due to a timing difference contributions and donations & subsidies expense associated with sponsorships of (\$165k), reduced administration overhead costs (\$82k) and the timing of communication and advertising costs of (\$47k).

**Animal Control**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Animal Control</b>	<b>\$405,185</b>	<b>\$348,148</b>	<b>(\$57,037)</b>

This variance is due to reduced depreciation expense of (\$12k) and reduced administration overhead costs (\$46k).

**Other Law, Order & Public Safety**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Other Law, Order &amp; Public Safety</b>	<b>\$1,273,016</b>	<b>\$1,088,287</b>	<b>(\$184,729)</b>

This variance is attributable to reduced expenditure on employee salaries & wages of (\$36k) due to vacant positions, furniture & equipment depreciation of (\$35k), the timing of materials purchased (\$79k), contractors & consultants services (30k) and insurance allocations (\$19k).

**Preventative Services - Inspections**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Preventative Services - Inspections</b>	<b>\$1,017,136</b>	<b>\$894,841</b>	<b>(\$122,295)</b>

This variance is due to reduced expenditure on employee salaries & wages (\$65k) and reduced administration overhead costs (\$45k).

**Aged and disabled – Senior Citizens**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Aged and disabled – Senior Citizens</b>	<b>\$507,058</b>	<b>\$428,190</b>	<b>(\$78,867)</b>

This variance is due to salary and wages (\$60k) due to vacant positions and timing of materials and contractor's costs of (\$25k).

**Other Welfare**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Other Welfare</b>	<b>\$1,249,227</b>	<b>\$1,486,656</b>	<b>\$237,429</b>

This variance is due to increased expenditure on contributions and donations & subsidies of \$225k. This is fully offset by unbudgeted grant funding.

**Staff Housing**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Staff Housing</b>	<b>\$307,135</b>	<b>\$360,946</b>	<b>\$53,812</b>

This variance is increased depreciation \$49k, rental lease costs of \$90k, which is partially offset by recovered costs from tenants and reduced contractor costs of (\$49k).

**Town Planning & Regional Development**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Town Planning &amp; Regional Development</b>	<b>\$1,186,131</b>	<b>\$1,003,788</b>	<b>(\$182,343)</b>

This variance is mainly due to reduced administration overhead costs of (\$61k), employee salaries & wages of (\$25k) due to vacant positions, the timing of contributions and donations (\$45k) for heritage grants and reduced advertising (\$19k). In addition, increased legal advice, obligation & expense is \$38k over budget.

**Libraries**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Libraries</b>	<b>\$767,407</b>	<b>\$662,364</b>	<b>(\$105,043)</b>

The variance is mainly due to employee salaries & wages of (\$28k), depreciation on buildings of (\$26k), administration overhead costs (\$22k) and subscriptions (\$13k) being less than budget.

**Heritage**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Heritage</b>	<b>\$318,753</b>	<b>\$262,839</b>	<b>(\$55,914)</b>

This variance is mainly due to reduced employee salaries & wages of (\$8k), contractor costs for programs and events(\$15k) and printing (\$10k) being less than budget.

**Maintenance Roads Bridges Depots**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Maintenance Roads Bridges Depots</b>	<b>\$8,302,639</b>	<b>\$5,550,849</b>	<b>(\$2,751,789)</b>

This variance is due to a delay in contractor & consultant services work of (\$615k) due to contractor shortage, employee salaries & wages of (\$540k), and labour overheads allocations of (\$1.2m) offset by public works overheads, which will be cleared by year end.

**Road Plant Purchases**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Road Plant Purchases</b>	<b>\$599,878</b>	<b>\$167,033</b>	<b>(\$432,845)</b>

This variance is due to loss on sale of assets of (\$408k) being less than budget and depreciation of \$44k being over budget due to timing difference of planned asset disposals

**Tourism & Area Promotion**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Tourism &amp; Area Promotion</b>	<b>\$1,256,905</b>	<b>\$1,103,032</b>	<b>(\$153,873)</b>

This variance is due to a timing difference of contractors & consultants services of (\$288k) and contributions, donations & subsidies of \$55k related to tourism promotion, and the timing of materials purchased of \$94k being over budget for tourism promotion and the tourism strategy.

**Building Control**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Building Control</b>	<b>\$659,654</b>	<b>\$551,797</b>	<b>(\$107,857)</b>

This variance is due to employee salaries & wages of (\$45k) due to vacant positions, and reduced administration overhead costs (\$41k).

**Public Works Overheads**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Public Works Overheads</b>	<b>\$111,881</b>	<b>\$2,443,131</b>	<b>\$2,331,250</b>

This is due to a timing difference, the main variances are employee costs \$1.09m, labour overheads \$1.52m and reduced administration overhead costs (\$382k), this will be cleared by year end.

**General Admin Overheads**

Description	YTD Budget	YTD Actual	YTD Variance
<b>General Admin Overheads</b>	<b>\$133,426</b>	<b>\$13,453</b>	<b>\$119,973</b>

This is due to a timing difference and will be cleared by year end.

**Plant Operation Costs**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Plant Operation Costs</b>	<b>\$8,602</b>	<b>\$592,342</b>	<b>\$583,740</b>

The variance is due to internal hire allocation costs \$413k, repair and operational costs of \$87k, depreciation (\$92k) and admin costs \$14k. This will be cleared by year end.

**CAPITAL CATEGORIES**

March 2023 year to date capital expenditure is lower than what was budgeted by (\$12.61m). Actual YTD expenditure is \$28.28m versus budgeted YTD spend of \$40.89m.

- Main variances from Work in Progress of (\$5.18m) with the majority relating to Kalgoorlie City Centre Project and the Kalgoorlie Golf Course Resort;
- Buildings of (\$1.02m) with delayed purchase of properties and the Youth Hub Project;
- Infrastructure - Roads of (\$2.85m) mainly relating to delays in R2R and RRG projects;
- Investment Property of (\$1.99m) - majority of works for this have been delayed to next calendar year; and
- Plant and equipment (\$1.25m) - delays in purchasing/delivery.

**Statutory Implications**

The Statement of Financial Activity has been prepared in accordance with the requirements of the Local Government (Financial Management) Regulations.

**Policy Implications**

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

### 15.1.2 Accounts Payable Report April 2023

<b>Responsible Officer:</b>	Casey Radford Finance Manager
<b>Responsible Business Unit:</b>	Finance
<b>Disclosure of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Municipal EFT Payments - April 2023 [<b>15.1.2.1</b> - 13 pages]</li> <li>2. Municipal Cheque Payments - April 2023 [<b>15.1.2.2</b> - 1 page]</li> <li>3. Municipal Direct Debit Payments - April 2023 [<b>15.1.2.3</b> - 1 page]</li> <li>4. Municipal Credit Card Payments - April 2023 [<b>15.1.2.4</b> - 8 pages]</li> </ol>

#### Officer Recommendation

That Council receive the list of payments totalling \$5,124,209.30 as presented for the month of April 2023.

#### Executive Summary

The purpose of this report is for Council 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), direct debit, debit card and credit card.

#### Community Engagement Consultation

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

#### 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.

**CAPABLE:** We will have the resources to contribute to our community and economy.

**Budget Implications**

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

**Report**

Attached to this report are the lists of all cheque and EFT payments made during the month of April 2023 and a list of corporate credit card transactions by card holder of the same period totalling \$5,124,209.30.

Municipal EFT	\$	5,011,452.40
Municipal Cheque	\$	656.15
Direct Debit	\$	51,797.53
Credit Cards	\$	60,303.22
<b>Grand Total</b>	<b>\$</b>	<b>5,124,209.30</b>

**Statutory Implications**

The accounts payable for the month of April 2023 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.

### 15.1.3 Proposed Schedule of Fees and Charges 2023/24

<b>Responsible Officer:</b>	Casey Radford Finance Manager
<b>Responsible Business Unit:</b>	Finance
<b>Disclosure of Interest:</b>	Nil
<b>Voting Requirements:</b>	Absolute Majority
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Schedule of Fees and Charges 2023-24 [15.1.3.1 - 30 pages]</li> <li>2. Significant Changes to Fees and Charges 2023-24 [15.1.3.2 - 2 pages]</li> </ol>

#### Officer Recommendation

That Council:

1. Approve the attached Schedule of Fees and Charges 2023/2024; and
2. Request the Chief Executive Officer to give local public notice of the Council's intention to impose the Schedule of Fees and Charges 2023/2024, to apply from 1 July 2023, in accordance with section 6.19 of the *Local Government Act 1995*.

#### Executive Summary

The City is required to adopt the Schedule of Fees and Charges for the 2023/2024 financial year. In accordance with section 6.16(1) of the Local Government Act 1995, Council may impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

The City has a number of charges, which are applicable from 1 July 2023, and therefore it is recommended that the proposed Schedule of Fees and Charges be approved by Council prior to the adoption of the annual budget so that all fees can apply from 1 July 2023.

All fees and charges have been reviewed by City Officers and incorporated in the attached draft Schedule of Fees and Charges for Elected Member consideration.

#### Community Engagement Consultation

In accordance with s6.19 of the Local government Act 1995, the City will give local public notice of the intention to impose the 2023/24 fees and charges from the 1 July 2023.

#### Community Strategic Plan Links

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



CAPABLE: We will have the resources to contribute to our community and economy.

### **Budget Implications**

A 5% increase has been applied to the Schedule of Fees and Charges for the 2023/2024 year. This is in line with the City's Long Term Financial Plan (2023-2033) estimated fees and charges increase.

### **Report**

A review of the City's Schedule of Fees and Charges is a necessary step in the budgeting process. In accordance with section 6.16(1) of the Local Government Act 1995, the City may impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

The City has completed a review of the current and proposed fees and charges for 2023/24 and applied an increase of 5%. The 5% increase has been calculated after considering the City's Long Term Financial Plan 2023 – 2033 and other inflation indicators available at this time:

- The City's Long Term Financial Plan 2023-2033 includes an increase of 5% for all fees and charges for the year 2023/24;
- The March 2022 to March 2023 annual CPI increase for Perth is 5.8% - <https://www.abs.gov.au/statistics/economy/price-indexes-and-inflation/consumer-price-index-australia/latest-release>; and
- WALGA's March Economic Briefing 2023 includes a forecast of the Local Government Cost Index (LGCI) to June 2023 of 4.5% - <https://walga.asn.au/policy-advocacy/our-policy-areas/economics/quarterly-economic-briefing/march-economic-briefing-2023>

During the fees and charges review, the City has considered the impact of this increase and made recommendations that take into consideration current economic conditions, historical increases, legislated and/or regulated fees, and any previous Council resolutions for these fees and charges. A summary of new or removed fees or charges and those that are proposed to increase by more or less than 5% is provided in an attachment for review.

### **Statutory Implications**

Section 6.16 of the Local Government Act 1995 requires the Local Government to adopt its fees and charges either at the time of adopting the budget or some other time during the year. If Council wishes to adopt the fees and charges outside of the budget process, then the Local Government is required to give local public notice in accordance with section 6.19 of the Local Government Act 1995.

Regulation 5(2)(b) of the Local Government (Financial Management) Regulations 1996 requires the CEO to assist the Council to undertake reviews of fees and charges regularly (and not less than once in every financial year).

**Policy Implications**

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

### 15.1.4 Committee and Working Group Policy update

<b>Responsible Officer:</b>	Frances Liston Executive Manager Governance and Risk Services
<b>Responsible Business Unit:</b>	Office of the CEO Governance
<b>Disclosure of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple
<b>Attachments:</b>	Nil

#### Officer Recommendation

That Council:

1. Endorse the following amendment to the Committee and Working Group Policy (EXEC-CEO-018):
  - a. at the beginning of the sentence under the heading 7.2.10 “Appointment of a Presiding Member” add the words “*Other than in the case of the Audit and Risk Committee (in which case an independent Presiding Member (Chair) shall be appointed),*”; and
2. Note the CEO will undertake a comprehensive review of the Committee and Working Group Handbook including the Committee and Working Group Policy and all Committee and Working Group Terms of Reference prior to the local government election in October 2023.

#### Executive Summary

It is recommended that clause 7.2.10 of the Committee and Working Group Policy (EXEC-CEO-018) be amended as follows:

- At the beginning of the sentence under the heading 7.2.10 “Appointment of a Presiding Member”, add the words “*Other than in the case of the Audit and Risk Committee (in which case an independent Presiding Member (Chair) shall be appointed),*”.

A comprehensive review of Committees, Working Groups and the Committee and Working Group Handbook will be undertaken prior to the October local government elections, following the legislative and regulatory reforms.

#### Community Engagement Consultation

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

#### 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**

It is recommended that clause 7.2.10 of the Committee and Working Group Policy (EXEC-CEO-018) be amended as follows:

At the beginning of the sentence under the heading 7.2.10 "Appointment of a Presiding Member" add the words "*Other than in the case of the Audit and Risk Committee (in which case an independent Presiding Member (Chair) shall be appointed),*".

This anomaly was picked up during the Audit and Risk Committee's review of its Terms of Reference and the Committee and Working Group Handbook. The change is recommended as a correction to the current wording which states "An Elected Member is to be appointed as the Presiding Member (Chair) of each Committee".

If the recommended change is endorsed by Council, this paragraph 7.2.10 will read in its entirety:

*Other than in the case of the Audit and Risk Committee (in which case an independent Presiding Member (Chair) shall be appointed), an Elected Member is to be appointed as the Presiding Member (Chair) of each Committee.*

It is anticipated that the Local Government Act reforms will include some change in relation to legislative and regulatory provisions relating to Council Committees. These changes will be reviewed along with a comprehensive review of Council Committees and Working Groups, their terms of references and the City's policy in that regard.

### **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.

## 15.2 Development and Growth

### 15.2.1 Land Acquisition and Disposal Policy

<b>Responsible Officer:</b>	Alex Wiese Director Development and Growth
<b>Responsible Business Unit:</b>	Planning Development & Regulatory Services
<b>Disclosure of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Property- Investment- Policy [<b>15.2.1.1</b> - 4 pages]</li> <li>2. Land Acquisition and Disposal Policy [<b>15.2.1.2</b> - 8 pages]</li> </ol>

#### Officer Recommendation

That Council:

1. Adopts the draft Land Acquisition and Disposal Policy as contained in Attachment 1 to the report; and
2. Repeal Property Investment Policy (CORP-F-012).

#### Executive Summary

The City has developed a draft Land Acquisition and Disposal Policy (Policy) as part of the process to develop a Land Acquisition and Disposal Strategy (Strategy) to effectively manage land under the ownership, care or control of the City for the benefit of the community. The Policy and Strategy will guide the management of City land that can be leveraged for community benefit and financial return to support the services that the City provides to the community.

The Strategy, which will be presented to Council in June, will include the identification of property and actions to effectively and responsibly manage the future of the individual parcels of land and buildings under the ownership, care or control of the City.

