



**City of
Kalgoorlie
Boulder**

AGENDA

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

on

28 FEBRUARY, 2022

at the

Kalgoorlie Town Hall

24 February 2022



NOTICE OF MEETING

An Ordinary Council meeting of the City of Kalgoorlie-Boulder will be held in the **Kalgoorlie Town Hall** on **Monday, 28 February 2022** commencing at **7:00 PM**.

Regards

A handwritten signature in purple ink, appearing to read "Alex Wiese".

ALEX WIESE
Acting Chief Executive Officer

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

To be conducted by Father Brennan from the Catholic Church .

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/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED)

IN ATTENDANCE:

MEMBERS OF STAFF:

VISITORS:

PRESS:

APOLOGIES – ELECTED MEMBERS:

APOLOGIES – MEMBERS OF STAFF:

LEAVE OF ABSENCE:

5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

The City provided a written response to those who asked questions which were taken on notice at the previous Council Meeting on the 14th February 2022. A summary of the City's response is provided below:

Bianca Sandri from Urbanista Town Planning asked the following question:

1. Given the lack of information in the Agenda report, has an informed assessment of the proposed land use been undertaken against the objectives of the Local Planning Scheme? The intent of the service industrial area is to provide a range of industrial uses for the benefit of the community at large by way of services and employment. The construction of workers accommodation on this site does not specifically relate to the objectives as it is simply providing overnight accommodation for workers at various mine sites not within the industrial area. Therefore, the employment opportunities around this site are limited and not aligned with what is expected in this location.
2. Is Council aware that the application does not comply with clause 67(m) and (n) of the Planning and Development Regulations as the land use will implicate existing and future industrial development due to the noncompatible nature of industrial and residential land uses, and that there is a substantial amount of undeveloped land within Town which would better serve this type of land use and actually facilitate greater economic growth for our Town?
3. Is Council willing to refuse this application given it is not consistent with the objectives of the Scheme or clause 67 of the Planning and Development Regulations? If not, at least defer the item to allow the public to better inform themselves of the proposal as we were only informed today and prepare and complete an objection to the proposal.

Answer to Question 1:

The development site is zoned 'Service Light Industry'. The first objective seeks to nurture existing and encourage new industries compatible with the amenity of the City. The applicant submits that this development is seen as a vital tool in the owner's ability to engage in future construction and mining contracts within the region. City staff are therefore satisfied that the development will nurture and encourage existing and new industries within the City. Further, the first objective suggests that this needs to be compatible with the amenity of the City. More importantly, any proposed development on this site will need to be sympathetic to the Eastern Goldfields Regional Prison; a sensitive receiver located directly adjacent to the subject site. City staff are satisfied that the proposed development is compatible with the amenity of this area.

The second objective seeks to facilitate diversification of industry to provide a range of employment opportunities. The occupants of this accommodation facility are involved in construction projects within the region which in turn creates employment and new industry opportunities to be established within the

City. The development itself creates a significant opportunity for employment, accommodating workers who currently can't be accommodated within the current accommodation options available. City staff are therefore satisfied that the development is consistent with this objective.

Answer to Question 2:

In regard to Clause 67, all of the assessment elements have been considered as part of this development application.

Based on the current Local Planning Scheme No. 1, only the subject site is zoned 'Service Light Industry'. The surrounding properties are zoned 'Public Purpose', 'Parks and Recreation' or 'Future Urban'. The current character of the area is defined by the Kalgoorlie-Boulder Airport, Eastern Goldfields Regional Prison, Kalgoorlie Boulder Pistol Club and a single house. Any development within this area is already implicated by the existing land uses. Given the location of the prison, a significant sensitive receiver, directly adjacent to the subject site there is considered to be a very limited number of light industrial business that could be established and may be the determining factor for why the parcels of land have laid vacant for so long. City staff are satisfied that the proposed development is consistent with the existing character and amenity of the area.

Whilst there may be other undeveloped areas within the Town, the City is being asked through the development application process to consider the proposed development on the subject site and must make a determination on this basis.

Answer to Question 3:

These are matters for the Elected Members to consider. The application was advertised directly to a 200m radius and placed on CKB Unearthed and the City's website for a total period of 28 days during which only four submissions were received. Deferment of the matter will not support further comments for council to consider, unless council resolves to readvertise the development.

A summary of the City's written responses to questions taken on notice at the OCM 24th January was provided in the previous Council Minutes 14th February 2022. As requested by Cr Williams at the OCM on the 14th February 2022 the full written response and questions are provided as follows:

Tracy Tirronen of Boulder asked the following questions:

1. Referring to the Council's Vision and Mission Statement, with businesses closing, how is the Council encouraging and supporting economic development and diversification in the current mandated climate?
2. Under the WHS Act a Councillor, local or regional government, or office could be classed as PCBU (Person Conducting a Business or Undertaking) and can be liable for any vaccine injury compensation or even potentially the crime on industrial manslaughter in relation to mandating the vaccine and any worker, contractor, subcontractor, or visitor to any of your facilities or assets. Should there be an accident with fines up to 20 million dollars and 20 years jail, and as you can imagine this is a major concern for small businesses as it could potentially destroy a

small business both economically and with damages of injured in Civil Court while you keep allowing this mandate all PCBU is going to pay for this one way or another, so what are you going to do to stop this or at least let businesses know that we are the ones who will take all the flack from the big guns?

Response from the City of Kalgoorlie-Boulder:

In relation to your concerns regarding a PCBU, as the City is not the legislating body in relation to vaccine mandates, this question needs to be addressed to the State Government.

Based on the latest health advice, the WA State Government has introduced both a mandatory vaccination policy for various occupations and workforces in WA as well as restrictions on entry by unvaccinated patrons to certain venues in WA. The City of Kalgoorlie-Boulder (the City) does not have an advocacy position in relation to these instructions and must adhere to the State Government Directions or risk committing an offence which is punishable by imprisonment or a fine. The City has implemented all State Government vaccination policies where required.

In relation to the covid-19 pandemic, primarily local government is responsible for working closely with the State Government to support preparedness, implementation of response measures and recovery, as well as communication of messages to the local community. The City is in regular contact with the State agencies responsible for managing the Covid-19 pandemic in Western Australia including the Department of Health and WA Police and will continue to provide any assistance necessary to support the community during this time.

Information for businesses and the community is readily available on the City's website and social media and a series of workshops were presented at the City's William Grundt Memorial Library to support the community and help with their preparedness for the proof of vaccination requirements and use of the ServiceWA app. The City will be monitoring the covid-19 situation as it continues to develop in WA and will work closely with businesses, the Government and the community to provide assistance and support where possible.

Maihe Nikora from Kalgoorlie asked the following questions:

1. positions by the people of the Kalgoorlie-Boulder community. We remind each and every one of you of your individual roles as 'servants of the People to benefit the whole community.' We the people, ask you to look inside your heart, to look into the conscience of your mind, to look after and to take care of the business owners in our community. Are you doing your utmost to protect and assist every business, every person, every child in Kalgoorlie-Boulder presently being?

2. We the People support you as a Mayor and all the Councillors here, I ask. Are you supporting the people of this community, especially all the business owners, big mining companies to little café's that make up the economy of this community?
3. Are you helping protect the children of the community? or are you condemning the children of this community to oblivion as is already being witnessed locally, nationally and globally?

Response from the City of Kalgoorlie-Boulder:

Based on the latest health advice, the WA State Government has introduced both a mandatory vaccination policy for various occupations and workforces in WA as well as restrictions on entry by unvaccinated patrons to certain venues in WA. The City of Kalgoorlie-Boulder (**the City**) does not have an advocacy position in relation to these instructions and must adhere to the State Government Directions or risk committing an offence which is punishable by imprisonment or a fine. The City has implemented all State Government vaccination policies where required.

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Natalie Rose Palandri of Kalgoorlie asked the following questions:

1. Who is going to police the new mandates and pay for it?
2. Are you going to compensate businesses for loss of revenue due to mandates?
3. If you are going to exclude unjabbed residents and prevent us from participating in society, are you going to refund our rates?

