



**City of
Kalgoorlie
Boulder**

AGENDA

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

on

26 APRIL, 2022

at the

Kalgoorlie Town Hall

13 April 2022



NOTICE OF MEETING

An Ordinary Council meeting of the City of Kalgoorlie-Boulder will be held in the **Kalgoorlie Town Hall** on **Tuesday, 26 April 2022** commencing at **7:00 PM**.

Regards

A handwritten signature in black ink, appearing to read "Andrew Brien". The signature is fluid and stylized, with a long, sweeping underline that extends to the right.

ANDREW BRIEN
Chief Executive Officer

Table of Contents

Item	Subject	Page No
1	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	1
2	OPENING PRAYER	1
3	DISCLAIMER READING.....	1
4	RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE (PREVIOUSLY APPROVED).....	1
5	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	2
6	PUBLIC ACCESS AND PUBLIC QUESTION TIME	2
7	PETITIONS/DEPUTATIONS/PRESENTATIONS	2
8	NOTATIONS OF INTEREST.....	2
8.1	INTEREST AFFECTING IMPARTIALITY CITY OF KALGOORLIE–BOULDER CODE OF CONDUCT.....	2
8.2	FINANCIAL INTEREST LOCAL GOVERNMENT ACT SECTION 5.60A	2
8.3	PROXIMITY INTEREST LOCAL GOVERNMENT ACT SECTION 5.60B.....	2
9	APPLICATIONS FOR LEAVE OF ABSENCE	2
10	ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSIONS.....	2
11	CONFIRMATION OF MINUTES	2
12	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	3
13	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION	3
14	REPORTS OF COMMITTEES	3
15	REPORTS OF OFFICERS	4
15.1	CHIEF EXECUTIVE OFFICER	4
	15.1.1 CATS AMENDMENT LOCAL LAW	4
	15.1.2 LAND DISPOSAL - AREAS 1 & 2, BROADWOOD.....	7
	15.1.3 REQUEST FOR SPONSORSHIP FOR THE GOLDFIELDS CYCLASSIC 2022	15

15.1.4	DRAFT WORKFORCE ACCOMMODATION POLICY	18
15.1.5	COUNCIL MEETING SCHEDULE MAY - DECEMBER 2022	21
15.2	GENERAL MANAGER – INFRASTRUCTURE AND ENVIRONMENT	28
15.2.1	DETERMINATION OF A USE NOT LISTED "WORKFORCE ACCOMMODATION" IN A 'TOURIST' ZONE UNDER TOWN PLANNING SCHEME 1	28
15.2.2	REDUCTION OF RESERVE 4459 TO CREATE A NEW RESERVE TO SUPPORT THE KALGOORLIE DESERT RACERS PTY LTD.	35
15.2.3	APPLICATION FOR PLANNING APPROVAL FOR AN ADDITION TO A NON-CONFORMING USE (OUTBUILDING) - LOT 4 (NO. 14) MORAN STREET, BOULDER (P023/22)	40
15.3	DEPUTY CEO - FINANCE AND CORPORATE	46
15.3.1	2022-23 RATES MODELLING	46
15.3.2	CONTRACT VARIATION T003/19-20 DETAILED DESIGN KAL CITY CENTRE ECONOMIC TRANSFORMATION	55
15.3.3	KARLKURLA PARK NATURE PLAYGROUND.....	57
15.3.4	ACCOUNTS PAYABLE FOR THE MONTH OF MARCH 2022.....	60
15.3.5	MONTHLY FINANCIAL REPORT - FEBRUARY 2022	62
16	QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN.....	68
17	INFORMATION BULLETIN	69
17.1	CHIEF EXECUTIVE OFFICER	69
17.1.1	INFORMATION ITEM 26 APRIL 2022.....	69
18	CONFIDENTIAL ITEMS.....	71
19	DATE OF NEXT MEETING.....	71
20	CLOSURE.....	71

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

To be conducted by Pastor Brendon Hayes from Seventh Day Adventist.

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 28th March 2022. A summary of the City's response is provided below:

Kieran Hanna from Kalgoorlie asked the following question:

1. The culture survey 2021 ranks net culture of the ckb at -56, against a Local Government net score of 47. In light of this, does Council regret not publicly addressing questions of high staff turnover last year, despite these questions being put to Council?