Council consideration is sought on the draft Land Acquisition and Disposal Policy.

#### Community Engagement Consultation

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

Individual land transactions will align with the Policy and be the subject of consultation (advertising) at the time in accordance with the requirements of the *Local Government Act 1995*, and comply with *Local Government (Functions and General) Regulations 1996, Part 3 Commercial Enterprises by local governments*.

## Community Strategic Plan Links

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

**FUTURISTIC:** We plan for the future-proofing of our City by being a thinking and innovative society.

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

**SUSTAINABLE:** We support opportunities for commercial and industrial land.

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

**CAPABLE:** We are combating Fly-In Fly-out (FIFO) and targeting residential population growth of 3% per annum.

**CAPABLE:** We are exploring funding sources and revenue streams.

## Budget Implications

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

The financial implications of any proposed or subsequent land transactions will be considered when those opportunities are presented to Council for determination. The management of the funds from disposals and for acquisitions is considered one of the most important elements to achieving a sustainable approach to the City's land and building assets.

Funds will be placed in the City's Future Projects Reserve, for which the purpose is to fund future projects that Council supports as a desired outcome for the overall Community. Envisaged uses included regeneration of areas, housing, subdivisions, the acquisition of properties that will provide an income stream to the City, and large-scale projects aimed at enhancing the City's livability.

All property transactions will be appropriately recorded in Council's financial records, and an annual property report will be presented to the Finance and Audit Committee, which will report against identified risks and required returns on investment and strategic outcomes, as well as report on investment priorities and divestment activities.

## Background

The City of Kalgoorlie-Boulder owns in freehold significant land and property assets, which are used to support service delivery to the community, strategic outcomes, and as a revenue generating activity.

City-owned land and buildings are to provide service to the community for the following purposes:

- the direct delivery of services by the City or City-affiliated organisations;
- to facilitate the delivery of services by government and community organisations;
- recreational and sporting activity;
- some commercial business;
- drainage, roads and parking; and

- strategic outcomes.

The City's current Policy: Corp-F-012 Property Investment Policy (Refer to Attachment 2) focuses on investment. The proposed Land Acquisition and Disposal Policy will establish a framework and assessment criteria for:

- Acquisitions (investment)
- Development of property assets
- Divestments

The existing Property Investment Policy aims to support Council's strategic goals and generate additional revenue as an alternate source of income for the City, to minimise costs or to realise one-off or perpetual financial returns.

However, the City's property portfolio has been assembled over time and has not been guided by a coherent approach or methodology.

The proposed Land Acquisition and Disposal Policy sets out clear objectives for the City in relation to land acquisition and disposal.

The forthcoming Land Acquisition and Disposal Strategy will include the identification of property, and plan to effectively and responsibly manage the future of the land and properties under the ownership, care and control of the City.

## **Report**

The intention of the Policy is to have a set of guiding principles that can be applied to the acquisition and disposal of City land and property assets prior to considering any specific opportunities. It is considered that an articulated and endorsed process and framework ensures decision making is consistent and formalised, providing the optimal environment for good decision making and providing a record that forms the basis for future consideration.

There is a particular interest in understanding the utilisation of land and facilities by the community so that underutilised assets might be better allocated, shared or disposed of to deliver improved outcomes for the community. Where there are opportunities to acquire strategic assets for the long-term benefit of the community, a framework will be developed to provide guidance that provides confidence both for officers and Council in identifying opportunities and presenting them for consideration.

The Policy is the first step to meet those needs and guide the management and acquisition and disposal of land the City owns, cares for and is in control of that can be leveraged for community benefit and financial return.

The objectives of the draft Policy set out principles for the retention, development, acquisition and disposal of property, and enable the action of acquisition, development or disposal to ensure community benefit, such as ensuring services are provided from the most appropriate locations and that the financial and community benefit of the City's Future Projects Reserve funds is optimised.

The Policy (refer to Attachment 1) establishes the following objectives for the City in relation to land acquisition and disposal:

- Ensure required services are provided from the most appropriate locations;
-

- Set out the principles and framework for the retention, development, acquisition and disposal of property;
- Enable action of strategic acquisition, development and disposal opportunities; and
- Ensure effective use of the Future Projects Reserve funds.

The proposed Strategy, the draft of which will be presented to Council in July, will outline the following:

- The strategic and legislative context for land administration;
- A summary of the City's current land and building assets;
- A process for how the City should manage its assets, including acquisitions and disposal;
- The principles for the financing of commercial assets; and
- An Implementation Plan for the next 10 years.

### **Statutory Implications**

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

### **Policy Implications**

Subject to Council adopting the draft Land Acquisition and Disposal Policy as contained in Attachment 1 to the report the Property Investment Policy will be repealed.



### 15.2.2 Proposed Land use as "Resource Recovery Centre" in the "Rural" Zone - Lot 504 (405) Anzac Drive, Broadwood WA 6430

<b>Responsible Business Unit:</b>	Development and Growth
<b>Disclosure of Interest:</b>	Nil
<b>Application Number:</b>	P177/22
<b>Owner's Name:</b>	Dodd and Dodd Pty Ltd
<b>Applicant's Name:</b>	Dynamic Planning and Developments
<b>Development Value:</b>	\$100,000
<b>Voting Requirements:</b>	Simple
<b>Attachments:</b>	Nil

#### Officer Recommendation

That Council:

1. Resolve in accordance with Clause 3.6 (b) of Local Planning Scheme No. 1 that the land use 'Resource Recovery Centre' may be consistent with the objectives and purposes of the 'Rural' zone; and
2. Authorise the CEO to undertake advertising of the planning application in accordance with Clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015* and consultation with statutory and public authorities for 28 days.

#### Executive Summary

A 'resource recovery centre' is a use not specifically mentioned in the zoning table of Local Planning Scheme No. 1. (LPS1). As such Council is being asked to consider whether the land use 'Resource Recovery Centre' is consistent with the objectives and purposes of the Rural Zone in accordance with Clause 3.6 of LPS1. City staff have considered the use of the land against the objectives of the rural zone and consider that the use is consistent with the objectives and that the proposed "Resource Recovery Centre" is capable of approval within the Rural zone.

Draft Local Planning Scheme No. 2, which has been endorsed by the City, zones the subject land General Industry. It is considered that a 'Resource Recovery Centre' is consistent with objectives and purposes of the future General Industry zoning of the subject land by virtue of it being an 'A' discretionary (following advertising) land use.

Council are asked to take into consideration any implications that this decision may have in respect of the future planning framework. Should Council endorse the officer recommendation, planning application P177-22 will be advertised, and a further report presented to Council at a later date.

## REPORT

### Background

The City has received an application for a Resource Recovery Centre facility to be located in the rural zone. A 'Resource Recovery Centre' is a land use not specifically mentioned in the Zoning Table of Local Planning Scheme No. 1 (LPS1). As such Council must first determine the compatibility of a Resource Recovery Centre in the Rural zone.

### Local Planning Scheme No. 1 – Clause 3.6

Where a proposal is not considered to fall within the type, class or genus of the use classes within LPS1, Clause 3.6 of the Scheme allows the City to consider uses not listed in the Zoning Table. Clause 3.6 of LPS1 states:

*If the use of the land for a particular purpose is not specifically mentioned in the Zoning Table, the Council may:*

- a. determine that the use is consistent with the objectives and purposes of the particular zone and is therefore permitted;*
- b. determine, by absolute majority, that the proposed use may be consistent with the objectives and purposes of the zone and require the procedures set out in clause 6.6 to be complied with before considering an application for planning approval; or*
- c. determine that the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted.*

'A Resource Recovery Centre' is defined in the *Planning and Development (Local Planning Schemes) Regulations 2015* as:

*Resource recovery centre means premises other than a waste disposal facility used for the recovery of resources from waste.*

The applicant has provided the following details on the proposed development:

*Dodd & Dodd Pty Ltd have more than 50 years of experience as dedicated scrap metal recyclers throughout Western Australia and is a market leader for safe recycling, responsible salvaging, and are onsite specialists for extensive clean-ups. The proponent already has an operating Scrap Metal Recycling Centre in Kalgoorlie located at 1 Coath Road, Kalgoorlie. The proposed development will be an additional supporting facility and storage area to the existing operation.*

The Objectives of the Rural Zone are as follows:

- a. To provide for the development of rural activity as appropriate.*
- b. To provide for the development of mining activity as appropriate.*
- c. To protect the land from urban uses that may jeopardise the future use of that land for priority mining and rural uses.*
- d. To accommodate the development of isolated communities including Aboriginal and railway settlements.*

The subject site is located approximately 600 metres south of Kalgoorlie Airport and is adjacent to Anzac Drive in Broadwood. The subject site and adjoining land site has been used for unauthorised dumping of building materials, scrap metal and other waste material for some time.

The site is relatively isolated and the adjoining land, although zoned rural, is not being used for any specific rural or mining purpose. The site is constrained for some uses by its proximity to the airport's north-south runway. It is considered that a Resource Recovery Centre would not be incompatible with the adjoining land uses and would not compromise any existing land uses in the locality, see **Figure 1**.



In light of the above comments, it is considered that the land use would not compromise future development permitted under the rural zone, and it is considered that a Resource Recovery Centre is consistent with the objectives of a rural zone.

## Details

### Draft Local Planning Scheme No. 2

In accordance with Clause 67 (2) (b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the local government must have due regard to any proposed local planning scheme that the local government is seriously considering adopting or approving. At the Ordinary Council Meeting on 26 July 2021, Council resolved to support the draft Local Planning Scheme No. 2 (LPS2).

There is no set standard by State Government for any particular land use to be either permitted or not permitted (other than the need to consider that zones objectives). This gives local planning schemes flexibility to meet local needs.

Under LPS2, the subject land is located within an area designated as a General Industry zone, and a Resource Recovery Centre is an 'A' discretionary use requiring advertising.

## Conclusion

It is considered that the most appropriate use class to be 'Resource Recovery Centre' as defined in the Model Scheme Text of the *Planning and Development (Local Planning Schemes) Regulations 2015*, a land use not included in the Zoning Table of Local Planning Scheme No. 1 (LPS1).

It is considered that the use of the land is consistent with the objectives and purposes of the Rural Zone in accordance with Clause 3.6 of Local Planning Scheme No. 1.

Based on the assessment of the land use against the objectives of the zone, it is recommended that Council determine by absolute majority, that the proposed use may be consistent with the objectives and purposes of the zone and require the procedures set out in Regulations to be complied with followed by a consideration of the application for planning approval.

It is recommended that:

- 1. In accordance with Clause 64 (3)(a), details of the application and any accompanying material are published on the City's website and the CKB Unearthed website.*
- 2. In accordance with Clause 64 (3)(b), notice of the application be given to the owners and occupiers of properties within 200m of the proposed development.*

## Community Strategic Plan Links

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

SUSTAINABLE: We support opportunities for commercial and industrial land.

## Budget Implications

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

## Strategic Implications

Should Council resolve that the 'Resource Recovery Centre' is not consistent with the objectives and purposes of the zone and is therefore not permitted, this would create an inconsistency between Local Planning Scheme No. 1 and the land use permissibility set out in the Zoning Table of draft Local Planning Scheme No. 2 which was previously supported by Council.

## Statutory Implications

Determination of this item may resolve the matter of a use not listed (Resource Recovery Centre) for all future applications for planning approval under Local Planning Scheme No. 1 for workforce accommodation facilities within a Service/Light Industry zone.

The application for Planning Approval – Form 1 states that Dodd and Dodd Pty Ltd is the landowner however, the Certificate of Title confirms that the land is owned by the Crown and that Dodd and Dodd Pty Ltd is the leaseholder. *The Planning and Development (Local Planning Schemes) Regulations 2015* Cl. 62 (b) states that the application form is to be:

*Signed by the owner of the land on which the proposed development is to be located;*

This does not preclude the Council from making a determination on the matter of a 'use not listed'. However, Form 1 will need to be signed by a representative of the Crown (the Department of Planning, Lands and Heritage) prior to any future development approval being granted.

### **Policy Implications**

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

### **Community Engagement Consultation**

Clause 1 of the Deemed Provisions for *Local Planning Schemes, Planning and Development (Local Planning Schemes) Regulations 2015* defines a 'Complex Application' as:

- a. An application for approval of development that is a use of land if the use is not specifically referred to in the zoning table for this Scheme in respect of the zone in which the development is located.*

Clause 64 of the Deemed Provisions for *Local Planning Schemes, Planning and Development (Local Planning Schemes) Regulations 2015* sets out that the local government must advertise a complex application for development approval in accordance with subclause (3).

It is proposed that advertising would take place on the basis that the Council determines that the use is consistent with the objectives of the LPS2 Rural zone for a period of 28 days.

### 15.2.3 Heritage Fund Applications

<b>Responsible Officer:</b>	Alex Wiese Director Development and Growth
<b>Responsible Business Unit:</b>	Development and Growth
<b>Disclosure of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. CONFIDENTIAL - Attachment 1 - Heritage Fund Application [15.2.3.1 - 3 pages]</li> <li>2. CONFIDENTIAL - Attachment 2 - Next Gen Quote for works [15.2.3.2 - 1 page]</li> <li>3. CONFIDENTIAL - Attachment 3 Works Budget [15.2.3.3 - 1 page]</li> <li>4. Attachment 4 - Mckenzie Building Place Sheet [15.2.3.4 - 7 pages]</li> <li>5. Attachment 5 - Heritage Fund Policy [15.2.3.5 - 3 pages]</li> </ol>

#### Officer Recommendation

That Council:

1. Pursuant to the City's Local Heritage Fund Policy (DS-DS-004), approve a grant application for veranda restoration work at 140-144 Hannan Street, Kalgoorlie to the value of \$43,728.89.
2. Approve the reinstatement of the Maritana Street, Kalgoorlie garden bed as an in-kind contribution to the restoration work.

#### Executive Summary

The City received one (1) Heritage Grant application for round two (2) of the Heritage Fund, for 140-144 Hannan Street, Kalgoorlie. The application has been assessed and complies with the Local Heritage Fund Policy, and is recommended for grant funding of \$43,728.89.

A funding contribution above the Local Heritage Fund policy threshold has been recommended due to the heritage classification of the McKenzie's Building (exceptional significance) and the building location on a key intersection, of Hannan and Maritana Streets.

The application is for a contribution towards specialist veranda repair works in line with an approved Conservation Management Strategy for the place. It is recommended Council approve funding equal to the secured Heritage Council of Western Australia (HCWA) grant.

The cost of the restoration works is quoted at \$269,778.27. The recommended City Local Heritage Grant funding, if approved, would represent 16% of the total cost.

### **Community Engagement Consultation**

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

### **Community Strategic Plan Links**

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

CONNECTED: We will be connected to our history, culture and community.

CONNECTED: Culture, heritage, and place are valued, shared, and celebrated.