Response from the City of Kalgoorlie-Boulder:

Based on the latest health advice, the WA State Government has introduced both a mandatory vaccination policy for various occupations and workforces in

WA as well as restrictions on entry by unvaccinated patrons to certain venues in WA. The City of Kalgoorlie-Boulder (**the City**) does not have an advocacy position in relation to these instructions and must adhere to the State Government Directions or risk committing an offence which is punishable by imprisonment or a fine. The City has implemented all State Government vaccination policies where required.

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The State and Federal Governments' have provided financial support programs to help businesses and individuals impacted by the Government restrictions imposed. The City has not waived any rates during the pandemic. For residents experiencing financial hardship the City has a financial hardship policy which can provide support to people unable to pay their rates. Further Details can be found on the City's website <https://www.ckb.wa.gov.au/residents/rates/financial-hardship.aspx>

Paul Buckle of Boulder asked the following questions:

1. Is the Council is doing anything to push back against the mandates which are quite literally killing people and destroying small businesses?

Response from the City of Kalgoorlie-Boulder:

Based on the latest health advice, the WA State Government has introduced both a mandatory vaccination policy for various occupations and workforces in WA as well as restrictions on entry by unvaccinated patrons to certain venues in WA. The City of Kalgoorlie-Boulder (**the City**) does not have an advocacy position in relation to these instructions and must adhere to the State Government Directions or risk committing an offence which is punishable by imprisonment or a fine. The City has implemented all State Government vaccination policies where required.

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Michael Blewett of Victory Heights asked the following questions:

1. What legal advice has the Council received on the State Government mandates if a worker becomes vaccine injured and makes a claim?
2. What plans are in place to attract new workers to the Goldfields to replace those unemployed due to the State Government mandate?
3. What support mechanisms are in place for small businesses affected financially or man power especially regarding tourism and hospitality by the Council in regards to the State Government mandate and who may be funding them?

Response from the City of Kalgoorlie-Boulder:

Based on the latest health advice, the WA State Government has introduced both a mandatory vaccination policy for various occupations and workforces in WA as well as restrictions on entry by unvaccinated patrons to certain venues in WA. The City of Kalgoorlie-Boulder (**the City**) does not have an advocacy position in relation to these instructions and must adhere to the State Government Directions or risk committing an offence which is punishable by imprisonment or a fine. The City has implemented all State Government vaccination policies where required.

The City has received industry advice and guidance from WALGA to help implement the State Government instructions lawfully. No specific recruitment strategy has been developed or is considered necessary to replace employees who may choose to not work at the City due to these instructions.

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implementation of response measures and recovery, as well as communication of messages to the local community. The City is in regular contact with the State agencies responsible for managing the Covid-19 pandemic in Western Australia including the Department of Health and WA Police and will continue to provide any assistance necessary to support the community during this time.

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Bob Munro of Boulder asked the following questions:

1. Looking at the immediate erosion of the rights and constitutional defiance for all Australian Sovereign citizens, I ask this Council if you intend to perpetuate the narrative and blindly deny our right of choice?
2. Cast your mind back and ask yourself what was going through the minds of those young men in 1914-1918 and the men in 1938-1945 who went off to fight against the tyranny and oppression throughout our world. They went into battle, protecting the Australian way of life, freedom of speech, freedom of assembly and freedom of choice. Do you think they were paving the way for a better future so their family could live with the freedom of choice and be fairly represented by their elected peers?
3. As our local Council representatives I ask you to give back the choices, fought and died for, to our citizens. It is not your position to make choices for us, however if you continue to force mandates on us, the Kalgoorlie-Boulder citizens, will you be accepting the responsibility for all adverse effects from those mandates?

Response from the City of Kalgoorlie-Boulder:

Based on the latest health advice, the WA State Government has introduced both a mandatory vaccination policy for various occupations and workforces in WA as well as restrictions on entry by unvaccinated patrons to certain venues in WA. The City of Kalgoorlie-Boulder (**the City**) does not have an advocacy position in relation to these instructions and must adhere to the State Government Directions or risk committing an offence which is punishable by imprisonment or a fine. The City has implemented all State Government vaccination policies where required.

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Eric Henry of South Boulder asked the following questions:

1. Due to the criminal charges (case no. 602967/21) presented in the UK and the International Criminal Court in the Haig against all those who have promoted through coercion and threats the Covid "vaccine" and covered up the harmful effects of the drug. Can we in the Goldfields and Esperance region likewise drop all Covid mandate?
2. Is the Council aware of the Nuremberg trials after ww2 resulting in the several hangings and an international law against anyone who forces through the threat of job loss or bans from shopping centres and any form of coercion, is a crime against humanity?

Response from the City of Kalgoorlie-Boulder:

Based on the latest health advice, the WA State Government has introduced both a mandatory vaccination policy for various occupations and workforces in WA as well as restrictions on entry by unvaccinated patrons to certain venues in WA. The City of Kalgoorlie-Boulder (**the City**) does not have an advocacy position in relation to these instructions and must adhere to the State Government Directions or risk committing an offence which is punishable by imprisonment or a fine. The City has implemented all State Government vaccination policies where required.

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with their preparedness for the proof of vaccination requirements and use of the ServiceWA app. The City will be monitoring the covid-19 situation as it continues to develop in WA and will work closely with businesses, the Government and the community to provide assistance and support where possible.

Leanne Barrett of Kalgoorlie asked the following question:

1. If the City of Kalgoorlie-Boulder will become a Pro Choice Shire?

Response from the City of Kalgoorlie-Boulder:

Based on the latest health advice, the WA State Government has introduced both a mandatory vaccination policy for various occupations and workforces in WA as well as restrictions on entry by unvaccinated patrons to certain venues in WA. The City of Kalgoorlie-Boulder (**the City**) does not have an advocacy position in relation to these instructions or becoming a "Pro-Choice Shire". The City must adhere to the State Government Directions or risk committing an offence which is punishable by imprisonment or a fine. The City has implemented all State Government vaccination policies where required.

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Rebecca O'Brien of Kalgoorlie asked the following questions:

1. As rate payers will we be receiving a rate reduction for lack of service and access to those facilities which are being mandated by the Kalgoorlie Shire and Council?
2. What alternatives and support is the Shire and Council going to offer our young people who will be forcibly segregated from their peers. Have they got any planned programs or alternative activities and supports to engage and support young people who will likely become at risk and experience negative impacts to the social, emotional and mental health?

3. Will the Shire be providing active ongoing support to those who have made the choice, and who are not willing to be coerced unduly into unnecessary medical procedure stemming from unlawful mandates. And if so, what will this look like? Alternatively, if not, why not?

Response from the City of Kalgoorlie-Boulder:

Based on the latest health advice, the WA State Government has introduced both a mandatory vaccination policy for various occupations and workforces in WA as well as restrictions on entry by unvaccinated patrons to certain venues in WA. The City of Kalgoorlie-Boulder (**the City**) does not have an advocacy position in relation to these instructions and must adhere to the State Government Directions or risk committing an offence which is punishable by imprisonment or a fine. The City has implemented all State Government vaccination policies where required.

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Robert O'Brien of Kalgoorlie asked the following question:

1. As rate payers, if we do not agree with the decision that the Council is making in regards to mandatory vaccinations, can we call a vote of no confidence against the Council and have them dismissed?

Response from the City of Kalgoorlie-Boulder:

The City and Council has not breached any regulations in regards to the mandatory vaccinations so there will be no basis for a complaint in regards to this matter.

Based on the latest health advice, the WA State Government has introduced both a mandatory vaccination policy for various occupations and workforces in WA as well as restrictions on entry by unvaccinated patrons to certain venues in WA. The City of Kalgoorlie-Boulder (**the City**) does not have an advocacy position in relation to these instructions and must adhere to the State Government Directions or risk committing an offence which is punishable by imprisonment or a fine. The City has implemented all State Government vaccination policies where required.

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6 PUBLIC ACCESS AND PUBLIC QUESTION TIME**7 PETITIONS/DEPUTATIONS/PRESENTATIONS****8 NOTATIONS OF INTEREST****8.1 INTEREST AFFECTING IMPARTIALITY CITY OF KALGOORLIE-BOULDER CODE OF CONDUCT****8.2 FINANCIAL INTEREST LOCAL GOVERNMENT ACT SECTION 5.60A****8.3 PROXIMITY INTEREST LOCAL GOVERNMENT ACT SECTION 5.60B****9 APPLICATIONS FOR LEAVE OF ABSENCE****10 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSIONS****11 CONFIRMATION OF MINUTES**

[Minutes of Ordinary Council Meeting held on 14 February 2022](#)

That the minutes of the **Ordinary** meeting held on 14 February 2022 be confirmed as a true record of that meeting.