In response to your question that was taken on notice at the ordinary Council meeting of 28th October 2022, I have now had the opportunity to undertake a review of the employee turnover rates going back to the 2015/16 financial year and whilst the rate of turnover has varied year on year, figures from 2015/16 indicated staff turnover of 32.8% which to some extent reflects the challenges of regional Local Government. The most recent culture survey indicated that staff turnover had increased from a low of 29.7% in the 2020 year to 35% in 2021. As can be seen there are variances year on year and this is dependent on various factors. The staff turnover is an issue that as the new Chief Executive Officer I will be working to address and will be implementing changes to reporting of figures on a proactive basis.

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 28 March 2022](#)

That the minutes of the **Ordinary** meeting held on 28 March 2022 be confirmed as a true record of that meeting.

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

THAT COUNCIL:

1. REQUESTS THE CHIEF EXECUTIVE OFFICER TO UNDERTAKE A SAFETY AUDIT OF ALL ROUNDABOUTS WITHIN THE CBD AREA TO ENSURE COMPLIANCE WITH APPROPRIATE DESIGN STANDARDS;
2. NOTE THAT THE OUTCOMES OF THE SAFETY AUDIT WILL BE REPORTED TO COUNCIL ONCE COMPLETED

IN ACCORDANCE WITH CLAUSE 3.8(4)(C) OF THE STANDING ORDERS LOCAL LAW 2013, THE CHIEF EXECUTIVE OFFICER HAS PROVIDED THE FOLLOWING RELEVANT AND MATERIAL FACTS IN RELATION TO THE NOTICE OF MOTION.

ROAD DESIGN, INCLUDING LANDSCAPING OF ROUNDABOUTS IS UNDERTAKEN IN ACCORDANCE WITH THE ROAD DESIGN STANDARDS AND AS SUCH ANY REVIEW OF THE CURRENT SITUATION SHOULD BE ASSESSED AGAINST THE APPROPRIATE AUSTRALIAN DESIGN STANDARDS. COUNCIL OFFICERS WILL UNDERTAKE A REVIEW OF THE ROUNDABOUTS ACROSS THE CBD TO ENSURE COMPLIANCE WITH THE APPROPRIATE DESIGN STANDARDS FOR THE EXISTING SPEED ENVIRONMENT AND WILL BE IN A POSITION TO PROVIDE A REPORT TO COUNCIL ON THE FINDINGS.

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

Nil

15 REPORTS OF OFFICERS

15.1 CHIEF EXECUTIVE OFFICER

15.1.1 CATS AMENDMENT LOCAL LAW

Responsible Officer:	Andrew Brien Chief Executive Officer
Author:	David Trevaskis Deputy Chief Executive Officer
Disclosure of Interest:	Nil

VOTING REQUIREMENTS

Absolute

OFFICER RECOMMENDATION

That Council:

1. **Adopts the City of Kalgoorlie-Boulder Cats Amendment Local Law 2022 in accordance with section 3.12(4) of the Local Government Act 1995;**
2. **Directs the CEO to:**
 - a. **Publish the Local Law in the Government Gazette;**
 - b. **After Gazettal, provide a copy of the Local Law to the Minister in accordance with s3.12(5) of the Act; and**
 - c. **Give local public notice in accordance with s3.16:**
 - i) **Stating the title of the local law;**
 - ii) **Summarising the purpose and effect of the local law and specifying the day on which it comes into operation; and**
 - iii) **Advising that copies of the local law may be inspected or obtained from City offices.**
3. **In accordance with the Local Laws Explanatory Memoranda Directions as issued by the Minister for Local Government on 12 November 2010, directs the CEO to send a copy of the local law and a duly completed explanatory memorandum, signed by the Mayor and CEO to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation.**

EXECUTIVE SUMMARY

Amongst other things, the Joint Standing Committee on Delegated Legislation (JSCDL) reviews subsidiary legislation such as local laws on behalf of the WA Parliament. If it has a concern with a local law, the committee usually requests a local government to amend a local law, failing which it can recommend to Parliament that the local law be disallowed.

The City of Kalgoorlie-Boulder made a commitment to amend the City of Kalgoorlie-Boulder Cats Local Law 2016 in 2017 but which was not finalised.

At its meeting held on 13 December 2021 Council resolved to begin the process to amend the local law and call for submissions from the public. No submissions were received and the Amendment Local Law may now be made.

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the following Guiding Theme/s: SAFE: We will deliver a safe and activated community that can be used day and night.

BUDGET IMPLICATIONS

There are costs associated with making, advertising and publishing the amendment local law in the Government Gazette. Sufficient estimated expenditure is provided in the annual budget 2021/22 for this purpose.

REPORT

The *City of Kalgoorlie-Boulder Cats Local Law 2016* was published in the Government Gazette on 27 September 2016.