### **Budget Implications**

There are sufficient funds remaining in the City's 2022/23 Local Heritage Fund for the grant.

### **Report**

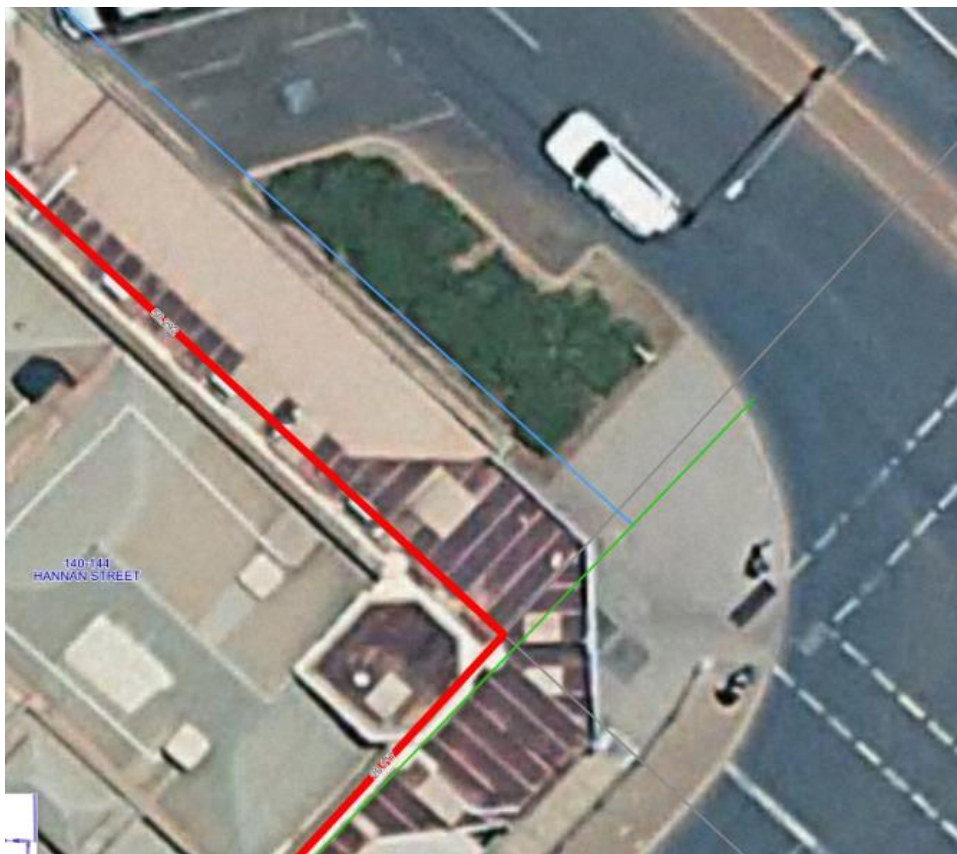
At the Ordinary Council Meeting held on 24 April 2023, Council approved a second Local Heritage Fund round for 2022/23 to be held in May, with submissions to be considered at the June Ordinary Council Meeting.

The second round has been advertised and has closed. The City received one (1) Heritage Grant application for 140-144 Hannan Street, Kalgoorlie. The application is for significant restoration work to the Hannan Street side of the McKenzie's Building veranda (refer to Confidential Attachment 1). The cost of the restoration works is quoted at \$269,778.27 (refer to Confidential Attachment 3). The applicant has requested funding of \$43,728.89 which, if approved, would represent 16% of the total cost. This is well below the policy limit of 50% of the total project cost excluding GST.

The application includes a quote for a local building contractor, NextGen Building (refer to Confidential Attachment 2), and all required planning and building approvals have been obtained.

Due to there being only a single grant application, and the applicant indicating that early consideration by Council is critical (due to the availability of a local building contractor, cost pressures, and pedestrian and traffic management requirements), the report has been brought forward from the June to the May Ordinary Council Meeting.

The restoration work is in a busy part of Hannan Street and requires an approved pedestrian management plan. The approved plan includes the removal of plants from the Maritana Street, Kalgoorlie garden bed (Refer to Figure 1 below). It is recommended the City undertakes the reinstatement of the garden bed as an in-kind contribution.



**Figure 1** - Maritana Street, Kalgoorlie garden bed.

The application has been assessed and determined to comply with the Local Heritage Fund Policy, except for the funding amount requested, which is above the policy threshold. Council is required to give due regard to policy, but can approve higher funding amounts.

It is recommended that Council approve funding of \$43,728.89 veranda restoration work at 140-144 Hannan Street, Kalgoorlie, and approved the reinstatement of the Maritana Street garden bed as an in-kind contribution to the restoration work.

The building owners have also indicated that should the funding be approved by Council, a second stage of work will be able to be considered.

### ***Heritage Fund Criteria for funding***

To be eligible for funding under the terms of the policy, a heritage place or building located within a Heritage Precinct must meet one or more of the below listed criteria as set out in the City's Local Heritage Fund. This criteria is used to determine which applications are recommended for funding on a competitive basis:

- 1) Provide an opportunity for the adaptive reuse of the building;
- 2) Improve opportunities for public appreciation, access or understanding of the place;
- 3) Urgent remedial work or stabilisation of endangered fabric;
- 4) Reinstatement lost features that are important to the historic character of the City;
- 5) Complement stated conservation objectives of the City; or
- 6) Encourage the conservation of other heritage places.



Successful applicants are required to complete and sign a 'Recipient's Agreement' which outlines the terms of funding in accordance with the Policy.

### ***The McKenzie's Building***

The McKenzie's Building is listed on the City Local Heritage Register as being of exceptional significance. It is a three-level brick and iron commercial building, constructed in 1904. The place is an integral element of the prominent intersection of Hannan and Maritana Streets, which forms a significant cultural and tourism environment in Kalgoorlie-Boulder. The place also forms a part of the Hannan Street streetscape, which is the most extensive, intact and significant commercial street in the Eastern Goldfields. The place sheet from the City's Local Government Heritage Inventory is attached (refer to Attachment 4) and contains detailed information on the history, construction and architecture of the building.

### **Statutory Implications**

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

### **Policy Implications**

The recommendations of this report are consistent with City Policy: DS-DS-004 Local Heritage Fund (Refer to Attachment 5) except for the funding amount recommended, which is above the policy threshold.

Council is required to give due regard to Policy: DS-DS-004 Local Heritage Fund in considering officers recommendations contained in the report.

### 15.2.4 DAP Planning Application P005/23 Proposed Workforce Accommodation - Lot 3874 Hopkins Street, South Boulder WA 6432

<b>Responsible Business Unit:</b>	Development and Growth
<b>Disclosure of Interest:</b>	Nil
<b>Application Number:</b>	P005/23
<b>Owner's Name:</b>	Goldfields Villages Pty Ltd
<b>Applicant's Name:</b>	Planning Solutions
<b>Development Value:</b>	\$6.5 million
<b>Voting Requirements:</b>	Simple
<b>Attachments:</b>	1. Responsible Authority Report ( RAR ) - Lot 3874 Hopkins Street, South Boulder WA 6432 [ <b>15.2.4.1</b> - 16 pages]

#### Officer Recommendation

That Council, pursuant to Section 3.18 of the *Local Government Act 1995* accepts the attached Responsible Authority Report (RAR) that includes conditions of approval.

#### Executive Summary

Planning approval is sought for the development of workforce accommodation for 168 persons. The development has a value of \$6.5 million, and the applicant has chosen to have the application determined by the Joint Development Assessment Panel (JDAP).

The attached Responsible Authority Report (RAR), Attachment 1, details the proposal and provides an assessment against the relevant development criteria.

This report recommends that Council supports the officer recommendation for support of the proposal contained in the RAR, and that it be submitted to the JDAP for a decision. The RAP also includes proposed conditions of approval.

#### Background

##### Details of the Proposal

The applicant is seeking to develop a workforce accommodation facility in the form of 38 transportable units to accommodate 152 people. An on-site car park will provide 12 parking bays.

It is intended that the proposed development would be integrated with the approved workforce accommodation facility located adjacent at Lot 72 (No. 160) Vivian Street. This approved facility includes an administrative/reception building, dining facility, bin storage and service area for service vehicles, laundry and linen facilities, maintenance sheds and parking facilities.

## Description of the Site

The subject site is located between Vivian and Hopkins Street, South Boulder.



Figure 1. The subject site

## Site History/Previous Approvals/Previous Relevant Decisions of Council

The subject land is vacant and has not been the subject of previous development applications.

On 15 August 2022 the JDAP approved a Workforce Accommodation facility at 36 Great Eastern Highway Somerville. The application included the following condition:

*This approval is valid for five (5) years from the date of occupancy. Following expiry of this period, all development works must be demolished, materials removed from the site unless a further development approval is granted by the City.*

At its meeting on 25 July 2022, the City approved a workforce accommodation facility on a site located immediately south of the subject site at Lot 72 (No. 160) Vivian Street. This facility can accommodate 302 people and includes associated development including laundries, kitchen and dining facilities, a gymnasium, administration and reception building, and car parking.

It is intended that the proposed development will function jointly and be integrated with the workforce accommodation facility approved for Lot 72 Vivian Street.

## Public Consultation

Consultation was undertaken in accordance with Cl.64 (1) (b) (iii) which relates to development that does not comply with requirements of LPS1. The application was

referred to adjoining and nearby property owners and placed on the City's website for comment.

One response received from an adjacent resident. The concerns about the proposed development and activities at the site raised are summarised below:

- Adverse visual impact of the 2.0m high metre colorbond fence that has been constructed around the subject land;
- Noise from vehicles entering the site to undertake works;
- Dirt and dust from the site impacting their property;
- Adverse impact on the value of their property;
- Adverse impact on privacy from overlooking;
- Light pollution affecting their child's sleep;
- Security issues and the potential for increase in unwanted attention / thefts / burglaries;
- Increased traffic, trucks, utes and car driving around the house; and
- Invasion of peace and privacy from a 24 hour operation.

Response:

Currently the locality is largely undeveloped however, it is designated as a 'Light Industry' zone under draft LPS2 which, it is anticipated, will be gazetted later in 2023. While development standards will apply, the level of amenity that could be expected in an industrial zone are of a different standard from that in a typical residential zone.

As such lot sizes and building structures will typically be of a large bulk and utilitarian form with security fencing and lighting. Streetscapes will have minimal landscaping. Roads will accommodate regular movements of commercial and oversized vehicles during the daytime and night-time.

In light of the above comments, the concerns raised in the submission are not supported.

### **Consultation with Other Agencies**

The application was referred to Kalgoorlie Airport. No comment was received.

### **Details**

#### Zoning and Land Use Permissibility LPS 1

##### *Future Urban:*

Under LPS1 the subject land is designated part Future Urban and part Parks and Recreation Reserve (see Attachment 3). Future Urban is not included as a zone in the LPS1 Zoning Table.

Cl. 3.15 refers to the purpose of the Future Urban zone as:

*to identify land suitable for future urban development in accordance with an outline development plan prepared in accordance with Clause 5.16, approved by both the Council and the Western Australian Planning Commission.*

Cl. 5.16 Relates to Outline Development Plans and includes the following planning requirements:

1. *The Council may require an Outline Development Plan before recommending subdivision or approving development of any land.*
2. *Where an Outline Development Plan exists, the subdivision and development of land is to generally be in accordance with the Outline Development.*

### Zoning and Land Use Permissibility Draft LPS2

In accordance with Clause 67 (2) (b) of the *Planning and Development (Local Planning Schemes) Regulations 2015* the local government must have due regard to any proposed local planning scheme that the local government is seriously considering adopting or approving. At the Ordinary Council Meeting 26 July 2021, Council resolved to support draft Local Planning Scheme No. 2. LPS2 is currently with the Minister for Planning prior to gazettal and is considered to be a 'seriously entertained' planning document.

Under the draft LPS2 the subject land is zoned Light Industrial. The zone objectives are:

- a. *To provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in commercial zones; and/or*
- b. *To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as not to detract from the residential amenity.*

Under the LPS2 zoning table workforce accommodation is a 'D' use.

It is considered that the proposed development satisfies the land use and purpose requirements of LPS1 and draft LPS2.

### **Conclusion**

It is considered that the proposed development of the workforce accommodation facility is consistent with the intent of the 'Future Urban' zoning of the site and will not compromise future planning and development in the locality.

Furthermore, it is also considered that the workforce accommodation can be developed within the land designated as a Parks and Recreation Reserve and will not compromise future planning for public open space in the locality. It is recommended that the application be supported.

### **Community Strategic Plan Links**

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

SUSTAINABLE: We advocate for the provision of land use.

**Budget Implications**

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

**Strategic Implications**

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

**Statutory Implications**

If aggrieved by the decision of the Joint Development Assessment Panel or any development conditions applied, the applicant will have a right of appeal to the State Administrative Tribunal. A review must be lodged within 28 days of the decision being made by the City. An advice note to this effect will be included in the decision notice.

**Policy Implications**

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

**15.2.5 P035/23 Proposed Lodging House - Lot 302 (1) Porter Street, Kalgoorlie**

<b>Responsible Business Unit:</b>	Development and Growth
<b>Disclosure of Interest:</b>	Nil
<b>Application Number:</b>	P035/23
<b>Owner's Name:</b>	AW Caputo & ML Caputo
<b>Applicant's Name:</b>	Planning Solutions
<b>Development Value:</b>	\$3 million
<b>Voting Requirements:</b>	Simple
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Planning Application Report [<b>15.2.5.1</b> - 28 pages]</li> <li>2. Appendix 2: Development Plans [<b>15.2.5.2</b> - 12 pages]</li> <li>3. Appendix 3: Traffic Impact Statement [<b>15.2.5.3</b> - 25 pages]</li> <li>4. Appendix 4: Noise Management Plan and Mechanical Noise Acoustic Report [<b>15.2.5.4</b> - 41 pages]</li> <li>5. CONFIDENTIAL - Submissions for 1 Porter Street [<b>15.2.5.5</b> - 6 pages]</li> </ol>

**Officer Recommendation**

That Council resolve to grant development approval for a lodging house at Lot 302 (No. 1) Porter Street Kalgoorlie, in accordance with plans dated 23.06.22 number A1.02 Rev. 5, A3.01 Rev 3 and A3.02 Rev3, A3.05 Rev 2, dated 08.09.2022 number A2.01 Rev. 3, A2.02 Rev. 3, A2.03 Rev 3, A2.04 Rev 3, A2.05 Rev 3, subject to the following conditions:

**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 approved development must comply in all respects with the attached approved plans, as dated, marked and stamped, together with any requirements and annotations detailed thereon by the City of Kalgoorlie-Boulder. The plans approved as part of this application form part of the development approval issued.
3. Prior to the lodgement of an application for a building permit, updated development plans must be submitted to show the provision of a bicycle rack on-site.
4. Prior to the lodgement of an application for a building permit, an updated Noise Emissions assessment must be undertaken by a suitably qualified

noise consultant and submitted to and approved by the City. The Noise Assessment must assess on-site vehicles starting, stopping and sitting idle; and ensure compliance with the *Environmental Protection (Noise) Regulations 1997*. Any building or design requirements are to be shown as part of the building permit application.