12 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**MOTION PUT FORWARD BY CR ASTILL**

That Council request that the CEO prepare a report to be considered by Council during the 2022/23 budget deliberations for the possible introduction of a three-bin Food Organics Garden Organics system for the City of Kalgoorlie-Boulder, with the intent to provide residents with more options for separating their waste with the aim to improve recovery rates, increase diversion from landfill and reduce costs of processing material.

13 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**14 REPORTS OF COMMITTEES**

Nil

15 REPORTS OF OFFICERS

15.1 GENERAL MANAGER – INFRASTRUCTURE AND ENVIRONMENT

15.1.1 APPLICATION FOR PLANNING APPROVAL - PROPOSED LODGING HOUSE AND EXTENSION OF LODGING HOUSE - LOT 204 (NO. 51), LOT 205 (NO. 51A) AND LOT 116 (NO. 53) RICHARDSON STREET BOULDER (P179/21)

Responsible Officer:	Ric Halse Acting General Manager Infrastructure and Environment
Author:	Kaitlin Redmond-Ball Senior Planning Officer
Disclosure of Interest:	Nil
Assessment Number:	A2842, A2843 and A25091
Owners Name:	G & C McKay Holdings Pty Ltd
Application Number:	P179/21
Applicants Name:	G & C McKay Holdings Pty Ltd
Development Value:	\$550,000

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council resolve to grant development approval for the proposed change of use to a 'Lodging House' and additions to the lodging house at Lot 204 (No. 51), Lot 205 (No. 51A) and Lot 116 (No. 53) Richardson Street, Boulder; subject to the following conditions:

General Conditions

1. This development must substantially commence within two (2) years from the date of this decision letter, unless an extension of the approval is received from the City, prior to this approval expiring.
2. This development taking place in accordance with the approved plans received by the City on 11 November 2021 and 10 February 2022; drawings 0381-LVH-A01a, 0381-LVH-A02 – 0381-LVH-A05, 0381-LVHA07 and 0381-LVH-A09.
3. The natural ground levels and finished floor levels shown on the approved plans are not permitted to be altered without seeking further approval from the City.

Conditions to be met prior to the lodgement of an Application for Building

Permit

4. Prior to lodging an application for a building permit, a detailed design of stormwater collection and system of disposal from the developed areas including calculations is to be submitted to and approved by the City.
5. Prior to the lodgement of an application for a building permit, hydraulic drawings showing all pre-treatment devices are to be submitted to and approved by the City.
6. Prior to the lodgement of an application for a building permit, sewer headworks charges are to be paid to the City in accordance with the City's Sewer Headworks Contributions Policy (DSD001). Sewerage Headworks charges of \$19,088.00 are applicable based on the current drawings but the correct charge can be calculated once the hydraulic drawings are submitted.
7. Prior to the lodgement of an application for a building permit, a construction management plan is to be submitted and approved by the City, addressing the following:
 - a) Public safety ad amenity;
 - b) Site plan and security;
 - c) Contact details of essential site personnel, construction period and operating hours;
 - d) Community information, consultation and complaints management plan;
 - e) Noise, vibration, air and dust management;
 - f) Traffic, access and parking management;
 - g) Waste management and materials re-use
 - h) Earthworks, excavation, land retention/piling and associated matters;
 - i) Stormwater and sediment control;
 - j) Street tree management and protection; and
 - k) Asbestos removal management plan.
8. Prior to lodging an application for a building permit, a landscaping and maintenance plan must be submitted to and approved by the City. The landscaping plan must detail the following:
 - a) The location, number, size, density and species type of proposed grass, trees and shrubs;
 - b) Those areas to be reticulated/irrigated and mulched;
 - c) Must indicate local vegetation contained in Local Planning Scheme No. 1 – Schedule 6 Native Vegetation, of the City's Plant List; and
 - d) Landscaping maintenance schedule for establishment and ongoing maintenance.
9. Prior to the lodgement of an application for a building permit, a waste management plan is required to be submitted and approved by the City,

and is to include the following details:

- 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 frequency of bin collections;
- d) Adequate access for maximum dimensions of servicing vehicles being accommodated;
- e) The bin enclosure is to be enclosed, lockable and include a water tap;
- f) The floor of the enclosure is to be constructed of an impermeable material with a minimum thickness of 75mm; and
- g) The floor of the bin enclosure is to be graded to a drainage pit that is connected to the City's sewer system.

Conditions to be met prior to use of the development

- 10. Prior to use, Lots 204, 205, 114 and 116 are to be amalgamated and a new certificate of title obtained.
- 11. Prior to use, stormwater drainage works must be completed in accordance with the approved plans to the satisfaction of the City.
- 12. Prior to use, the car parking, vehicle access and circulation areas shown on the approved site plan is to be constructed, drained and line marked to the satisfaction of the City.
- 13. Prior to use, provision of on-site parking in accordance with Australia Standard AS 2890.1 and AS 2890.6 to accommodate a minimum of ten (10) on-site bays, inclusive of one (1) parking bay for the disabled.
- 14. Prior to use, the public Right of Way (ROW) is to be sealed as marked on the approved plans, to the satisfaction of the City.
- 15. Prior to use, this development shall be connected to the City's sewer system to the satisfaction of the City.
- 16. Prior to use, any pre-treatment device(s) must be inspected by the City. Any liquid waste generated on site is pre-treated prior to discharge to the City's reticulated sewer system no greater than 38°C.
- 17. Prior to use, landscaping shall be installed, reticulated and/or irrigated in accordance with the approved plan and maintained thereafter to the satisfaction of the City. The landscaping shall be implemented during the first available planting season post completion of the development and any species which fails to establish within a period of 12 months from planting shall be replaced to the satisfaction of the City.

Conditions to be met on an ongoing basis

18. The stormwater shall be discharged and maintained in a manner so that there is no discharge onto the adjoining properties or the rear laneway and is to be to the satisfaction of the City.
19. Ten (10) onsite car parking bays, inclusive of parking bays for the disabled, and vehicle access and circulation areas are to be maintained and available for car parking, vehicle access and circulation on an ongoing basis and are to be to the satisfaction of the City.
20. Any liquid industrial trade waste generated on site must be pre-treated prior to discharge to the City's sewer system.
21. Approved landscaping must be maintained on an ongoing basis to the satisfaction of the City.
22. Air conditioner water is to be retained on site or connected to the City's sewer system.

EXECUTIVE SUMMARY

Planning approval is sought for a proposed change of use from single house to lodging house at Lot 205 (No. 51A) Richardson Street and an extension to the lodging house development at Lot 204 (No. 51) and Lot 116 (No. 53) Richardson Street, Boulder.

The subject site is zoned 'General Residential' under the City's Local Planning Scheme No. 1. The use class 'Lodging House' is an 'SA' land use in the 'General Residential' zone; that is discretionary subject to advertising. The application was advertised to all properties fronting Richardson Street between Brookman and Lane Street; no objections were raised with regard to the proposal.

The proposed development is considered to generally comply with the development standards recommended for a lodging house with the exception of parking. 16 bays are proposed in lieu of the recommended 18 bays. Notwithstanding, City staff consider that those bays not capable of being accommodated on site can be absorbed by the on street parking provided on Richardson Street that, based on historic aerial photography, is often underutilised.

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.

REPORT

Planning approval is sought for a 'Lodging House' and new accommodation units to be used as a 'Lodging House' at Lot 204 (No. 51), Lot 205 (No. 51A) and Lot 116 (No. 53) Richardson Street, Boulder. The key details of the proposal are as follows:

- Use of existing Single House on Lot 205 as Lodging House resulting in five rooms and caretaker quarter
- 7 x 4 room units. Each room will consist of a bedroom and bathroom
- New facilities building including kitchen, dining, laundry, office, toilets
- 10 new parking bays accessed from the Right of Way (ROW)

This proposal would ordinarily be determined under delegated authority, however, is to be determined by Council upon request that all accommodation facility developments be presented as agenda items.