Local laws relating to cats are made using the process set out in s3.12 of the *Local Government Act 1995*. As part of that process local governments are required to submit local laws for scrutiny by the JSCDL which can request local governments to amend them if the Committee considers it necessary, failing which it can recommend to Parliament that the local law be disallowed.

In 2017, the JSCDL requested the City to amend clause 2.3(3) of the Cats Local Law 2016 which was duly done. The Committee was not though satisfied with part of the amendment and requested a further change (an amendment to the Amendment Local Law) to subclause 2.3 (3) of the Cats Local Law so that it reads:

2.3 Cat causing a nuisance

- (1) *The owner of a cat, or any other person in control of a cat, shall not allow a cat to create a nuisance.*
- (2) *Where, in the opinion of an authorised person, a cat is creating a nuisance, the local government may give written notice to the owner of the cat or any other person apparently in control of the cat, requiring that person to abate the nuisance.*
- (3) *When a nuisance has occurred and a notice to abate the nuisance is given, the notice remains in force for the period specified by the local government on the notice **which period shall not exceed 28 days.** ~~or until the local government withdraws the notice.~~*

- (4) *A person given a notice to abate the nuisance shall comply with the notice within the period specified in the notice. If the person named in the notice fails to comply they commit an offence.*

(Proposed additions shown **red** and deletions shown ~~struck through~~).

At its Ordinary Council Meeting 12 March 2018, Council resolved to adopt a draft City of Kalgoorlie-Boulder Cat Amendment Local Law to amend clause 2.3 of the *City of Kalgoorlie Cats Local Law 2016* as requested by the Committee. The process was though, incomplete and had to be re-started due to the passage of time.

At its meeting held on 13 December 2021, Council resolved to adopt a draft *City of Kalgoorlie-Boulder Cat Amendment Local Law*, advertise it for public comment and send a copy to the Minister for Local Government as required by s3.12 of the Local Government Act 1995.

STATUTORY IMPLICATIONS

LOCAL LAWS RELATING TO CATS ARE MADE USING THE PROCESS SET OUT IN SECTION 3.12 OF THE LOCAL GOVERNMENT ACT 1995.POLICY IMPLICATIONS

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

COMMUNITY ENGAGEMENT CONSULTATION

Section 3(2) of the Cat Act 2011 provides that words and expressions defined in the Local Government Act 1995 have the same meaning in the Cat Act, unless the contrary intention appears.

This includes amending local laws, and using the process set out in section 3.12 of the Local Government Act 1995. Amongst other things this requires a local government to give local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears. A copy is also to be given to the Minister for Local Government.

A copy of the draft Amendment Local Law was duly sent to the Minister on 7 January 2022, and local public notice given seeking comments from the public, which closed on 25 February 2022.

There were no comments from the public or the Minister about the proposed Amendment Local Law, which can now be made under s3.12(4) of the Act.

It will come into effect 14 days after publication in the Government Gazette, after which the WA Parliamentary Joint Standing Committee on Delegated Legislation is to be advised that the City has complied with the Committee's request, and as reflected in the recommendation to Council.

ATTACHMENTS

City of Kalgoorlie Boulder Draft Amendment Local Law 

CKB- Cats Amendment Local Law 

15.1.2 LAND DISPOSAL - AREAS 1 & 2, BROADWOOD

Responsible Officer:	Alex Wiese Director of Economy and Growth
Author:	Lauren Chapman-Holle Lead Policy & Research Advisor
Disclosure of Interest:	Nil

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council:

- 1. Accept the offer by M/Group as advertised in the Public Notice of 28 August 2021 to purchase Lots 95 – 106, known as ‘Area 1’ and Lots 47, 97 and 769, known as ‘Area 2’, Broadwood, and**
- 2. Authorise the Mayor and CEO to execute the sale of Lots 95 – 106, known as ‘Area 1’ and Lots 47, 97 and 769, known as ‘Area 2’, Broadwood.**

EXECUTIVE SUMMARY

At the Ordinary Council Meeting 13 December 2021, it was resolved *“That Council table the item until they have been fully assessed pre-approval by the incoming CEO and presented for the information of Elected Members.”*

At that meeting, Council considered M/Group’s offer to the City of Kalgoorlie-Boulder to purchase two parcels of undeveloped land in Broadwood for \$9,414,420.

The offers received from M/Group are above independent valuations received by the City. (Refer to uploaded Confidential Attachment 1 – Confidential Site Valuation).

M/Group is a well-known and respected property investment and development group which has delivered projects with a combined value of circa \$700m since being established in 2001, and are considered a desirable developer for potential residential land in Kalgoorlie-Boulder. The updated Visioning Statement to develop the sites is attached (refer to Attachment 2 – M/Group Visioning Statement) and M/Group has committed to work with the City to achieve high quality development outcomes. The blocks will be developed with a variety of uses including residential, public purpose, light industrial with housing (composite lots), and commercial and public open space.