5. Prior to a building permit being issued, the development must demonstrate the incorporation of noise insulation measures in accordance with the requirements of Quiet House Design Package A or other such package as demonstrated by a Noise Emissions assessment to the satisfaction of the City.
6. Prior to a building permit being issued, stormwater disposal plans, details and calculations must be submitted for approval by the City of Kalgoorlie-Boulder and thereafter implemented, constructed and maintained on-site to the satisfaction of the City of Kalgoorlie-Boulder.
7. A Construction Management Plan that details how the construction of the development will be managed to minimise the impact on the surrounding area must be lodged with and approved by the City prior to the issuing of a building permit (including demolition and/or forward works). The Construction Management Plan is required to address the following concerns that relate to any works to take place on the site:
  - a. Public safety, amenity and site security;
  - b. Contact details of essential site personnel;
  - c. Construction operating hours;
  - d. Noise control and vibration management;
  - e. Air, sand and dust management;
  - f. Stormwater and sediment control;
  - g. Soil excavation method;
  - h. Waste management plan for asbestos removal and disposal;
  - i. Traffic and access management;
  - j. Parking arrangements for contractors and subcontractors;
  - k. Community information, consultation and complaints management plan; and
  - l. Compliance with AS4970-2009 relating to the protection of trees on the development site.
8. Prior to a building permit being issued, a revised Waste Management Plan must be submitted to and approved by the City of Kalgoorlie-Boulder. The plan must include the following details to the satisfaction and specification of the City:
  - a. The location of bin storage areas and bin collection areas;
  - b. The number, volume and type of bins, and the type of waste to be placed in the bins;
  - c. Details on the future ongoing management of the bins and the bin storage areas, including cleaning, rotation and moving bins to and from the bin collection areas; and
  - d. Frequency of bin collections.



9. The Waste Management Plan must be implemented at all times to the satisfaction of the City of Kalgoorlie-Boulder.
10. Prior to a building permit being issued, hydraulic drawings detailing how the proposed development will connect to the City's sewer main must be submitted to and approved by the City.
11. Prior to occupation, sewer headworks charges are to be paid to the City in accordance with the City's Sewer Headworks Contributions Policy (DS-DS001) and current Fees and Charges schedule.
12. Prior to occupation, this development shall be connected to the City's sewer system to the specifications of the City.
13. Prior to occupation of this development, all driveways, parking and manoeuvring areas must be constructed, drained and maintained to the satisfaction of the City.
14. Prior to occupation, the eastern laneway is required to be sealed at the applicant's cost in accordance with plans that are approved and works completed to the satisfaction of the City.
15. Prior to occupation, a crossover is to be constructed at the junction of the eastern laneway and Porter Street at the applicant's cost to the satisfaction of the City.
16. Prior to occupation, car parking is to be constructed in the following locations:
  - a. 14 on-site car parking bays; and
  - b. 7 verge car parking bays and drop off bay.

The design of on-site and on-street car parking bays are to be provided in accordance with Australian Standards AS 2890.1, 2890.5 and 2890.6.
17. The approved landscaping and reticulation plan must be fully implemented within the first available planting season after the initial occupation of the development, and maintained thereafter, to the satisfaction of the City of Kalgoorlie-Boulder. Any species which fail to establish within the first two planting seasons following implementation must be replaced in consultation with and to the satisfaction of the City of Kalgoorlie-Boulder.
18. External lighting must comply with the requirements of AS 4282 – Control of Obtrusive Effects of Outdoor Lighting.

### **Advice Notes**

1. Regarding Condition 10, the hydraulic drawings must include a detailed floor plan showing all fixtures and any pre-treatment devices.
2. This approval is not an authority to ignore any constraint to development on the land, which may exist through contract or on title, such as an easement or restrictive covenant. It is the responsibility of the applicant and not the City to investigate any such constraints before commencing development. This

approval will not necessarily have regard to any such constraint to development, regardless of whether or not it has been drawn to the City's attention.

3. This approval does not authorise commencement of any building and/or demolition works. In accordance with the *Building Act 2011* and *Building Regulations 2012*, a building and/or demolition permit must be obtained prior to the commencement of any works.
4. In accordance with the provisions of the *Health (Miscellaneous Provisions) Act 1911*, an application to register the lodging house must be submitted to and approval granted by the City prior to the use of the development hereby permitted.

### Executive Summary

Planning approval is sought for the development of a lodging house for 50 persons. Car parking for 14 vehicles is to be provided on-site and another 7 vehicles and 1 drop off bay are to be provided on the street verge. The applicant indicates that the facility will be:

*'Providing essential urban support services to residents, visitors, and/or workers within Kalgoorlie and the broader Goldfields region.'*

This report recommends that Council conditionally approve the development application.

### Authority/Discretion

Planning and Development (Local Planning Schemes) Regulations 2015 (Cl. 68 (2))  
 In the assessment of a development application the Council is obliged to address cl.67 of the regulations which sets out the matters to be considered by local government in relation to development proposals.

#### Local Planning Scheme No. 1 (Cl. 6.8)

Cl. 6.8 of Local Planning Scheme No. 1 sets out the matters that the Council is to have due regard to when considering an application for development.

### Background

<b>Address:</b>	Lot 302 Porter Street, Kalgoorlie	
<b>Lot Size:</b>	Existing 2,747m <sup>2</sup>	
<b>Zoning</b>	<b>LPS1:</b>	General Residential R40
	<b>LPS2:</b>	Residential R40
<b>Existing Land Use:</b>	Lodging house	
<b>Proposed Land Use:</b>	Lodging house	
<b>Adjacent / Nearby Land Uses:</b>	Town centre residential and commercial uses	

### Details of the Proposal

The applicant is seeking to demolish an existing lodging house and develop a new 50-person lodging house. The development will entail the placement of 12

transportable accommodation units, 2 universal access rooms, manager's quarters, kitchen, shared dining room, utility rooms, an alfresco area and a BBQ and passive recreation area. An on-site car park will provide 14 car parking bays as well as 7 verge street parking bays and a drop off bay.

### **Description of the Site**

The subject site is located at No. 1 Porter Street near the intersection of Dugan and Shamrock Streets (see Figure 1). The site currently comprises two (2) relatively dilapidated single storey buildings approved for use as a lodging house, which will be demolished as part of the redevelopment of the site. The rear of the site is used for informal vehicle parking. The site is currently accessed via the eastern laneway.

The proposed development is illustrated in Figures 2, 3, and 4. Key details of the proposal are as follows:

- Demolition of all existing lodging house structures and fencing.
- Construction/installation of twelve (12) 4-bedroom single person units, two (2) universally accessible rooms and a manager's quarters.
  - Accommodation modules are to be constructed from steel framed insulated wall panels and weatherboard facings (Duragroove Cladding) painted in 'Dulux Surfmist'.
  - The modules are to be installed on concrete foundations, in a parallel alignment to Porter Street.
  - All accommodation modules will have awnings and shade sails to provide shelter from the elements.
- Construction/installation of a laundry unit and dining/kitchen/amenity building. These will also be constructed of a steel frame, insulated wall panels and customer orb cladding.
- The overall development is to be single storey.
- Concrete footpaths and a communal lawn area and garden beds.
- A central BBQ and recreation area.
- Twenty-two (22) parking bays; 14 on-site including an ACROD bay and 7 on-street including an ACROD bay and a temporary drop off bay.
- Vehicular access to the internal carpark is proposed via the laneway from Porter Street.
- Fencing:
  - 1.8m high perimeter fencing along the primary street boundary made up of a 0.75m solid portion on the bottom and 1.05m aluminium powder coated perforated mesh on top.
  - 1.8m high aluminium fencing perforated mesh on a portion of southeast boundary adjacent laneway.
  - All other boundary fencing to be 1.8m high Colourbond fencing with 'Woodland Grey' finish.

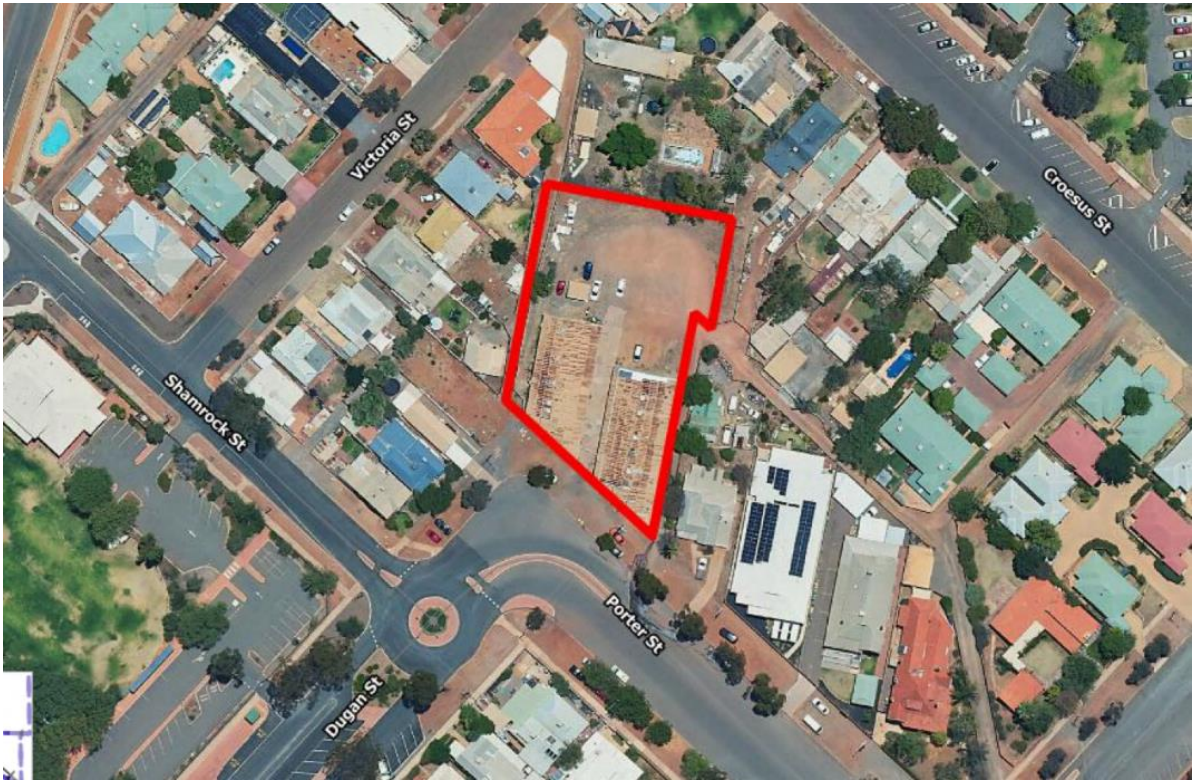


Figure 1. Locality Plan of the proposed development



Figure 2. Architect's illustration of the proposed development



Figure 3. Porter Street frontage



Figure 4. The development site plan

The development site is located within a mix of commercial, community and residential developments. Low density, single storey residential developments are

located to the north, east and west of the subject site. Two rehabilitation centers and the Goldfields Catholic Community Presbytery are located to the south-east. St Mary's Catholic Church and St Mary's Primary School are located to the south and south-west of the site respectively.

### **Site History/Previous Approvals/ Previous Relevant Decisions of Council**

A previous application for a lodging house on the subject site was considered by the Council through a Development Assessment Panel (DAP) application on 23 January 2023. The Council recommended that the DAP conditionally approve the application.

The DAP at its meeting on 6 February 2023 resolved to refuse the application for the following reasons:

1. The proposed development has insufficient parking within the site to meet likely demand;
2. Not all parking bays within the proposed development are functional;
3. Access via a single car width ROW to the proposed development is inadequate and is considered unreasonable to service the development and the locality;
4. The proposed development is considered to have an unreasonable amenity impact and level of change on the neighbourhood;
5. The intended method for waste collection is unreasonable and unsuited to the development and the locality;
6. The application has not modelled or responded within the design to all noise impacts associated with the proposed development, which prevents proper consideration as to the effect of the development on the surrounding residential properties; and
7. Insufficient provision of landscaping within the development.

The following reason was also provided for the DAP decision:

*“Whilst the need for workers accommodation in Kalgoorlie is not disputed, other planning considerations outweigh this. The proposal is for a Lodging House and the recommended conditions to approve it require considerable, uncertain changes to be made to make it a satisfactory proposal. These changes are considered transformative and uncertain. The Panel is not satisfied the proposal in its current form is reasonable or that amenity, access, parking, waste, and character impacts have been sufficiently addressed, particularly to ensure there is no unreasonable amenity impact on neighbours and the locality more broadly.”*

### **Revisions Contained in the Current Application**

The following modifications were undertaken to the development plans after the DAP refusal of the previous application:

- *Two central accommodation modules have been removed, reducing the number of beds by eight. This change reduces the parking shortfall and allows for additional recreation space;*
- *Temporary parking bays have been removed from the laneway to allow improved passing space (reducing the risk of obstruction);*
- *The central parking area has been moved northwards to improve access and sight paths to the car parking from laneway in both directions (reducing the likelihood of obstruction);*
- *The former car parking area will now provide space for a communal BBQ and amenities area (providing usable open space for residents at the lodging house);*
- *Reorientation of the angle of the marked verge parking bays (improving vehicle sightlines); and*
- *Relocation of the waste collection area next to the transformer (to allow waste collection from Porter Street without the service vehicle travelling along the narrow east laneway).*

The current application is deemed to satisfy the concerns raised regarding the previous application.

### Public Consultation

Consultation was undertaken in accordance with Cl.64 (1) (b) (iii) which relates to development that does not comply with requirements of LPS1. The application was referred to adjoining and nearby property owners and placed on the City’s website for comment.

Six responses were received and are attached as a confidential attachment, the issues raised are summarised in the table below.