According to the City's Environmental Health database, there are twenty eight (28) lodging houses currently registered with the City and inspected on a regular bases. These lodging houses vary in size from six (6) bedrooms up to forty five (45) bedrooms in the facility.

City staff note that the difference between a 'Lodging House' and 'Workforce Accommodation' comes down to the intended occupants of the development. 'Workforce Accommodation' is restricted by definition to a temporary land use occupied by workers in construction, resource, agriculture etc. only. A 'Lodging House' does not have any restrictions on time frame and is open to all members of the public.

SITE CONTEXT

The development site includes the following lots:

- Lot 114 (No. 49) Richardson Street, Boulder – existing Single House, no proposed modifications
- Lot 204 (No. 51) Richardson Street, Boulder – existing Single House to be used as 'Lodging House'
- Lot 205 (No. 51A) Richardson Street, Boulder – new development site
- Lot 116 (No. 53) Richardson Street, Boulder – new development site

The development site has a total site area of 3,036m² and is regular in shape. Each lot comprised of a single house, incidental development and was sparsely vegetated. The dwelling on Lot 205 is to be retained and utilised as a lodging house while the development on Lots 204 and 116 have recently been demolished to allow for the development proposed by this application. An application to amalgamate Lot 114 (No. 49), Lot 205 (No. 51A), Lot 204 (No. 51) and Lot 116 (No. 53) Richardson Street was granted conditional planning approval by the Western Australian Planning Commission in December 2021.

The development site is located opposite the Boulder Bowling Club. The surrounding land uses are predominantly residential. The operators of the proposed development

run the lodging house located at 45-47 Richardson Street. Refer to Attachment 1 for a Location/Context plan.



City of Kalgoorlie-Boulder Local Planning Scheme No. 1

The subject land is zoned 'General Residential' under Local Planning Scheme No. 1 (LPS1). The proposed use is considered to be a 'Lodging House' which is defined as:

"Any building or structure, permanent or otherwise and any part thereof, in which provision is made for lodging or boarding of more than 6 persons, exclusive of family or the keeper thereof, for hire or reward; but the term does not include –

- a) Premises licensed under a publican's general licence, limited hotel licence, or way side house licence, granted under the Liquor Licensing Act 1988;*
- b) Premises used as a boarding school approved under the Education Act 1928; or*
- c) Any building comprising residential flats."*

A 'Lodging House' is an 'SA' use within the General Residential zone; in other words the local government may, in its discretion permit the use, however prior to making a determination must give notice of the application to any nearby owners and occupiers who may be affected by the proposal.

The objectives of the residential zone under LPS1 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.*
- (d) To facilitate appropriate non-residential development to meet the day to day needs of surrounding residents*

Objectives (a) & (b) seeks to ensure that all development is consistent with the expectations of the character and amenity of the area. The development is single storey in nature. The existing dwelling to be retained and utilised as a lodging house is constructed of brick while the new development is proposed to be clad and feature verandahs on each unit (as seen in the concept sketch below). Based on this, the development is considered to be consistent with the prevailing built form surrounding the subject site.



Objective (c) are not considered to be relevant to this application.

Objective (d) provides capacity to accommodate ancillary development that meets the needs of local communities provided that they are appropriate to the area. It is inferred that appropriate non-residential land uses/development will not prejudice the safety and amenity of the residential environment.

The proposed development is considered to contribute to a locally acknowledged accommodation shortage. All parking is to be located at the rear of the development site, contributing to the amenity of the streetscape. The operators of this development currently operate other lodging houses within Richardson Street. It is noted that these existing lodging houses have not generated any complaints from surrounding residents to date. Based on this, the proposed development is considered to meet this objective.

LOCAL PLANNING POLICY NO. 2 (LPP02) – SUPPLEMENTARY DEVELOPMENT STANDARDS AND USE CLASSES

Local Planning Scheme No. 1 specifies standards and requirements for various uses permitted within the Scheme area. Local Planning Policy 02 (LPP02) Supplementary

Development Standards and Use Classes acknowledge that not all uses defined in the Scheme are contained within the development standards table (Table 2). Part 3 of LPP02 sets out the development standards that apply to lodging houses.

LPP02 recommends a maximum plot ratio of 0.5 and maximum site coverage of 50%. Taking into account the existing and proposed structures, the application proposes a plot ratio of 0.25 and site coverage of 24.5%.

Setbacks

It was only appropriate to consider the minimum setbacks for the proposed new development in relation to the external lot boundaries. Those setbacks are recommended as per the designated R-Code and proposed as follows:

R40	Primary Street	Side (East)	Side (West)	Rear
Recommended	2m *see note below	1.5m	1.5m	1.5m
Proposed	3m	0.9m	1.5m	14.5m

Note: Table 1 of the R-Codes recommends a 4m primary street setback. Clause 2.1 (iii) allows this to be reduced by 50% provided that the area of any building encroaching into the setback is compensated for by at least an equal area of open space between the setback line and the line drawn parallel to it at twice the setback distance.

The proposed development provides 40m² of open space behind the primary street setback line which compensates for the intrusion of 16.8m² of building into the primary street setback.

It is also worth noting that the setback of the new units will be consistent with the existing structures at 45, 47 and 51A Richardson Street.

The only setback that does not meet the deemed to comply criteria is that on the eastern side boundary. City staff consider the proposal to be acceptable as the sites will be amalgamated into one lot prior to occupancy at which point the aforementioned boundary will no longer exist.

Parking Adequacy

The proposed 'Lodging House' development proposes 33 rooms and 1 caretaker. LPP02 recommends one (1) bay for every two (2) rooms plus one bay for the caretaker amounting to a total of 18 parking bays.

With the understanding that 49, 51, 51A and 53 Richardson Street are to be amalgamated into one site, City staff considered it appropriate to look at the parking requirements holistically across all lots. 49 Richardson Street which is currently used as a Single House has an existing carport at the rear of the site, accessible from the Right of Way (ROW) capable of parking 8 vehicles. Noting only two (2) bays are required for the single house, six (6) bays are available for use by the proposed lodging house developments in addition to the proposed ten (10) new parking bays,

resulting in a two (2) bay shortfall. It is considered that the parking shortfall can be absorbed by the existing street parking available on Richardson Street, which based on historic aerial photography is often underutilised.

Landscaping

LPP02 recommends a minimum 5% of the site is to be landscaped. The site plan does not clearly depict the locations for landscaping however it is clear that a minimum of 5% of landscaping can be accommodated on the site. City staff recommend that conditions be imposed, as part of any approval, that a landscaping plan be submitted to the City for approval and thereafter implemented and maintained.

CONCLUSION

City staff are satisfied that the proposal will not detract from the amenity or character of the surrounding area as the bulk, scale and general appearance is consistent with the expectations for a residential area. City staff consider that there is adequate parking provided onsite for the development and sufficient on-street parking to accommodate those 2 bays not capable of being located on site. Conditional approval is recommended.

STATUTORY IMPLICATIONS

If the applicant and/or owner wish to appeal the decision or the development conditions, a review must be lodged with the State Administrative Tribunal 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.

COMMUNITY ENGAGEMENT CONSULTATION

Public consultation was required to be undertaken as the Scheme does not permit the use unless the local government has exercised its discretion and notice of the application has been given to nearby owners and occupiers who in the opinion of Council are likely to be affected.

Prior to submitting the application for planning approval, the applicant contacted all neighbouring properties within Richardson Street between Brookman and Lane Street (7 residential properties and the Boulder Bowling Club).

All property owners and the Boulder Bowling Club advised that they had no objections to the proposed development. City staff have confirmed that all submissions received are in fact from the property owners and both the President and Vice President have signed on behalf of the Boulder Bowling Club (see attachments Submission to satisfy advertising). City Staff have also contacted each property and the Bowling Club to confirm they had no objections to the proposal.