M/Group also has significant experience in developing sites with Aboriginal heritage, which affects both sites, and has a 50% ownership of Marawar, the largest Aboriginal construction company in WA via its subsidiary, M/Group Construction.

In accordance with s3.58 of the Local Government Act, disposing of Property, the City has effected a local public notice for the sale, in the prescribed notice and confirm the resolution of Council endorsing the true value of the Land.

This report is now being re-presented to Council as Andrew Brien has commenced as the CEO of the City of Kalgoorlie-Boulder and has had the opportunity to review the offer, the public submissions, and undertake consultation with Council and M/Group. Council feedback has been considered and included in the updated Visioning Statement, and is outlined in the report.

COMMUNITY STRATEGIC PLAN LINKS

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

- **SAFE:** We support families and youth.
- **FUTURISTIC:** We plan for the future proofing of our City by being a thinking and innovative society.
- **CAPABLE:** We are combating Fly-In Fly-out (FIFO) and targeting residential population growth of 3% per annum.
- **SUSTAINABLE:** We advocate for the provision of land use.

BUDGET IMPLICATIONS

The City will receive an estimated \$9,414,420 in revenue from the sale of these properties. Council will be asked to consider the allocation of these funds as part of the 2022/23 budget deliberations.

REPORT

The market lead proposal to purchase Lots 95 – 106, known as ‘Area 1’ and Lots 47, 97 and 769, known as ‘Area 2’, (the site – Refer to Attachment 3 – Site Plan) from the City is made on the understanding that this land will be developed for residential, commercial and public purpose use, including open space. The offers from M/Group are higher than the independent valuations received by the City for the site and it is recommended that Council accept the offers.

The background for this matter has been covered in the Confidential OCM Report from 23 August 2021 (refer to Confidential Attachment 4 – Confidential Report OCM 23 August 2021). At this meeting, it was resolved *“That Council:*

- 1. Authorise the CEO to effect local public notice in accordance with s3.58 of the Local Government Act 1995 for the sale of Lots 95 – 106, known as ‘Area 1’ and Lots 47, 97 and 769, known as ‘Area 2’, Broadwood for a period of 6 weeks;*
- 2. Note this matter will return to Council for further consideration following the local public notice.”*

The City undertook advertising via Public Notice of the offers. In response to this advertising, the City received eight (8) submissions from the community (refer to Attachment 5 – Community Feedback) relating to the proposed sale of the land, which included comments on the following themes:

- Aboriginal heritage.
- Lot sizes.
- Historic dam areas and affect drainage.
- Buffer zone between industrial area and residential land.
- Retention of bushland park for recreational use.

Officer's comment on the submission themes has been included in the Community Consultation section of this report.

At the completion of the advertising period, Council reconsidered the proposal, and at the Ordinary Council Meeting 13 December 2021 it was resolved *"That Council table the item until they have been fully assessed pre-approval by the incoming CEO and presented for the information of Elected Members."*

The CEO and Director of Economy and Growth reviewed the proposal with Council and M/Group, and the following agreed outcomes reached with M/Group in response to Council and community feedback:

- The layout will ensure complementary land uses are next to each other.
- Anticipated yield of 200 - 300 residential lots with variety of sizes ranging 500m² to 2000m²+
- Inclusion of 1200m² to 1500m² lots fronting Jordan Street.
- Minimum living space development requirements of 180m² for lots 1000m² and above.
- Large composite blocks to meet market need and provide buffer to the industrial area with light industry portion to face and be accessed from Atbara Street.
- Aboriginal Heritage recognition (including a trail) and substantial public open space with retention of existing dams.
- Concept design integrates with existing locality, particularly along Jordan Street and subdivision on east Gatacre Drive.
- School site relocated to the Gatacre Drive and Broadwood Street intersection area.
- M/Group to make available house and land packages to facilitate timely development of the subdivision.
- Opportunities for local builders at entry level to acquire lots within the subdivision for house and land packages.
- M/Group will provide monthly updates to Council during the six month option period.
- M/Group will use Indigenous business Marawar as the lead contractor (50% owned by M/Group Construction) if the development proceeds.
- Marawar will seek to subcontract to local businesses and trades where possible.