Issue Raised	Officer Comment
The development is intended to provide workforce accommodation for FIFO workers and is therefore not correctly described as a ‘Lodging House’.	<b>Disagree.</b> The applicant contends that the most appropriate use for the development is lodging house – the accommodation facility will provide accommodation for more than 6 guests (not intended to specifically be workforce). Further, the development has been designed to meet the requirements of a lodging house under the environmental health legislation. City staff are satisfied that the most appropriate use class for the proposed development is ‘Lodging House’
The proposed development will impact on the heritage value of the surrounding area.	<b>Disagree.</b> While there are a number of properties surrounding the site listed on the City’s Local Heritage inventory, the subject site is not located directly adjacent to these properties, nor is it located within a designated heritage precinct.
The proposed development is not consistent with the character and scale of the area which is defined	<b>Disagree.</b> The subject site and broader area is afforded a residential density of R40. The proposed development is considered to be consistent with the



<p>by low density residential development.</p>	<p>character of the area and generally consistent with the development standards for a lodging house with regard to built form.</p> <p>The current application is also deemed to satisfy the concerns raised regarding the previous DAP application.</p>
<p>The number of parking bays provided for the development is inadequate</p>	<p><b>Satisfactorily addressed.</b> While the proposed parking does not comply with the recommended parking standard for ‘Lodging Houses’, City staff are satisfied the proposed number of parking bays is sufficient to cater for the development when operating at full capacity. Additional commentary is provided in the report.</p>
<p>Increased traffic as a result of the proposal will create traffic safety issues and congestion on the surrounding road network, including the laneway.</p>	<p><b>Satisfactorily addressed.</b> A Transport Impact Statement (TIS) was prepared for the development by Cardno. City staff have reviewed the report and accept the findings. The applicant has also made changes to parking and site design to improve ‘line/s of sight’ and the likelihood of obstruction in the laneway.</p> <p>The current application is deemed to satisfy the concerns raised regarding the previous DAP application.</p>
<p>Noise associated with the development will impact on the amenity of the area.</p>	<p><b>Addressed by planning condition.</b> The applicant has submitted a Noise Management Plan (NMP) and Mechanical Plant Noise Acoustic Report (Noise Report). Both were prepared by Herring Storer Acoustics.</p> <p>The assessments consider the noise impacts associated with the proposed lodging house and demonstrate that the proposed development will comply with the requirements of State Planning Policy 5.4 Road and Rail Noise (SPP5.4) and the <i>Environmental Protection (Noise) Regulations 1997</i>, at all times.</p> <p>The NMP identifies that the proposed development is compliant with the requirements of SPP5.4 during night and day assessment periods. Further, the assessment concludes that no ‘quiet house’ design measures are required under the provisions of SPP5.4.</p> <p>The Noise Report (which relates to mechanical noise) confirms that the development will comply with the <i>Environmental Protection Noise Regulations 1997</i> during day and night periods, subject to the following mitigation measures:</p> <ul style="list-style-type: none"> <li>• Implementation of enclosures around air conditioning units.</li> <li>• Disposal of glass during daytime periods only.</li> </ul>

	<p>City staff have reviewed the report and accept most of the findings with the exception of the following:</p> <ol style="list-style-type: none"> <li>1. Acoustic modelling to demonstrate compliance with on-site vehicle noise (including the opening and closing of doors) has not been modelled.</li> <li>2. The inclusion of nearby freight railway in the assessment of the need for Quiet House Package 'A' in accordance with State Planning Policy 5.4</li> </ol> <p>Planning conditions four (4) and five (5) have been included to address this matter.</p>
<p>The laneway is not wide enough to accommodate a waste vehicle and waste vehicles will not be able to manoeuvre safely.</p>	<p><b>Satisfactorily addressed.</b> City staff consider the revised arrangements to be acceptable and not pose a safety risk to users of the laneway, including vehicles intending to access or egress the site, the subject of this development. Additional commentary is provided in the report.</p> <p>The current application is also deemed to satisfy the concerns raised regarding the previous DAP application.</p>
<p>Potential for overlooking into neighbouring properties.</p>	<p><b>Disagree.</b> The development complies with requirement of the R-Codes in relation to overlooking.</p>
<p>Service and waste vehicle access.</p>	<p><b>Satisfactorily addressed.</b> The City's technical staff have assessed the current application and are satisfied service vehicle access can be achieved.</p>
<p>Dining facilities may become a restaurant.</p>	<p><b>Requires additional approval.</b> A 'restaurant land use' would require additional approval from the City.</p>
<p>Stormwater not contained on-site.</p>	<p><b>Addressed by planning condition.</b> Planning condition six (6) states 'Prior to a building permit being issued, stormwater disposal plans, details and calculations must be submitted for approval by the City of Kalgoorlie-Boulder and thereafter implemented, constructed and maintained on-site to the satisfaction of the City of Kalgoorlie-Boulder.'</p>

**Details**

Zoning and Land Use Permissibility LPS 1

The subject site is zoned 'General Residential' with a residential density of R40 under Local Planning Scheme No. 1 (LPS1). The proposed use is a 'Lodging House' which is taken to have the same meaning given to it under the Health (Miscellaneous Provisions) Act 1911:

*“Lodging House” means any building or structure, permanent or otherwise, and any part thereof, in which provision is made for lodging or boarding more than 6 persons, exclusive of the family of the keeper thereof, for hire or reward; but does not include:*

- (a) *premises licensed under a publican's general licence, limited hotel licence, or wayside-house licence, granted under the Licensing Act 1911; or*
- (b) *residential accommodation for students in a non-government school within the meaning of the School Education Act 1999; or*
- (c) *any building comprising residential flats.'*

A 'Lodging House is an 'SA' use within the General Residential zone; as such the use is not permitted unless the local government has exercised its discretion and has given notice of the application to nearby owners and occupiers who are likely to be affected.

The objectives of the General Residential zone are as follows:

- (a) To enhance the character and amenity of existing residential areas and to facilitate new residential development which is compatible with this existing development;
- (b) To facilitate a high standard of residential development while providing housing choice suited to the needs of the Kalgoorlie-Boulder community;
- (c) To ensure both the architectural and subdivisional heritage character of residential areas are retained; and
- (d) To facilitate appropriate non-residential development to meet the day to day needs of surrounding residents.

The proposal is considered against the objectives as follows:

*Objective (a)* seeks to ensure that any new development is consistent with the expectations of the character and amenity of the area. The development proposes to enhance the amenity of the streetscape by replacing the existing dilapidated buildings with a contemporary single storey development.

The applicant submits that the modular design alleviates what could otherwise be a concentrated building mass, which in turn also allows for more opportunities for landscaping. Further, the development is proposed to be clad in similar colours and materials as that of the existing development within the area.

*Objective (b)* recognises that the housing market in Kalgoorlie and Boulder needs to be responsive to the requirements of the local market and offer a range of housing choices. The current proposal seeks to address the needs of those people who require temporary or short-term housing which provides a reasonable standard of amenity.

*Objectives (c) and (d)* are not considered to be relevant to this application.

### Built Form and Design

Local Planning Scheme No. 1 (LPS1) and Local Planning Policy 02 Supplementary Development Standards and Use Classes (LPP02) prescribe the development standards for the relevant use classes.

Provision	Recommended	Proposed	Compliance
Primary Street Setback	(As per R-Codes) 4m	Manager's dwelling – 0.43m Reception – 0.2m Dining – 0.97m	Acceptable Outcome
Side Setback	As per R-Codes	<ul style="list-style-type: none"> <li>All units setback 1.51m from NW boundary.</li> <li>Accommodation and laundry module setback 1.88m from E boundary.</li> </ul>	Yes
Rear Setback	As per R-Codes	Most northern accommodation module setback 1.0m in lieu of recommended 1.5m	Acceptable Outcome
Maximum Plot Ratio	0.5	0.41% (1,170m <sup>2</sup> )	Yes
Maximum Site Coverage	50%	42% (1,373m <sup>2</sup> )	Yes
Landscaping	5%	9.6%(264m <sup>2</sup> )	Yes

### Zoning and Land Use Permissibility LPS 2

Under draft Local Planning Scheme 2 (LPS2) the subject land is zoned Residential R40. The term 'lodging house' is not included in the Scheme. Notwithstanding that the proposed development will not be exclusively for the use of those employed in local industries, the use class 'workforce accommodation' most accurately describes the use. This use is an 'A' use under the Zoning Table and as such the Council may use its discretion to approve the use after advertising has been undertaken.

### The Applicant's Statement on the Design Issues

The applicant states that the accommodation modules will have awnings and shade sails to provide shade and shelter to the front of each module, and each room has access to landscaped areas, to provide natural amenity immediately adjacent to each room. See Figure 2.

A centrally located 223m<sup>2</sup> BBQ / landscaped open space communal area is provided to create a meeting or 'catch up' point for guests for the purpose of enhancing occupant social and mental wellbeing. In addition, there will be an alfresco area on the Porter Street frontage. Further landscaping is to be provided between the buildings and on the perimeter of the site.

The development is to have a 1.8-metre-high wall on the Porter Street frontage, the upper portion of which will comprise semi-permeable aluminium powder coated metal mesh. The lower portion will be in brick.

### Landscaping

A landscaping plan has been included with the application with landscaping proposed along property boundaries and within the development. It proposes the

use of native trees as well as a feature Jacaranda in the centre of the development to provide visual interest.

A central grassed communal BBQ and passive recreation area is proposed along with the provision of benches under the canopy of trees.

Parking, Traffic and Access

Local Planning Policy No. 2 – Supplementary Development Standards and Use Classes (LPP02) specifies parking standards for ‘Lodging Houses’.

Land Use	Parking Ratio	Required bays	Proposed
Lodging House	1 bay per 2 beds + 1 bay for manager	50 rooms / 2 = 25 1 bay for Manager	21 bays + 1 drop off bay
	<b>Total</b>	26 bays	21 bays

It is considered that the shortfall of 5 bays is acceptable on the basis that a number of those staying at the lodge will be bussed to work or take taxis, and furthermore the subject site is in walking distance of the town centre, reducing the need for a motor vehicle.

A Traffic Impact Statement (TIS) prepared by Cardno has been included with the application. The report states that:

*‘The development is expected to have a total trip generation of approximately 28 vehicles in the AM peak hour and 32 vehicles in the PM peak hour. This level of traffic generation is anticipated to have no material impact on the surrounding road network.’*

The TIS was reviewed by the City who do not raise any issues with conclusions reached in the report.

It is considered reasonable to require the inclusion of a bicycle rack on the site.

Waste Collection

A Waste Management Plan has been prepared by Tallis. The report estimates the development will generate 3,570L of refuse and 1,351L of recyclables per week. A bin storage area has been provided that can accommodate six 660L refuse and recycling bins.

The plans provide for a waste collection store to be located adjacent to the laneway at the Porter Street frontage of the property. The facility manager will be responsible for wheeling the bins to the street kerb for collection.

Acoustic Reports

Herring Storer Acoustics have prepared a noise Management Plan (NMP) and Mechanical Plant Noise Acoustic Report (Noise Report).

The assessments consider the noise impacts associated with the proposed lodging house and demonstrate that the proposed development will comply with the requirements of State Planning Policy 5.4 Road and Rail Noise (SPP5.4) and the *Environmental Protection (Noise) Regulations 1997*, at all times.

The NMP identifies that the proposed development is compliant with the requirements of SPP5.4 during night and day assessment periods. Further, the assessment concludes that no ‘quiet house’ design measures are required under the provisions of SPP5.4.

The Noise Report (which relates to mechanical noise) confirms that the development will comply with the *Environmental Protection Noise Regulations 1997* during day and night periods, subject to the following mitigation measures:

- Implementation of enclosures around air conditioning units.
- Disposal of glass during daytime periods only.

City staff have reviewed the report and accept most of the findings with the exception of the following;

1. Acoustic modelling to demonstrate compliance with on-site vehicle noise (including the opening and closing of doors) has not been modelled.
2. The inclusion of nearby freight railway in the assessment of the need for Quiet House Package ‘A’ in accordance with *State Planning Policy 5.4*

Planning conditions four (4) and five (5) have been included to address this matter.

*State Planning Policy 7.0 – Design of the Built Environment*

The following assessment has been done against the design principles of SPP7.0, which provide a framework to guide the design, review and decision-making process for planning proposals:

<b>Design Element</b>	<b>City’s Comments</b>
Context and character	<p>The development site is located within a mix of commercial, community and residential developments. These developments are predominantly single storey and constructed of various building materials. The development responds to the characteristics of the surrounding area by incorporating colour and cladding materials consistent with the surrounding residences and being constructed at a similar scale.</p> <p>Further, it is considered that the development enhances the area by replacing run-down buildings characterised by blank and inactive facades with new buildings which address the street and incorporate new landscaping.</p>
Landscape quality	<p>City staff note that 9.6% of the site is to be landscaped. It is considered that the proposed landscaping will enhance the appearance of the site and provide usable open space for guests that offer opportunities for people to meet and socialise.</p>
Built form and scale	<p>The built form and scale of the development is consistent with its immediate locality and broader development in residential zones in Kalgoorlie.</p>
Functionality and build quality	<p>City staff are of the opinion that the proposed development will provide acceptable site functionality, including the parking layout and servicing of the site.</p>

	<p>A small parking deficit of on-site parking is proposed, which is not expected to impact on the functionality of the site.</p> <p>The quality of built structures on site is to the City’s satisfaction.</p>
Sustainability	<p>The proposed development will facilitate the redevelopment of an existing lot within the central Kalgoorlie-Boulder area.</p> <p>Rainwater is proposed to be collected and utilised on-site to water the gardens.</p> <p>The applicant submits that guests of the lodging house will have convenient access to shopping and amenities without a heavy reliance on private vehicles.</p> <p>It is noted that there may be opportunities to employ locally for the on-site manager and roles within the kitchen/reception.</p>
Amenity	<p>The overall level of amenity provided by the development is considered to be acceptable. The development incorporates communal spaces such as a dining area, an outdoor passive recreation area, BBQ facilities and an alfresco area. Shade trees are proposed to be located along the walkways to provide shelter from seasonal conditions.</p> <p>The development proposes two (2) universally accessible rooms, communal areas and parking spaces.</p> <p>Shade structures have been provided for the accommodation facilities.</p>
Legibility	<p>The overall layout of the development and facilities on the site promotes pedestrian movements over those of motor vehicles. The development is arranged with a primary paved access which acts as a spine connecting all other pathways.</p>
Safety	<p>Passive surveillance of communal areas and the site entrance is encouraged through the design. The applicant submits that the exterior of the development will be well lit.</p> <p>This design principle encourages vehicular transport routes that integrate safety requirements in a manner that mitigates negative impacts on pedestrian amenity. As detailed in the sections above, it is considered that the intended waste management and the number of parking bays would not pose a safety issue for pedestrians and road users within the broader area.</p>
Community	<p>The proposed development is responsive to the broad demand for accommodation facilities in Kalgoorlie-Boulder. The location of the communal facilities behind the front fence suggests little encouragement for social interaction between the development and the wider community.</p> <p>The applicant notes that the proposed development is not an isolated development that requires a range of facilities and amenities, given its location within Kalgoorlie.</p>

Aesthetics	The proposal is significantly more aesthetically pleasing than the existing dilapidated structure on site and will offer a more visually appealing presentation to the streetscape.
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**Conclusion**

It is considered that the proposed development of the lodging house is consistent with the intent of the General Residential zoning of the site and will not compromise future planning and development in the locality. Furthermore, all matters related to the DAP refusal of the previous application have been satisfactorily addressed.

It is recommended that the Council conditionally approves the development application in accordance with the Officer Recommendation set out in this report.