ATTACHMENTS

Location/Context Plan

Marked Up Development Site Plan 

Conceptual Sketches 

Development Plans 

Approved Plan of Subdivision WAPC Ref. 161513 

Submission to satisfy advertising

15.1.2 REQUEST TO VARY ALDI DEMOLITION WASTE DISPOSAL FEES

Responsible Officer:	Ric Halse Acting General Manager Infrastructure and Environment
Author:	Shamiso Chadyiwa Waste Services Team Leader
Disclosure of Interest:	Nil

VOTING REQUIREMENTS

Absolute

OFFICER RECOMMENDATION

That Council:

1. Authorise the CEO to reduce to the demolition waste fee associated with the demolition of the old Coles/Kmart complex at 101 Brookman Street Kalgoorlie from \$407,400 to \$325,920 for the first 9,700 tons of waste, subject to the provision of a satisfactory demolition plan and works commencing prior to June 30 2022;

AND

2. Authorise the CEO to reduce to the demolition waste fee associated with the demolition of the old Coles/Kmart complex at 101 Brookman Street Kalgoorlie from \$407,400 to \$244,440 for the first 9,700 tons of waste material (concrete and bricks), subject to the material being crushed to a minus 50mm size and contamination removed before being delivered to the Yarri Road Waste Facility, and with the provision of a satisfactory demolition plan and works commencing prior to June 30 2022.

EXECUTIVE SUMMARY

Aldi Foods Pty Ltd (Aldi) has requested that Council considers the reduction of tipping fees for waste generated from the demolition of the old Coles/Kmart building at 101 Brookman Street, Kalgoorlie to enable the future construction of the new Aldi store. The request is for only the first 9,700 tonnes with all other waste streams charged in accordance with the City's schedule of fees and charges.

Consultation between the City and Aldi has indicated that if the fee reduction is approved, it will facilitate the expedition of the Coles/Kmart complex demolition, which will provide both safety and amenity benefits to the immediate area. The site is currently full fenced however, there are ongoing concerns with illegal entry, vandalism and antisocial behaviour which is adversely affecting the Central Business District (CBD) experience for both residents and businesses. Although there are other options available for the City to ensure the site is kept secure, the timely

removal of the structures is considered to be the most appropriate solution to address the current concerns.

Demolition within the next six months will also be of benefit to the Kal City Centre project which is scheduled to commence very soon.

If approved, the fee reductions are conditional on the demolition works commencing by 30 June 2022.

COMMUNITY STRATEGIC PLAN LINKS

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

- **FUTURISTIC:** We facilitate research into innovation and entrepreneurial activities to drive jobs, growth and economic diversification.
- **SUSTAINABLE:** We support opportunities for commercial and industrial land.
- **CAPABLE:** We will have the resources to contribute to our community and economy.

BUDGET IMPLICATIONS

Up to \$162,940.00 in landfill tipping fees will be waived. Note the discounted price is at no additional cost to the City.

REPORT

As part of the process to build a new store in Kalgoorlie, Aldi is required to demolish to old Coles/Kmart complex. Due to the scale and volume of waste material and to facilitate potential recycling, Aldi has asked the City to consider a reduction in waste disposal fees. The assistance is requested for up to 9,700 tonnes of waste comprising of:

- Concrete
- Concrete blocks; and
- Clay bricks

The site is currently full fenced however, there are ongoing concerns with illegal entry, vandalism and antisocial behaviour which is adversely affecting the CDB experience for both residents and businesses. Although there are other options available for the City to ensure the site is kept secure, the timely removal of the structures is considered to be the most appropriate solution to the current concerns.

Two fee reduction options are recommended for Council endorsement.

Option 1: Provides a discount for separated but uncrushed concrete and clay bricks which could be recycled by the City. Under this option the Aldi demolition contractor directly disposes the sorted waste to the City's Yarri Road Waste Facility. The cost under the City's Schedule of Fees and Charges would be \$407,400 for the first 9,700

tons, with the proposed fee reduction recommended of \$81,480, based on the fact that this material could be recycled by the City.

Option 2: Provides a higher discount subject to the material being crushed to a minus 50mm size and contamination removed before being delivered to the Yarri Road Waste Facility. The crushed material would be suitable for reuse in a variety of construction projects and if disposal was required in the City's landfill would take up substantially less air space. The cost under the City's Schedule of Fees and Charges would be \$407,400 for the first 9,700 tons, with the fee reduction recommended of \$162,960 based on the fact that no further processing of the material is required for it to be made available for reuse.

Option 3: No discount is offered and the demolition waste material is received and charged in accordance with the City's Schedule of Fees and Charges.

All options require the provision of a satisfactory demolition plan and works commencing prior to June 30 2022.

It is the Officers recommendation that option one and two are endorsed by council in accordance with the resolution.

STATUTORY IMPLICATIONS

Local Government Act 1995, s6.12(1), a local government "may waive or grant concession to any amount of money".

IMPLICATIONS

POLICY: DS-SWM-001 VARIANCE OF WASTE DISPOSAL FEES

COMMUNITY ENGAGEMENT CONSULTATION

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

15.1.3 APPLICATION FOR PLANNING APPROVAL - PROPOSED USE NOT LISTED (WORKFORCE ACCOMMODATION) - LOTS 1461-1468 (NOS. 203-209) VIVIAN STREET, SOUTH BOULDER (P177/21)

Responsible Officer:	Ric Halse Acting General Manager Infrastructure and Environment
Author:	Kaitlin Redmond-Ball Senior Planning Officer
Disclosure of Interest:	Nil
Assessment Number:	A2485, A27481, A27482, A27483, A27484, A27485, A27486, A27487
Owners Name:	Goldfields Villages Pty Ltd ATF
Application Number:	P177/21
Applicants Name:	Resolve Group
Development Value:	\$6,500,000

VOTING REQUIREMENTS

Absolute

OFFICER RECOMMENDATION

That Council resolve to approve the proposed 'Workforce Accommodation' at Lots 1461 – 1468 (No. 203-209) Vivian Street, South Boulder, subject to the following conditions:

1. This development must substantially commence within two (2) years from the date of this decision letter, unless an extension of the approval is received from the City, prior to this approval expiring.
2. This development taking place in accordance with the approved plans.
3. The natural ground levels and finished floor levels shown on the approved plans are not permitted to be altered without seeking further approval from the City.
4. This approval is valid for five (5) years from the date of determination. Following expiry of this period, all development works must be demolished, materials removed from the site and the verge and kerb reinstated unless a further development approval is granted by the City.

Conditions to be met prior to lodging an Application for a Building Permit

5. Prior to lodging an application for a building permit, an application for the amalgamation of Lots 1461, 1462, 1463, 1464, 1465, 1466, 1467 and 1468 is to be submitted to the Western Australian Planning Commission.

-
6. Prior to the lodgement of an application for a building permit, a Construction Management Plan must be submitted and approved by the City, addressing the following:
 - a) Public safety and amenity;
 - b) Site plan and security;
 - c) Contact details of essential site personnel, construction period and operating hours;
 - d) Community information, consultation and complaints management plan;
 - e) Noise, vibration, air and dust management;
 - f) Traffic, access and parking management;
 - g) Waste management and materials re-use;
 - h) Earthworks, excavation, land retention/piling and associated matters;
 - i) Stormwater and sediment control;
 - j) Street tree management and protection; and
 - k) Asbestos removal management plan (if applicable).
 7. Prior to lodging an application for a building permit, a detailed design of stormwater collection and system of disposal from the developed areas including calculations is to be submitted to and approved by the City.
 8. Prior to lodging an application for a building permit, engineering drawings and specifications are to be submitted and approved for the construction of Vivian Street and Rabbish Place as shown on the approved plans.
 9. Prior to lodging an application for a building permit, hydraulic drawings detailing how the proposed development will connect to the City's sewer main must be submitted and approved by the City. Based on the hydraulic drawings, the City will at the applicant's cost engage the services of a sewer modelling engineer to determine whether the sewer is required to be upgraded (if at all).
 10. Prior to lodging an application for a building permit, sewer headworks charges must be paid to the City in accordance with the City's Sewer Headworks Contributions Policy (DS-DS001). Sewerage Headworks charges of \$194,005.00 are applicable based on the current drawings but may be greater once the hydraulic drawings are submitted.
 11. Prior to lodging an application for a Building Permit, a Waste Management Plan is approved by the City. The management plan must include, but not limited to, the following details:
 - 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 frequency of bin collections;
 - d) Adequate access for maximum dimensions of servicing vehicles being accommodated;
 - e) The bin enclosure is to be enclosed, covered, lockable and include a water tap;
 - f) The floor of the enclosure is to be constructed of an impermeable material with a minimum thickness of 75mm, and;
 - g) The floor of the bin enclosure is to be graded to a drainage pit that is connected to the City's sewer system.
12. Prior to lodging an application for a building permit, a landscaping and maintenance plan must be submitted and approved by the City. The landscaping plan must detail the following:
- a) The location, number, size, density and species type of proposed grass, trees and shrubs;
 - b) Those areas to be reticulated/irrigated and mulched;
 - c) Must indicate local vegetation contained in Local Planning Scheme No. 01 - Schedule 6 Native Vegetation, or the City's Plant List;
 - d) Landscaping maintenance schedule for establishment and ongoing maintenance;