**Community Strategic Plan Links**

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

SUSTAINABLE: We advocate for the provision of land use.

**Budget Implications**

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

**Strategic Implications**

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

**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.



## 15.3 Engineering

### 15.3.1 Road Reserve Closures - KCGM Fimiston South Project

<b>Responsible Officer:</b>	Kevin Ketterer Director of Engineering
<b>Responsible Business Unit:</b>	Engineering
<b>Disclosure of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. Stage 2 _ CKB Road Closure Maps - Attachment 1 for OCM report [<b>15.3.1.1</b> - 1 page]</li> <li>2. Stage 2 _ CKB Road Closure Maps - Attachment 2 for OCM report [<b>15.3.1.2</b> - 1 page]</li> <li>3. Form Results - Fimiston South Expansion - Closures De-gazettal of Roads for OCM Report [<b>15.3.1.3</b> - 3 pages]</li> <li>4. 20230321 Aerial Map - Dedication of UCL Lot 4488 on DP 189485 as road [<b>15.3.1.4</b> - 1 page]</li> <li>5. 20230321 Tenure Map - Dedication of UCL Lot 4488 on DP 189485 as road [<b>15.3.1.5</b> - 1 page]</li> </ol>

### Officer Recommendation

That Council:

1. Note the public comment received during the advertising period relating to the proposed closure of a number of roads depicted in the attached maps as requested by Kalgoorlie Consolidated Gold Mines (KCGM) related to the expansion of the Fimiston South Mine.
2. Pursuant to Section 58 of the *Land Administration Act 1997 and Regulation 9 of the Land Administration Regulations 1998*, being satisfied that there have been no substantiated objections related specifically to the proposed road closures:
  - a. Support the closure of the portions of road as depicted in the attached maps (Attachments 15.4.1.1 and 15.4.1.2); and
  - b. Authorise the Chief Executive Officer to request the Minister of Lands to close these gazette portions of road.
3. Agrees that it will indemnify and keep indemnified the State of Western Australia, the Department of Planning, Lands and Heritage and the Minister for Lands and hold them harmless from and against all liabilities, obligations, costs, expenses or disbursements of any kind including, without limitation, compensation payable to any party under the Native

Title Act 1993 (Cth) which may be imposed on or incurred by the Indemnified Parties, relating to or arising directly or indirectly from the dedication of Unallocated Crown Land Lot 4488 on Deposited Plan 189485 as a road.

### **Executive Summary**

This report presents Kalgoorlie Consolidated Gold Mines' (KCGM) application for road closures (as per Attachments 15.4.1.1 and 15.4.1.2) to the City as well as public comment received before the submission of this report. It also seeks to provide an update on the construction of a turning circle at the end of Hopkins Street pursuant to Council resolution at the OCM of 27 February 2023 and inform Council what is currently required of the City in order to progress.

### **Community Engagement Consultation**

Community consultation was undertaken in accordance with the statutory requirements of Section 58 of the *Land Administration Act 1997* in the form of a 35 - day advertising period between 24 March 2023 and 28 April 2023. One (1) response was received, of which a summary (without reference to the name or address of the respondent) has been provided in Attachment 15.4.1.3.

### **Community Strategic Plan Links**

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

FUTURISTIC: We plan for the future proofing of our City by being a thinking and innovative society.

SUSTAINABLE: We advocate for the provision of land use.

### **Budget Implications**

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

### **Report**

#### ***Background***

As part of Fimiston South's growth project, KCGM is now seeking to de-gazette a number of historic roads currently located within their operations and surrounds, as well as to the east of the Super Pit. These roads are highlighted in the maps provided (Attachments 15.4.1.1 and 15.4.1.2). It should be noted that some of these roads do not exist on the ground (in fact are considered 'air space') or are old bush tracks. However, they intersect proposed infrastructure as part of the Fimiston South project, such as future waste rock dumps. Currently these gazetted roads are inaccessible to the public and are purely cadastral, and as such, the City seeks Council's approval to permanently close these roads.

Public Notice was given between 24 March to 28 April 2023 prior to the presentation of this report to Council, according to the statutory requirements of Section 58 of the

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*Land Administration Act 1997 and Regulation 9 of the Land Administration Regulations 1998.*

One (1) response opposing the proposal was received.

***Responses to Public Notice***

The public notice period closed on 28 April 2023 with opposed comment received from just one (1) respondent primarily objecting that the previously demolished towns and roads within the modern mining pit operations had not been identified by their names, thus not given due respect to the European cultural heritage of the area. The respondent also notes concern that the gazetted roads are within the State Bushfire Mapping and questions adherence to procedure for the roads to be closed in this regard.

***Lot 4488 – Dedication from “Unallocated Crown Land (UCL)” to “road”***

***Background***

At the OCM of 27 February 2023, Council approved the following recommendation:

“1. ....

3. *Pursuant to Section 56 of the Land Administration Act 1997 and Regulation 8 of the Land Administration Regulations 1998, based on the requirement for the provision of a turning circle at the end of Hopkins Road:*
  - a. *Support the dedication of Lot 4488 from “Unallocated Crown Land” (UCL) to “road”; and*
  - b. *Authorise the Chief Executive Officer to request the Minister of Lands to dedicate Lot 4488 from “UCL” to “road”.*

***Requirement of Department of Planning, Lands and Heritage (DPLH)***

On 13 April 2023, the City received notice from DPLH regarding the Council endorsed dedication of Unallocated Crown Land Lot 4488 on Deposited Plan 189485 as a road to allow the construction of a turning circle at the end of Hopkins Street. See below plan indication of the affected land.



DPLH has stipulated that in order to proceed and comply with Section 56(4) of the Land Administration Act 1997, the City of Kalgoorlie-Boulder must agree to indemnify the State of WA, the Department of Planning, Lands and Heritage and the Minister for Lands against any claim for compensation.

DPLH has stipulated that the City formalise the indemnity as soon as possible by providing letterhead signed by the City’s Chief Executive Officer with the text of the indemnity to be passed by Council as follows:

*“The City of Kalgoorlie-Boulder agrees that it will indemnify and keep indemnified the State of Western Australia, the Department of Planning, Lands and Heritage and the Minister for Lands and hold them harmless from and against all liabilities, obligations, costs, expenses or disbursements of any kind including, without limitation, compensation payable to any party under the Native Title Act 1993 (Cth) which may be imposed on or incurred by the Indemnified Parties, relating to or arising directly or indirectly from the dedication of Unallocated Crown Land Lot 4488 on Deposited Plan 189485 as a road.”*

An aerial and tenure map were provided by DPLH and are referenced as Attachments 15.4.1.4 and 15.4.1.5.

It has been confirmed that as the UCL is to be used for road purposes and amalgamated with an adjoining road reserve, the matter of native title is suppressed. In addition, Northern Star Resources Limited has given its commitment to in turn indemnify the City against any costs arising out of these processes

**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.

**15.3.2 Recycled Water Monthly Report**

<b>Responsible Officer:</b>	Kevin Ketterer Director Engineering
<b>Responsible Business Unit:</b>	Water, Waste and Sustainability
<b>Disclosure of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple
<b>Attachments:</b>	Nil

**Officer Recommendation**

That Council:

1. Note the content of this report;
2. Monitor the restrictions relating to Recycled Water usage and assess restrictions should storage levels increase over the May period.

**Executive Summary**

After the introduction of the Level 5 water restriction by Council on 6 February 2023 a monthly report is produced to inform Council and the community of the monthly water use of contracted irrigation and City assets. From the information contained in this report, it can be concluded that users are adhering to the water restrictions and that the City has seen some dramatic reductions in water consumption.

With 10 weeks’ data following the introduction of water restrictions and with the benefit of a few minor rain events and the industrial consumer taking a very low proportion of their allocation, the City has managed to “bank” a significant amount of water, to the point where the restrictions can be relaxed.

**Community Engagement Consultation**

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

**Community Strategic Plan Links**

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

SUSTAINABLE: We implement sustainable practices such as ensuring responsible use of water and other resources.

**Budget Implications**

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

## Report

### **Background**

The City is one of few local governments that have a recycled water program using both sewage effluent and harvested stormwater for irrigation purposes.

At a Special Meeting of Council on 6 February 2023, Council resolved to:

“1. ....

8. ....

9. **Request the installation of water meters and report on water usage monthly of contracted irrigation and city assets both in Council agenda and the City’s website, identifying usage of scheme water and wastewater and the associated costs;”**

This report is in response to the above Council resolution.

### **Water Meters**

#### *Phase 1 – Transport System and Pump Stations*

Assessment completed and meters replaced where required.

A new higher capacity pump for installation at the WWTP has been installed. The capacity to transport water from the WWTP to Swan Lakes has therefore been significantly increased. The exact capacity increase will only be known once the field results have been monitored for several weeks.

100% complete.

#### *Phase 2 – Third-Party Irrigators*

Industrial users have taken water at well below their allocation at some 22%. This has provided the City the opportunity to bank significantly greater volumes than initially expected, which has increased the levels of storage dams to some 85% in the past month.

All public and private school sites are reportedly on scheme water and can irrigate their ovals without recycled water. The consumption figures indicate that all schools are still taking recycled water and are well aligned to their total aggregated annual allocation.

KBRC has also benefitted from the increased water availability with much of the surplus water being diverted to their ponds, which will support their operations during their racing season.

100% complete.

#### *Phase 3 – CKB Sites*

Applications for potable water connections have been lodged with the Water Corporation and confirmation of installation is awaited. At this stage, indications are that WC will only consider a single large connection at the Golf Course but not at any of the ovals which are not already provided with a potable water connection.

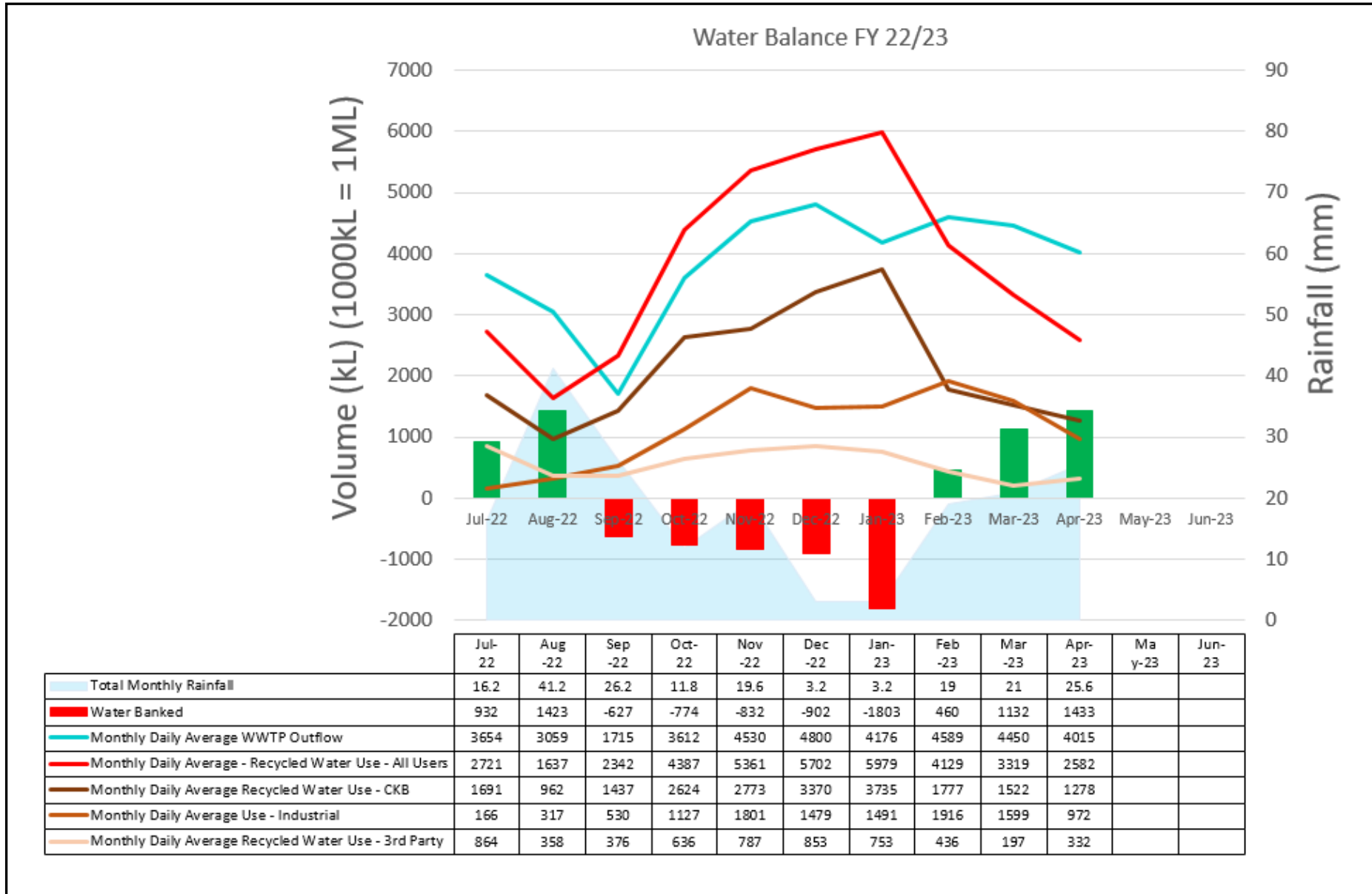
Quotations for tanks installation have been received and once confirmation of supply connections from the Water Corporation have been received, orders for tank installations will be placed.

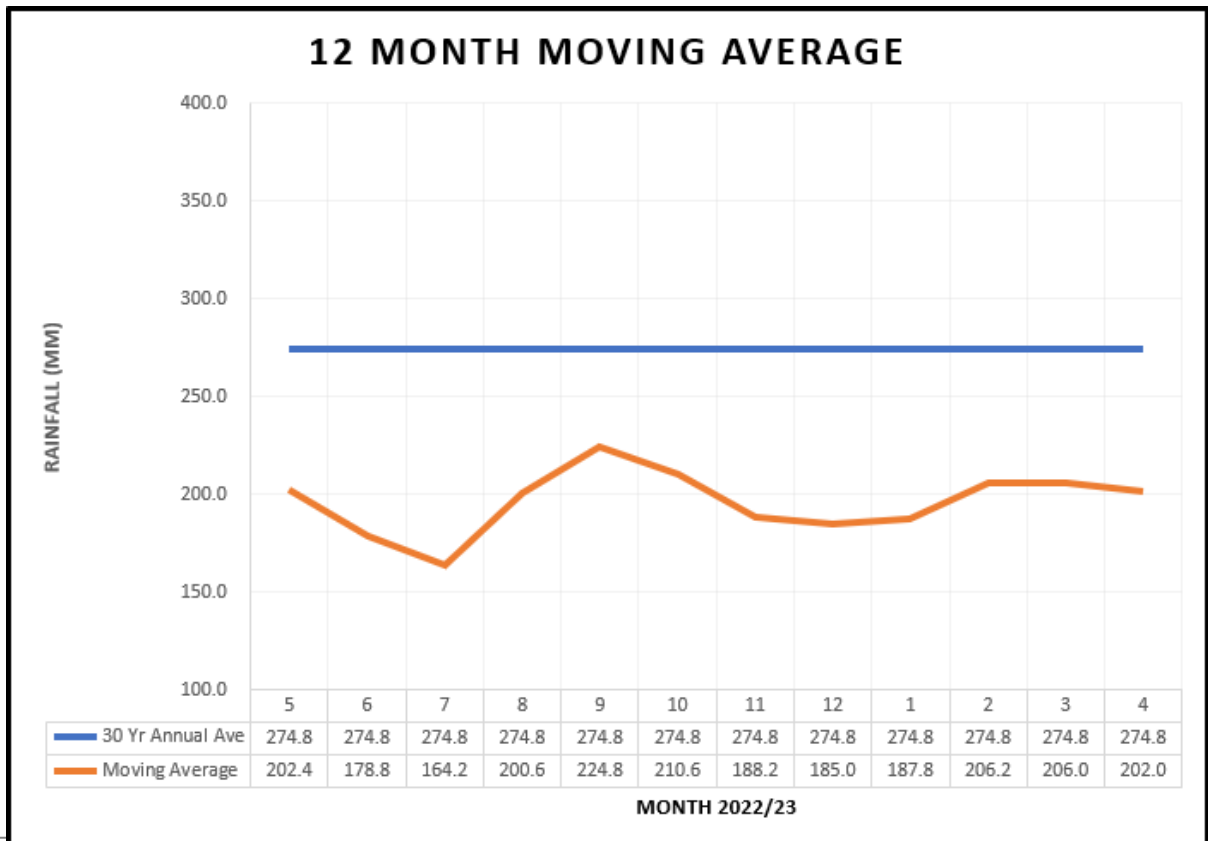
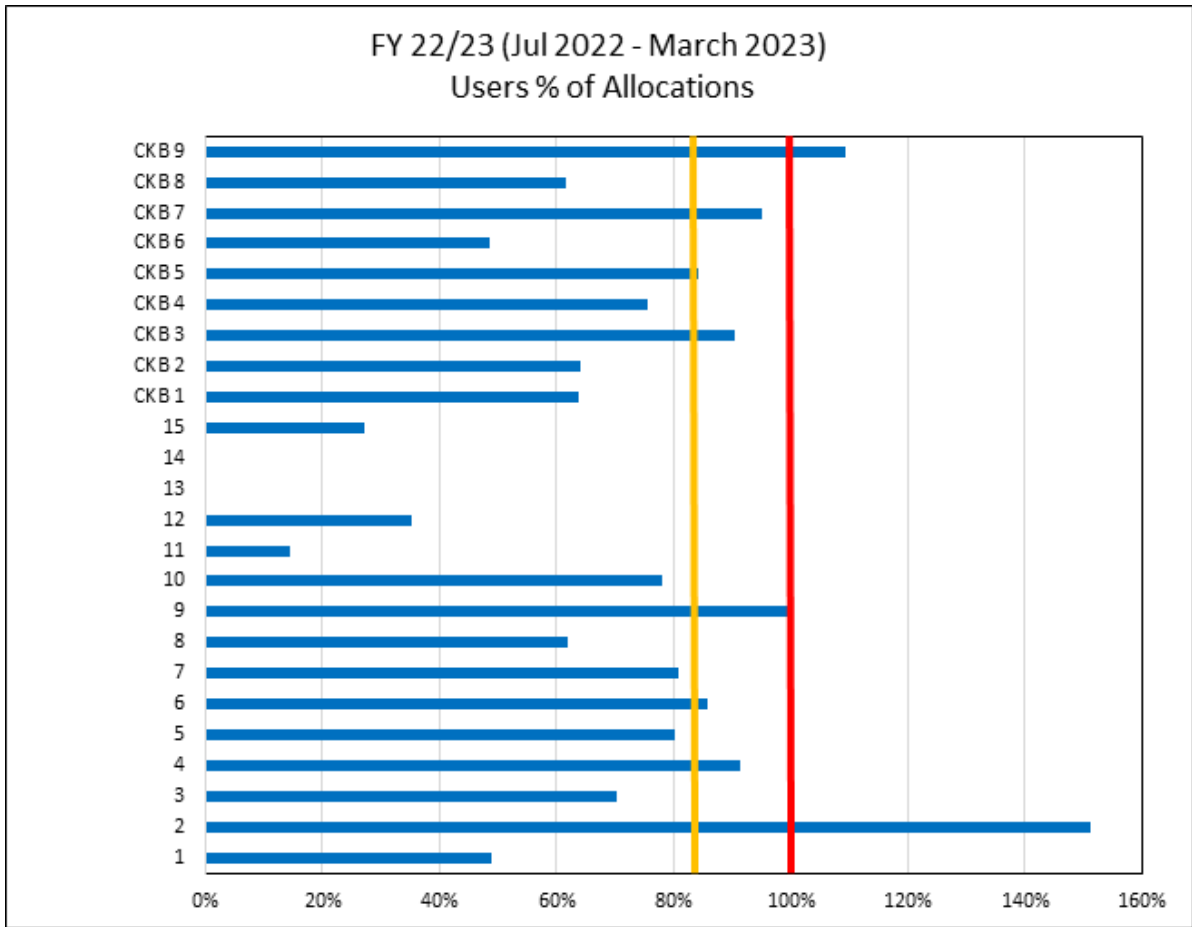
70% complete

### ***Water Consumption***

The following graphs and table provide an overview of the water consumption by third-party users of recycled water before and after the implementation of restrictions. The below graphs depict the situation as at 30 April 2023.







From the above graphs, the following comments:

- The industrial usage has been significantly lower than the contracted supply volumes at approximately 22% of allocation. This has allowed the City to “bank” an additional 90ML of water through April, which has allowed the Swan Lakes storage to recover to approximately 85% of their capacity. The May storage figures are, however, expected to be further improved should the industrial usage continue with the current low consumption trends.
- The Piccadilly stormwater dam is being filled with recycled water from the WWTP and is approaching at 50% capacity. With this dam playing a role in both storage and flood mitigation, filling to above 75% is not recommended. It is anticipated that the 50% level will be reached during May if current trends continue.
- The 12 Month Moving Average for the long-term rainfall statistics has changed only marginally and provides no support for amending the water restrictions at this stage, where the requirement would be to have the 12 Month Moving Average at least equivalent to the long-term annual average.
- With nearly all dams reaching capacity, it is estimated that the City has approximately 7 months water supply for all non-industrial irrigators. This will take the City into the middle of the summer peak usage should no further rain be received.

### **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.

**15.3.3 SPEED LIMIT CHANGES ON VARIOUS SIGNIFICANT LOCAL ROADS**

<b>Responsible Officer:</b>	Johannes Prinsloo Manager Engineering
<b>Responsible Business Unit:</b>	Engineering
<b>Disclosure of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple
<b>Attachments:</b>	1. 01- S-301-02 REV 0_3 [15.3.3.1 - 1 page]

**Officer Recommendation**

That Council:

1. Endorse the proposed speed limits on the sections of road as outlined below:
  - Broadwood Street (Gatacre Drive to Anzac Drive) posted speed changed to 60km/h. Existing speed on section Atbara Road to Anzac Drive is 50km/h;
  - Hart Kerspian Drive (Gatacre Drive to Moir Street) to Kalgoorlie Airport, posted speed changed to 50km/h. Existing section from Gatacre Drive to Moir Street has a posted speed of 60km/h;
  - Throssell Street (North of Hannan Street to Piccadilly Street) posted speed changed to 50km/h. Existing speed limit on this section is 60km/h;
  - Piccadilly Street (Maritana Street to Goldfields Hwy) at the hospital changed to 50km/h to accommodate vulnerable users. The speed limit on this section is 60km/h; and
  - Johns Road (North), Lynas Access, posted speed of 60km/h. The existing speed limit is not posted.
2. Request Main Roads Western Australia to implement the proposed road speed limits.

**Executive Summary**

The purpose of this report is to recommend consistent and safe speed limits on various local roads. The recommendation will eliminate confusion concerning different speed limits on the same road and simplify it for road users to stay within the posted speed limits.

The speed review recommendation is as per Attachment 15.4.3.1. The proposal will assist the WA police in effectively enforcing traffic offences and penalties per the WA Road Traffic Code 2000.

**Community Engagement Consultation**

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

Safe: We provide safe and integrated road networks.

Sustainable: Ensure a sustainable asset and infrastructure base

### **Community Strategic Plan Links**

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

### **Budget Implications**

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

### **Report**

The City has identified a number of roads where the speed limit varies on different road sections and has identified the need to eliminate confusion for road users. The result of the speed changes will be that road users will more easily conform to the posted speed limits. Consequently, the City has assessed the roads to simplify the speed limits on these identified roads considering traffic safety and mobility as priority. For the assessment, evaluation criteria included traffic volume and type, crash data, operating speed, property accesses, street lighting, line marking, road signage, road geometry, pedestrian crossings, intersection type, roadside development and vulnerable user areas.

The City has finalised the proposal (*refer Attachment 15.4.3.1*) in consultation with MRWA, and the roads proposed for the speed review are as follows:

- Broadwood Street (Gatacre Drive to Anzac Drive) posted speed changed to 60km/h. Existing speed on section Atbara Road to Anzac Drive is 50km/h;
- Hart Kerspian Drive (Gatacre Drive to Moir Street) to Kalgoorlie Airport, posted speed changed to 50km/h. Existing section from Gatacre Drive to Moir Street has a posted speed of 60km/h;
- Throssell Street (North of Hannan Street to Piccadilly Street) posted speed changed to 50km/h. Existing speed limit on this section is 60km/h;
- Piccadilly Street (Maritana Street to Goldfields Hwy) at the hospital changed to 50km/h to accommodate vulnerable users. The speed limit on this section is 60km/h; and
- Johns Road (North), Lynas Access, posted speed of 60km/h. The existing speed limit is not posted.

### **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.

## 15.4 Corporate and Commercial

### 15.4.1 Goldfields Oasis Master Plan

<b>Responsible Officer:</b>	David Trevaskis Director of Corporate and Commercial
<b>Responsible Business Unit:</b>	Corporate and Commercial
<b>Disclosure of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple
<b>Attachments:</b>	1. Goldfields Oasis Master Plan - City of Kalgoorlie- Boulder - Jan 2023 [15.4.1.1 - 255 pages]

### Officer Recommendation

That Council:

1. Receive the attached Goldfields Oasis Master Plan (Draft) and note the key elements included in Stage 1, Stage 2 and Stage 3 of the concept design;
2. Endorse Stage 2 of the attached Goldfields Oasis Master Plan which includes the concept design for a new outdoor pool; upgrades to the outdoor water play assets; upgrades and consolidation of plant room infrastructure and equipment; and extension to the existing outdoor pool area;
3. Authorise the Chief Executive Officer to invite further public comment and submissions on the endorsed concept design for Stage 2 and that any comments or submissions be considered in order to formulate a business case to attract additional federal or state funding for the Stage 2 project;
4. Endorse the 10-year capital / renewal plan summary provided in Table 12 (pages 42 and 43) of the Goldfields Oasis Master Plan for inclusion in the City's draft long term financial plan 2024-34 and to re-assess and reprioritised the capital / renewal plan annually; and
5. Authorise the Chief Executive Officer to investigate other opportunities to deliver key elements identified in Stage 1, including the expansion of the gym and group fitness floor space.

### Executive Summary

The City appointed a leisure planner to conduct a facility audit, feasibility study, assessment and concept plan for the refurbishment and redevelopment of the Goldfields Oasis Recreation Centre (the Oasis). Following an extensive community and stakeholder engagement process, a draft Master Plan has been developed for Council's consideration. The plan includes the addition of an outdoor pool, program pool, water slides, and water play areas both indoors and outdoors, as well as expansion of the gym, café, reception, administration and crèche areas. These enhancements are designed to both maximise the facility's revenue opportunities and and to provide an outstanding user experience for the community. The concept plan is separated in to three stages:

1. Upgrade and Extend Existing Building Areas ;

2. Upgrade and Extend Existing Outdoor Pool Area; and
3. Extend Existing Sports Hall.

In addition, the report provides a capital renewal summary of the investment required to maintain the existing facility assets and equipment in order to provide the current levels of service. In total, the projected project costs are \$113M to deliver the three stages of the concept plan. The stage 3 expansion of the stadium is not considered a priority for project but was included to demonstrate the potential for future expansion. Stage 1 includes the most expensive elements of the master plan and these elements are also considered to be an elevated risk due to the challenges associated with retrofitting existing aquatic infrastructure assets.

It is recommended that Council endorse the Stage 2 concept plans only, which includes the new outdoor pool and upgrades to the outdoor pool area and commits to the capital renewal and maintenance of the existing facility assets over the next ten years.

**Community Engagement Consultation**

Community engagement included consultation with Council, the City’s Commercial Businesses Committee, City employees, current user groups, State Sporting Associations and DLGSCI. A community survey was also undertaken with 753 responses received.

**Community Strategic Plan Links**

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

- SAFE: We support families and youth.
- CONNECTED: We provide public spaces that facilitate a diverse range of activities and strengthen social bonds within the community.
- EMPOWERED: We provide opportunities for genuine engagement with the community to inform the Council’s decision-making.

**Budget Implications**

The Oasis Refurbishment draft concept plan is separated into the following development stages which would have to be phased over several years:

1. Upgrade and Extend Existing Building Areas	\$70M
2. Upgrade and Extend Existing Outdoor Pool Area	\$25M
3. Extend Existing Sports Hall.	<u>\$18M</u>
TOTAL	<u>\$113M</u>

The City’s current long term financial plan 2023-33 provides for the following capital expenditure at the Oasis over the next ten years:

1. Renewal of existing assets and infrastructure	\$13M
2. New outdoor pool (grant funded - federal)	<u>\$8M</u>
TOTAL	<u>\$21M</u>

It is recommended the City include in its 2024-34 long term financial plan the following revised capital expenditure for the Oasis:

1. Renewal of existing assets and infrastructure	\$22M
2. Delivery of Stage 2 Outdoor Pool and Outdoor Area	<u>\$25M</u>
TOTAL	<u>\$47M</u>

## Report

### Background

The Oasis is the City's primary indoor sport and aquatic centre. It was initially constructed in 1999 and apart from a series of expanded outdoor water play and energy saving initiatives, it has remained consistent with its original development. At the City's Commercial Businesses Committee Meeting held on 18 August 2021, it was recommended that Council engage the services of a leisure planner for the renewal and redevelopment of the Oasis. This was then approved at the Council meeting on 23 August 2021. Following a request for quotation process, Otium Planning Group Pty Ltd was awarded the contract in February 2022. The purpose of the facility review and master plan was to assess the current asset, functionality and performance with a view to upgrading and enhancing the services provided to the community and to ensure the facility meets contemporary facility design and servicing standards.