Conditions to be met prior to use of the development

13. Prior to use, Lots 1461, 1462, 1463, 1464, 1465, 1466, 1467 and 1468 are to be amalgamated and a new certificate of title obtained.
14. Prior to use, stormwater drainage works must be completed in accordance with the approved plans to the satisfaction of the City.
15. Prior to use, Vivian Street and Rabbish Place are to be constructed, drained and line marked and footpaths constructed in accordance with the approved plans.
16. Prior to the use, the car parking, loading, vehicle access and circulation areas shown on the approved site plan is to be constructed, drained, and line marked to the satisfaction of the City.
17. Prior to use, vehicle crossovers shown on the approved plans are to be constructed in accordance with the City of Kalgoorlie-Boulder's Standard Crossover Drawings 05-C-030 to 05-C-034
18. Prior to the use, car parking is to be constructed in the following locations:
- a) Thirty-Nine (39) on-site parking bays,

b) Fifty-Four (54) on-street car parking bays

As shown on the approved plans. The on-site and on-street car parking bays are to be provided in accordance with Australian Standard AS 2890.1, AS 2890.5 and AS 2890.6.

19. Prior to the use, this development shall be connected to the City's sewer system, to the satisfaction of the City.
20. Prior to the use, any pre-treatment device(s) must be inspected by the City. Any liquid waste generated on site is pre-treated prior to discharge to the City's reticulated sewer system no greater than 38°C.
21. Prior to the use, landscaping shall be installed, reticulated and/or irrigated in accordance with the approved plan and maintained thereafter to the satisfaction of the City. The landscaping shall be implemented during the first available planting season post completion of development and any species which fail to establish within a period of 12 months from planting shall be replaced to the satisfaction of the City.

Conditions to be met on an ongoing basis

22. The stormwater generated by the development site must not be discharged onto the adjoining properties to the satisfaction of the City.
23. Thirty-Nine (39) onsite car parking bays, inclusive of parking bays for the disabled, and vehicle access, loading and circulation areas are to be maintained and available for car parking, vehicle access, loading and circulation on an ongoing basis and are to be to the satisfaction of the City.
24. Fifty-Four (54) offsite car parking bays, vehicle access, and circulation areas are to be maintained by the operator of the "Workforce Accommodation" and available for car parking, vehicle access and circulation on an ongoing basis and are to be to the satisfaction of the City.
25. Any liquid industrial waste generated on site must be pre-treated prior to discharge to the City's sewer system.
26. Approved landscaping must be maintained on an ongoing basis to the satisfaction of the City.
27. The approved Waste Management Plan must be implemented at all times to the satisfaction of the City.

EXECUTIVE SUMMARY

The City has received an application for planning approval for a workforce accommodation village to be located at Lots 1461-1468 (No. 203-209) Vivian Street, South Boulder.

The proposed development is considered to be a land use not specifically mentioned

in the Zoning Table of Local Planning Scheme No. 1 (LPS1) thus requiring determination by Council pursuant to Clause 3.6 of Town Planning Scheme No. 1. The proposed use of the land is considered to be consistent with the 'Workforce Accommodation' definition as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The application was referred to adjoining and nearby property owners for comment. During the advertising period, three submissions were received; two (2) public submissions of objection and one (1) submission from the Department of Planning, Lands and Heritage. The objections raised concern with regard to the potential for the development to impact on the area through noise, anti-social behaviour, decreasing property values, security and the visual impact.

City staff are satisfied that the proposed development supports the objectives of the zone and does not compromise the future intent of the area. The development is considered to generally comply with the development standards recommended by Draft Local Planning Scheme No. 2 for 'Workforce Accommodation' development. City staff acknowledge that the development has been designed in such a way that the accommodation component has been located as far from the existing nearby dwelling and Kalgoorlie Boulder Pistol Club as possible.

The applicant submits that the proposal seeks to address a current and future shortfall in available workforce accommodation within the Kalgoorlie-Boulder/Goldfields region. Accordingly, a time-limited conditional approval is recommended.

ADDITIONAL INFORMATION FOLLOWING PREVIOUS RESOLUTION OF COUNCIL

At the Ordinary Council Meeting held on 14 February 2022, Council resolved to refer the item back to officers to prepare a report for the meeting of 28 February 2022 asking for a determination on the consistency of the use of the land.

Following the resolution of Council, City staff sought legal advice from McLeods Solicitors on the process to be undertaken with regard to Clause 3.6 of the City's Local Planning Scheme No. 1 and more broadly 'Use Not Listed' applications. A copy of this advice is attached confidentially to this report.

The advice provided by McLeods acknowledges that only Council (Elected Members) can decide whether a use not listed may be consistent with the provisions of the Scheme and require advertising and that in this instance, it appears City staff have advertised the proposal prior to Council making a determination as to the permissibility of the use under clause 3.6 or deciding whether advertising is required.

Notwithstanding, it is advised that the report in its entirety (as presented on 14th February) could still be considered by Council to determine whether or not the proposed use is permitted, not permitted or may be permitted and requires advertising.

It may be that, based on the content of the report, Council may form the view that the proposed use may be consistent with the objectives of the relevant zone and requires advertising. If that was the Council's view, then the Council could arguably rely upon the advertising that has taken place and the submissions already received. It is open to Council to proceed in that manner as the City will still have advertised the proposal and received submissions in accordance with the requirements of the Scheme, albeit prior to Council forming the view that the use may be permissible. Should the Council decide to proceed in that manner, it could then proceed to consider and determine the application.

Alternatively Council could, having a holistic understanding of the proposal inclusive of submissions, determine that the use is not consistent with the objectives and purposes of that particular zone and refuse to grant development approval.

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.

REPORT

The City has received an application for planning approval for a 'Workforce Accommodation' village to be located at Lots 1461-1468 (No. 203-209) Vivian Street, South Boulder. The key details of the proposal are as follows:

- A 302 person accommodation village consisting of 75 x 4 person accommodation buildings and 1 x 2 person universally accessible accommodation building.
- 5 x Laundry buildings for use of patrons only and 1 x laundry/linen building.
- 1 x Toilet block.
- Dry Mess building for patrons only.
- Administration/Store and Gymnasium building.
- Bin Storage area.
- Associated development such as maintenance/storage buildings and water tanks.
- Construction of 39 on-site parking bays including 2 x ACROD bays and 54 on-street parking bays and 2 bus bays.
- Landscaped garden areas

SITE CONTEXT

The proposed development is to be located on the following lots:

- Lot 1461 (No. 203) Vivian Street, South Boulder

- Lot 1462 (No. 204) Vivian Street, South Boulder
- Lot 1463 (No. 205) Vivian Street, South Boulder
- Lot 1464 (No. 206) Vivian Street, South Boulder
- Lot 1465 (No. 207) Vivian Street, South Boulder
- Lot 1466 (No. 207A) Vivian Street, South Boulder
- Lot 1467 (No. 208) Vivian Street, South Boulder
- Lot 1468 (No. 209) Vivian Street, South Boulder

The development site has a total site area of 17,000m² (1.7ha) and is regular in shape with street frontages to Vivian Street and Rabbish Street. The site is currently vacant and contains remnant vegetation.

A review of historic aerial photography (1963 to present) indicates that 205, 206, 208 and 209 Vivian Streets have remained vacant since 1963; 207 Vivian Street contained a dwelling until 2003 and 203, 204 and 207A Vivian Streets contained incidental development associated with the dwelling on 207. There is no data available to confirm whether the site could be contaminated.

The development site directly abuts the Kalgoorlie-Boulder Airport. Nearby lots are generally vacant with the exception of the Eastern Goldfields Regional Prison, the Kalgoorlie Boulder Pistol Club and a single house.