Beginning with the initial capture of existing available data through to the delivery of the draft report, the master plan has been developed over 11 stages including the following key stages

- Stage 2 – Facility audit
- Stage 4 – Stakeholder and community engagement
- Stage 7 – Concept design
- Stage 8 – Cost estimate.

The facility audit included engaging the services of a specialist asset management consultancy assessing the lifecycle expectations of different facility components and the potential implications of future investment in the asset to maintain its current service and program delivery. A detailed asset lifecycle schedule, planned preventive maintenance and urgent defects list has been developed with a summary provided on pages 39 to 44 of the master plan. The detailed analysis and report indicate that there are large investment considerations which need to be factored in regarding asset renewals across 2024 and 2025 related to pool infrastructure replacement with some identified as being in poor condition having reached or being close to the end of their serviceable life. Overall, over a 10-year period in excess of \$22M is required to be spent on the existing facility and infrastructure assets in order to maintain existing functionality and service levels irrespective of any redevelopment opportunity.

The stakeholder and community engagement process included the following:

- Workshops with City officers, Elected Members and Oasis staff;
- Selected consultation with current user groups;
- Selected consultation with State Sporting Association;
- One to one meeting with a representative from the Department of Local Government Sport and Cultural Industries; and



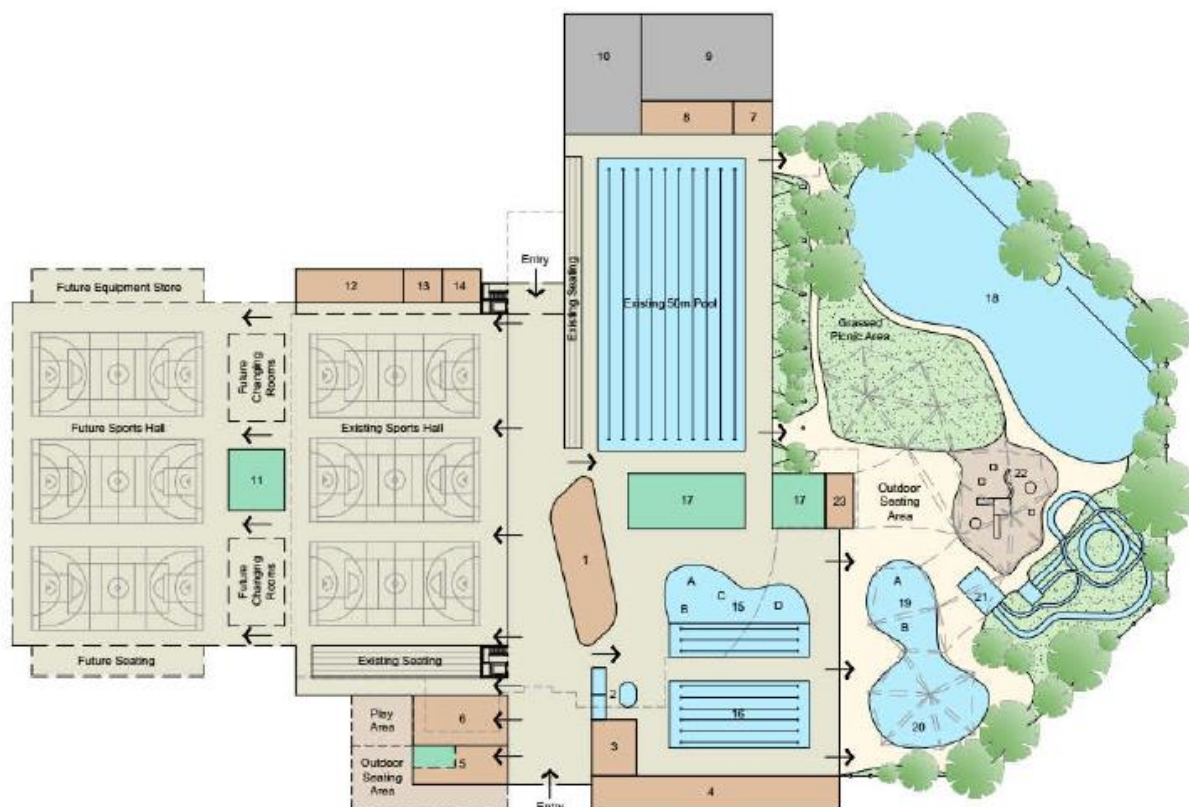
- A community survey split down to determine the respondents view of existing facilities at the Oasis and future aspirations.

As part of the scope of the Master Plan and facility assessment, Otium investigated the possibility of reinstating a pool or water play area at the Lord Forrest Precinct. When considering upgrades to the water play area, the Master Plan states that ... *“an opportunity to develop a zero-depth splash pad/ water play area has been suggested for the area (Lord Forrest) but the long term capability of managing and maintaining such infrastructure in relative isolation to the existing major water bodies at Goldfields Oasis is unlikely to be viable. A splash deck / zero-depth water play area will require a high level of maintenance and use of chemicals to ensure water is maintained at a high quality and appropriately balanced to minimise the risk of infection/ algae build up”*(pg 104) and *“while the Lord Forrest Precinct has been identified as a potential location for a water play facility, guidelines and relevant codes of practice would suggest that such infrastructure is best provided for and managed where there is a high level of staff resources capable of managing and controlling any associated risk with such an asset”* (pg 14). Further the State Government has committed \$2.1M to the Youth Precinct at the Lord Forrest Precinct and Kingsbury Park and the final designs for this project are well progressed.

Based on Otium’s research and stakeholder engagement a concept design was developed for Council’s review. The draft concept plans were presented to Councillors at the information session on 11 July 2022 for feedback before progressing with the final concept design which has been included in the draft master plan. The key features/ design considerations are summarised pg 55 – 57 of the report and include:

- Enhanced entry position
- Re-alignment of Reception / Members service area
- Lagoon Pool
- Extended Gym Facility
- Program Pool / warm water pool
- Re-alignment of group fitness and spinning room
- Wellness centre
- Water Play (indoors and outdoors)
- Indoor leisure water area
- Pool changing areas
- Water slides
- Re-alignment of café
- Redevelopment and expansion of crèche area
- Realignment of netball courts
- Enhanced Game / Competition administration room
- An expanded car parking area
- Addressing the dysfunctional external pool hall supports
- Function area
- Storage
- Plant realignment

*Appendix 8: Master Plan – Concept Design*



The cost estimate to deliver the concept plan is provided in the order of probable costs on page 62 of the Master Plan for a total investment of \$113,510,061 and separated into the below three stages:

- Stage 1 - Upgrade and Extend Existing Building Areas and Indoor Pools - \$69,600,248 (pg 63);
- Stage 2 - Upgrade and Extend Existing Outdoor Pool Area (including new water slides, splash pad, lagoon pool) - \$25,380,961 (pg 63); and
- Stage 3 - Extend Existing Sports Hall - \$18,528,851 (pg 64).

**Officer comments**

A City employee working group was established to evaluate the recommendations contained in the draft Master Plan report. The Master Planning process sought to draw together a number of significant considerations in the further development of the Oasis. The solutions proposed require a significant financial contribution from CKB, estimated to be \$113M. An important takeaway from the report is that the solution proposed could be implemented in a phased manner to achieve a long-term future for the facility on the existing site.

The challenge in interrogating the recommendations contained in the report is that collectively they become overwhelming to consider both from a cost and operational perspective. For example, the phasing of stages needs to be considerate of the centre being operational to a certain extent.

The report proposed the following options for consideration (pg 44):

Option 1 – Retain the status quo and implement the recommended capital / renewals over the next 10 years.

Option 2 - Redevelopment of the leisure pool area to include:

- Increasing the spa space (combining the two small pools, sauna and a steam room) and provision of an additional program / warm water pool;
- Provision of additional court space and realignment of centre office space, group fitness and dedicated customer services area;
- Extension of gymnasium to include warm down / personal training areas; and
- Enhancements of Water Slides and replacement of aquatic play infrastructure.

Option 3- Complete Redevelopment of Goldfields Oasis.

Evaluating the Options:

Option 1

By retaining the status quo the City is potentially missing out on an opportunity to address the following existing functionality issues with the Oasis:

- Fit for purpose
  - Courts do not meet the requirements for high-level competition
  - Aquatic area has insufficient spectator capacity
  - Gym floor size is substandard
  - Water space is inflexible and not easily programmed for effective use
  - Aquatic plant is spread across four different areas
  - Improved energy management
  - Enhanced aquatic facilities including program pool
- Compliance
  - Does not meet National Construction Code (NCC)
  - Does not meet the code of practice for the operations and maintenance of aquatic facilities, including the deck area, plant room balance tanks, slides and stairs
  - Accessibility issues
- Inability to grow business and membership opportunities
  - This is well document in the report as well as loss of potential revenue in programmable areas eg swim school
  - Gym size and membership growth and retention
  - Netball and basketball court areas
- Aged facility, infrastructure and asset renewal cost

- There does remain a risk due to the building condition assessment being undertaken by way of visual examination. A disclaimer was provided by the consultant in so far as not accepting liability for defects that may have been concealed at the time of inspection.

Whilst still requiring a significant investment, option 1 is the least expensive option that has been considered for the continued operation of the Oasis with an estimated \$22M capital expenditure required over the next 10 years.

### Option 2

Endorsing the full master plan and committing to redeveloping and renewal of the Oasis is estimated to be at a significant cost of up to \$113M. Option 2 will still retain some of the issues and elevated risks highlighted in the evaluation of Option 1. For example:

- Fit for purpose
  - Courts do not meet the requirements for high-level competition
  - Aquatic area has insufficient spectator capacity
  - Improved energy management
- Aged facility, infrastructure and asset renewal cost

Also of concern is the unknown financial impact of this option on the City, as previously mentioned, the condition assessment of the facility was undertaken by way of visual inspection. The following case studies are extracted from the report (pg 32 and 33) for emphasis and consideration:

### Option 3

Currently, the City of Swan owns and operates three aquatic and leisure facilities: Swan Active Midland, Swan Active Ballajura, and Swan Active Beechboro. An Aquatic Strategy was developed in 2015 to assess future investment in facilities and one of the key facilities which required upgrading included Swan Active Midland.

Key challenges with the redevelopment included:

- Budget constraints: The improved functionality and appearance of the facility began with an initial investment of \$13m which subsequently was increased to \$16m and then a \$21m commitment prior to the tender being awarded for the construction.
- Ongoing design reviews and further complications related to below ground anomalies (lack of footings, ageing service infrastructure and the need to replace the existing pool tank). This has resulted in the cost increasing to \$28m plus.
- The budget constraints led to a project gym space at 655m<sup>2</sup> and associated group fitness at 318m<sup>2</sup> which is below standard for a facility offering extensive wet and dry provision (a combined gym and group fitness floor area of 1,200m<sup>2</sup> to 1,400m<sup>2</sup> is likely to provide the optimum return).

The City of Mandurah initially identified a need for a new, improved recreational space to service the growing Mandurah population in the mid-2000s, with a key finding being the desire for a 50 m pool. The project included the redevelopment of an existing bowling club to provide an outdoor 50m pool with associated club and service infrastructure, replacement of the plant room, re-alignment of the internal 25m and casual leisure water pools (with upgraded play equipment), improved changing facilities, re-alignment to the reception area and a \$4.4m investment in geothermal heating. The initial budget for improvement works was \$21m with the aquatic facilities opening in late 2015. As the project developed a demand for an additional three court facility (primarily used for basketball) and associated dry changing, squash and gym was proposed. The \$15.6m dry fitness facilities opened early 2017. The overall budget eventually was identified as \$42m.

**Lessons learnt:** One of the key weaknesses in the redevelopment was the retention of an ageing roof infrastructure which compromised both the design and built in an ongoing asset risk. In November 2021 Mandurah Council voted to remove the entire roof structure and install a new one. A \$2.5 million repair was identified and is expected to take at least 16 months to complete due to the current high demand on the construction industry and availability of materials. This has now become a critical issues as of July 1<sup>st</sup> 2022 the MARC public indoor swimming pool has remained closed due to the lack of contractors available to undertake the roof repairs.

Construction of a brand new facility:

- Selection of new site required
- Immediate upfront capital contribution potentially cost over \$113M
- Continued capital investment required over the short term to keep current facility operational.

### **Proposed Option:**

#### **Option 4**

It is recommended that a combination of Option 1 and 2 be considered which will deliver some of the enhanced features desired by the community and users of the Oasis but at a lower cost than the proposed draft Concept Plan if fully endorsed. This could be phased concurrently as follows:

- Phase 1 - Redevelop outdoor pool area to include, a water play area inclusive of adventure slides, splash pad, outdoor play, wet café, leisure pool, change rooms, consolidated plant room and outdoor pool. Allowing for continued use of the current facility while construction works are undertaken. There is a level of community expectation to deliver an outdoor pool and this has been supported by the federal government announcement committing \$8M towards this project.
- Phase 2 – Commit to the ongoing capital investment to maintain the existing indoor Oasis infrastructure including delivering the \$22M 10-year capital/renewal plan. The plan should be re-assessed and reprioritised annually.
- Phase 3 – The City to investigate alternative opportunities to deliver the other key masterplan elements which will improve functionality and provide for additional revenue such as expansion of the gym, courts, function and club rooms, café and crèche.

The draft Master Plan report contains valuable information that could be further relied upon for the further investigation into the feasibility of Option 4 as an implementable alternative.

### **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.

**16 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

**17 CONFIDENTIAL ITEMS****17.1 WA PGA Championship Sponsorship 2024-2026**

<b>Responsible Officer:</b>	Andrew Brien Chief Executive Officer
<b>Responsible Business Unit:</b>	Office of the CEO
<b>Disclosure of Interest:</b>	Nil
<b>Voting Requirements:</b>	Simple
<b>Attachments:</b>	<ol style="list-style-type: none"> <li>1. CONFIDENTIAL - Final Event Report CKB 2022 [17.1.1 - 31 pages]</li> <li>2. CONFIDENTIAL - WA PGA Venue Agreement 2024 26 DRAFT [17.1.2 - 17 pages]</li> </ol>

**Confidential Reason**

In accordance with Section 5.23 (2) of the *Local Government Act 1995* the meeting is closed to members of the public with the following aspect(s) of the Act being applicable to this matter:

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

**Executive Summary**

It is the recommendation of the Responsible Officer that this item be considered behind closed doors due to the private and confidential nature of its contents.

## **18 DATE OF NEXT MEETING**

The next Ordinary Council Meeting will be held on 26 June 2023.

## **19 CLOSURE**