LOCAL PLANNING SCHEME NO. 1 (LPS1)

Land Use

The applicant submits that the proposal seeks to address a current and future shortfall in available workforce accommodation within the Kalgoorlie-Boulder/Goldfields region. The development is seen as a vital tool in the owner's

ability to engage future construction/mining contracts in the Kalgoorlie region, as without available accommodation they will be unable to house their growing workforce.

City staff consider the most appropriate land use classification for the proposed development is 'Workforce Accommodation' as defined in the *Planning and Development (Local Planning Schemes) Regulations 2015*:

"Premises, which may include modular or relocatable buildings, used –

- (a) Primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and*
- (b) For any associated catering, sporting and recreation facilities for the occupants and authorised visitors"*

'Workforce Accommodation' is a land use not specifically mentioned in the Zoning Table of Local Planning Scheme No. 1 (LPS1). City Staff note that the development site is to be zoned 'Light Industry' under Draft Local Planning Scheme No. 2, where 'Workforce Accommodation' is a 'D' discretionary use.

Given 'Workforce Accommodation' by definition is temporary in nature, a condition of planning approval is recommended in the event of any approval such that the development is approved for a period of five (5) years. It is considered that the temporary nature of the development will not compromise the future use of the land.

Zone Objectives

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.*

The application has been assessed against the objectives of the zone and having due regard to the matters set out in Clause 67, Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015* inclusive of submissions from the public and government agencies.

The development site is zoned 'Service Light Industry'. The objectives for industrial zones seek to encourage new industries and facilitate diverse industrial business to provide economic stability and a range of employment opportunities.

The proposal is considered to support the objectives of the area by providing a range of employment opportunities which in turn creates economic stability. The proposed

development is located in an area of the town that has very little development and very few adjoining landowners but remains in close proximity to the town to support nearby services and businesses.

DEVELOPMENT STANDARDS

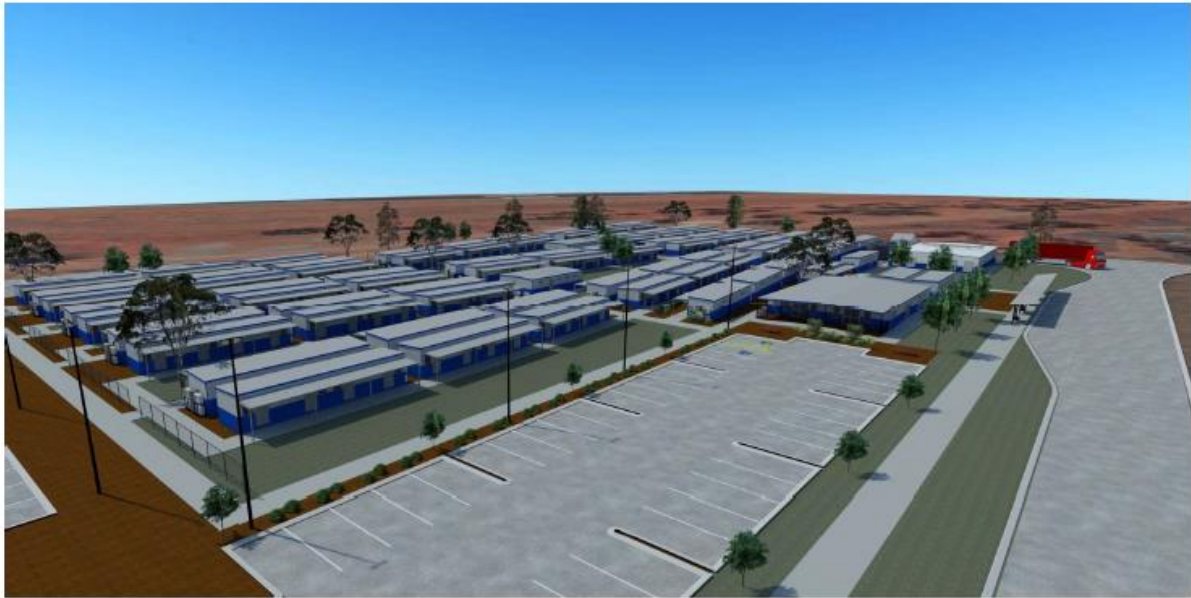


Figure 1 Perspective from North-Eastern corner

Given there are no development standards prescribed for the proposed development under LPS1 and the application was received prior to the Draft Workforce Accommodation Policy being advertised, City staff considered it appropriate to use the standards prescribed by Draft Local Planning Scheme No. 2 (LPS2) as a guide to determine whether the proposed development is appropriate for the area.

The applicant submits that the design of the proposed village is focussed on amenity and occupant well-being. As such, extensive vegetation/landscaping within common areas has been proposed to encourage outdoor activities, meeting points and a sense of amenity. The provisions of LPS2 recommend a minimum of 10% of the site to be landscaped. Based on the site plan, 33% of the site is to be landscaped with every unit having visual access to at least one tree and garden beds. Further, landscaping has been proposed along the primary street boundary and within the Vivian Street verge to soften the visual impact of the development on the streetscape.

Based on the recommended standard of one oversized bay for every 10 units, 30 oversized parking bays are recommended to be provided. The application proposes 39 onsite standard vehicle bays, 54 offsite standard vehicle bays and 2 bus bays. It is considered that the development proposes a significant surplus of vehicle parking bays.

Further to the above, all other aspects of the development far exceed the standards recommended by the Scheme as detailed below:

	Lot size	Plot Ratio	Average Primary Street Setback	Building Height Maximum
Recommended Standard	1000m ²	0.8	3m	15m
Proposed	17,000m ²	0.26	6.2m	3.4m

The application proposes a 'Dry Mess' to be located on site. Based on relevant Health and Building legislation, a kitchen and dining facility must be provided on site. The applicant has confirmed that patrons will be provided meals at the mess facility rather than be required to prepare their own meals. The proposed 'Dry Mess' is supported as it is considered to meet the relevant requirements. Further approvals will be required to be obtained for the facility under the relevant Health legislation.

CONCLUSION

The City has received an application for planning approval for a workforce accommodation village to be located at Lots 1461-1468 (No. 203-209) Vivian Street, South Boulder.

The proposed development is considered to be a land use not specifically mentioned in the Zoning Table of Local Planning Scheme No. 1 (LPS1) thus requiring determination by Council pursuant to Clause 3.6 of Town Planning Scheme No. 1. The proposed use of the land is considered to be consistent with the 'Workforce Accommodation' definition as defined by the *Planning and Development (Local Planning Schemes) Regulations 2015*.

City staff are satisfied that the proposed development supports the objectives of the zone and does not compromise the future intent of the area. The development is considered to generally comply with the development standards recommended by Draft Local Planning Scheme No. 2 for 'Workforce Accommodation' development. Accordingly, conditional approval is recommended.

STATUTORY IMPLICATIONS

If the applicant and/or owner wish to appeal the decision or the development conditions, a review must be lodged with the State Administrative Tribunal within 28 days of the decision being made by the City. An advice note to this effect will be included in the decision notice.

The proposed development is recommended for approval for a temporary period of five years. This is considered to address the applicant's intention to address the current need for accommodation whilst allowing the City to reconsider the appropriateness of the development in the future, should the applicant wish to extend.

POLICY IMPLICATIONS

There are no policy implications resulting from the recommendations of this report. The proposed development is considered to be generally consistent with the objectives of the Draft Local Planning Policy – Workforce Accommodation as follows:

- City staff have recommended an approval period of five (5) years, consistent with the policy.
- The applicant has expressed a need for accommodation to house a growing workforce to accommodate upcoming construction and mining projects within the region.
- The location was selected given its proximity to the airport, nearby sporting facilities and local shopping options.
- The development is proposed to be single storey so as to be consistent with existing development within the area. Extensive landscaping has been proposed to obscure the development and parking facilities so as not to detract from the streetscape

COMMUNITY ENGAGEMENT CONSULTATION

Public consultation was undertaken in accordance with Clause 3.6 (b) of LPS1 as the use is not permitted unless the local government has given notice of the application to nearby owners and occupiers who in the opinion of Council are likely to have a direct interest.

Public consultation was carried out in the following manner:

Duration: 14 Days between 4th January 2022 and 18th January 2022

Method: A letter to all landowners and occupiers within a 200m radius (30 properties)

Submissions Received: Three (3) submissions were received during this period. Two (2) public submissions of objection and one (1) submission from the Department of Planning, Lands and Heritage (DPLH).

One of the public submissions raised concern with regard to the proximity of the proposed accommodation to the Kalgoorlie Boulder Pistol Club. The applicant submits that the use of the accommodation buildings are to occur at night. City staff note this is generally outside the hour of operation of both the Pistol Club and the Airport. Further, it is noted that the Pistol Club is required to comply with the *Environmental Protection (Noise) Regulation 1997* in any event.

The second public submission contends that the proposed development will increase anti-social behaviour and noise pollution, decrease property values, interrupt views of the bushland and interfere with security of the prison. City staff note that the development has been designed such that the dry mess and accommodation buildings are located as far from the existing residence in the area as possible. Further, it is noted that the site will have to comply with the *Environmental Protection (Noise) Regulations 1997*. The applicant submits that the site will predominantly be occupied in the evenings, used for the purposes of sleeping.

All other points of contention do not fall within the matters to be considered as set out in Clause 67, Schedule 2 (Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The submission from DPLH does not raise any objections to the proposed development. It was noted however that the lot shown on the site plan as 'Road (Unmade)' containing 35 vehicle parking bays and 2 wide turnaround bays is in fact Unallocated Crown Land. The Department staff note that the use of the land is not permitted until such time that the land is dedicated as a road or held in freehold by the applicant. City staff recommend that this portion of the development not be included as part of this approval to allow for tenure of the site to be resolved; and have assessed the proposed development as such.

It was determined that further consultation was necessary to determine the greater community impact of the proposal. Further consultation was undertaken in the following manner:

Duration: 14 Days between 27th January and 10th February 2022

Method: Public Notice on the City's website and CKB Unearthed with submission forms available for download

Submissions Received: One (1) submission in support of the proposal was received. The following comments contained in the submission are of note:

- *"New permanent residential housing takes time to create so there needs to be interim strategies put in place to enable business to grow and secure their workforces whilst the housing supply transition occurs."*
- *"Building a 300 person accommodation complex within the City limits and adjacent to a tourist capable complex will help relieve the pressure on rental accommodation and at the same time provide an opportunity for employees working on a FIFO basis to get an appreciation of what a great place the City of Kalgoorlie Boulder is."*
- *"As the residential building industry gradually builds new permanent houses and units, FIFO workers can be encouraged to make the City their permanent home."*

ATTACHMENTS

Development Plans 

Legal Advice regarding Use Not Listed

15.2 DEPUTY CEO - FINANCE AND CORPORATE

15.2.1 ACCOUNTS PAYABLE FOR THE MONTH OF JANUARY 2022

Responsible Officer:	Xandra Curnock Chief Financial Officer
Author:	Casey Radford Finance and Compliance Coordinator
Disclosure of Interest:	Nil

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council receive the list of payments totalling \$ 7,079,332.57 as presented for the month of January 2022.

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 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 budget 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 January 2022 and a list of corporate credit card transactions by card holder of the same period totalling \$ 7,079,332.57.

Municipal EFT	\$	6,645,556.11
Municipal Cheque	\$	1,141.15
Direct Debit	\$	36,123.15
Credit Cards	\$	396,512.16
Grand Total	\$	7,079,332.57

STATUTORY IMPLICATIONS

The Accounts Payable for the Month of January 2022 has been prepared in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996*.

POLICY IMPLICATIONS

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

COMMUNITY ENGAGEMENT CONSULTATION

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

ATTACHMENTS

MUNICIPAL EFT PAYMENTS JANUARY 2022 

MUNICIPAL CHEQUE PAYMENTS JANUARY 2022 

MUNICIPAL DIRECT DEBIT PAYMENTS JANUARY 2022 

CREDIT CARD PAYMENTS JANUARY 2022 

15.2.2 MOBILE DEVICE AND IT POLICIES

Responsible Officer: David Trevaskis
Deputy Chief Executive Officer

Author: Alyce Spokes
ICT Manager

Disclosure of Interest: Nil

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council:

1. Approve the draft OP-IT-02 Mobile Device Usage Policy as attached.
2. Approve the draft OP-IT-01 Use of Information Technology Policy as attached.

EXECUTIVE SUMMARY

The City has developed a draft *Mobile Device Usage Policy* and draft *Use of Information Technology Policy* (**the Policies**) to provide employees and elected members with a framework to ensure the proper usage of all information communications technology (ICT) resources, including mobile IT devices and any electronic data transfer using the City of Kalgoorlie-Boulder's ICT resources. The policies are in accordance with the OAG best practice recommendations contained within the *Information Systems Audit Report 2020 – Local Government Entities* and *Local Government General Computer Controls Report 2021*.

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

As per the OAG best practice recommendations (<https://audit.wa.gov.au/reports-and-publications/reports/>) information systems underpin most aspects of local governments entity operations and services. It is important that entities implement appropriate controls to maintain reliable, secure and resilient information systems. In 2021 the City began significant investment in replacing and upgrading its legacy systems to ensure our systems were appropriately resilient to internal and external

threats. To support these upgrades it is critical that well implemented processes and policies are also implemented to address any system control shortcomings.

The *Mobile IT Device Usage Policy* protects the City's interests in mobile devices and ensures that staff, elected members and contractors understand what is deemed to be consistent with the City's business operations and organisational objectives. This includes providing clear guidance on the issuing and use of City owned mobile IT devices:

1. To ensure that Employees understand their obligations in accepting and using City of Kalgoorlie-Boulder provided mobile IT devices.
2. To ensure a consistent policy-based approach for City owned mobile IT devices is applicable across the organisation.
3. To state that City of Kalgoorlie-Boulder employees are accountable for their use of City owned mobile IT devices.

The *Use of Information Technology Policy* informs users that the City is committed to protecting its employees, partners and the organisation from illegal activity or damaging actions by individuals, either knowingly or unknowingly. This extends to ensuring that IT resources are used in a responsible and accountable manner that ensures the efficient, effective and acceptable use. All IT systems, including but not limited to computer equipment, software, operating systems, storage, telephony media and network infrastructure are the property of the City. These systems are to be used for business purposes in serving the interests of the organisation and of our customers during the course of normal business operations. Effective information security is a team effort involving the participation and support of every User who deals with information and/or information systems. This policy sets out the City's position on the proper use of its information technology resources.

Local government entities hold information, including confidential information about people and the community, which is fundamental to their operations and should be protected from external and internal threats. The policies will address gaps in the City's policies and procedures and ensure that acceptable use and security awareness is better communicated and understood by Users of the City's Mobile IT Devices and other IT Resources.

STATUTORY IMPLICATIONS

Local Government Act 1995, s2.7(2)(b), the role of Council is to "determine the local government's policies"

Local Government (Administration) Regulations 1996, regulation 29C up-to-date versions of each policy of the local government to be published on the City's official website.

POLICY IMPLICATIONS


OP-IT-02 Mobile Device Usage Policy (draft)

OP-IT-01 Use of Information Technology (draft)

COMMUNITY ENGAGEMENT CONSULTATION

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

ATTACHMENTS

OP-IT-02 Mobile Device Usage Policy (draft) 

OP-IT-01 Use of Information Technology (draft) 

16 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

17 INFORMATION BULLETIN**17.1 CHIEF EXECUTIVE OFFICER****17.1.1 INFORMATION ITEM 28 FEBRUARY 2022**

Responsible Officer:	David Trevaskis Deputy Chief Executive Officer
Author:	Emma Holtum PA to Deputy Chief Executive Officer
Disclosure of Interest:	Nil

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council receive the information.

EXECUTIVE SUMMARY

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

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the 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 City of Kalgoorlie-Boulder regularly receives and produces information for receipt by the Elected Members.

INFORMATION ITEM:	DATE:
Seal Register	January 2022
Facebook Statistics	January 2022
PDRS Information Bulletin	December 2021

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

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

COMMUNITY ENGAGEMENT CONSULTATION

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

ATTACHMENTS

Facebook Statistics 

Seal Register 

PDRS Information Bulletin 

18 CONFIDENTIAL ITEMS

19 DATE OF NEXT MEETING

The next Ordinary Council Meeting will be on Monday 14 March 2022.

20 CLOSURE