City Experience with Land Development

The City's previous experiences with land development, most recently Phoenix Place and the O'Connor Subdivision, has identified a lack of resources and expertise to deliver a subdivision (including site works), manage risk and deliver a positive financial return. The financial risk in the current contractor and supply-constrained market is highlighted by Development WA's recent experience for the latest stage of Greenview, where they were only able to proceed with the next stage of Greenview after receiving a multimillion-dollar subsidy from the State Government.

There are no City Officers with experience in the development of land for residential and commercial uses. Land development and associated project management are specialised fields and it would be difficult to recruit someone in this space in the current market.

One of the sites has also been subject to prior City lead structure plans in a proactive attempt to see these sites developed. These proposals were unsuccessful in receiving Council support.

No counter offers or alternate proposals have been presented for this land as and the land has been undeveloped for more than two decades. The land also has complex development considerations, which increase commercial risk. These include Aboriginal heritage requirements, significant storm water drainage, community expectations surrounding the development, and the statutory approval process to deliver development ready lots (including the timeline and the possibility of the market turning).

It is also reasonable to assume that if positive returns could be made from developing the land in the current strong property climate, that alternate offers or proposals would have been submitted.

Based on the above, it is recommended that Council sell the land rather than develop the land itself.

Conclusion

Council is advised that the most significant issue facing the City at present is the housing accommodation shortage. Without multiple solutions to address this issue, the City will not be able to meet its strategic goal of growing its residential population. Given the shortage of land and high level of demand, it has never been more critical for Council to consider the City's participation in land supply. Private sector developers are considered to be more able to deliver outcomes quickly, rather than the City which has limited experience and capacity in this field.

M/Group has addressed Council and community concern regarding lot size and integration with the surrounding area, as can be seen in revised visioning statement (Attachment 2 – M/Group Visioning Statement). The land sale and development approvals process will provide Council with the opportunity to ensure that the agreed outcomes are implemented in compliance with the Scheme.

Council is reminded that as there is risk associated with developing the land due to the complexities outlined above, a six month due diligence period has been included in M/Group's offer. During the due diligence period, M/Group would undertake tasks

to estimate costs, qualify approvals and further develop end user expectations (home owners, lessees and the State Government), and consultation with Aboriginal people regarding heritage. The City will receive monthly updates during the due diligence period.

In concluding, it is recommended that Council accept M/Group's offer to acquire Areas 1 and 2, with the six month option.

Additionally, Council is advised that City land expressions of interest are also being prepared for Council consideration and advertising in accordance with the *Local Government Act 1995* which are being designed and weighted for local builders and developers.

STATUTORY IMPLICATIONS

The City has complied with s3.58 of the *Local Government Act 1995*:

3.58 . *Disposing of property*

(1) *In this section —*

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) *Except as stated in this section, a local government can only dispose of property to —*

(a) *the highest bidder at public auction; or*

(b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*

(3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*

(a) *it gives local public notice of the proposed disposition —*

(i) *describing the property concerned; and*

(ii) *giving details of the proposed disposition; and*

(iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*

and

(b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

- (4) *The details of a proposed disposition that are required by subsection (3)(a)(ii) include —*
- (a) *the names of all other parties concerned; and*
 - (b) *the consideration to be received by the local government for the disposition; and*
 - (c) *the market value of the disposition —*
 - (i) *as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or*
 - (ii) *as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.*
- (5) *This section does not apply to —*
- (a) *a disposition of an interest in land under the [Land Administration Act 1997](#) section 189 or 190; or*
 - (b) *a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
 - (c) *anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*
 - (d) *any other disposition that is excluded by regulations from the application of this section.*

A public notice was published on the City's website, in the Kalgoorlie Miner and on the City's Electronic Notice Board advertising the proposed disposal of land and inviting submissions from the public regarding this matter.

The City is in the process of obtaining an updated valuation, as the previous valuation was older than six months. (The valuation will be provided to Council prior to the meeting)

POLICY IMPLICATIONS

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

COMMUNITY ENGAGEMENT CONSULTATION

Community consultation was completed in compliance with s3.58 of the *Local Government Act 1995*, with public notices published on the City's website, in the Kalgoorlie Miner and on the City's Electronic Notice Board advertising the proposed disposal of land and inviting submissions from the public regarding this matter.

The City received eight (8) submissions from the community (refer to Attachment 5 – Community Feedback) relating to the proposed sale of the land, which included comments on the following themes:

- Concerns the area contains Aboriginal Heritage Site ID 30639 and wants to know how this will be preserved
- Development would be hindered by historic dam areas and affect drainage.
- Land provides buffer zone between industrial area and residential land.
- Would like to see site retained and developed as a bushland park for recreational use, similar to Karlkurla Park.

All submissions were acknowledged in writing, and respondents were advised the matters raised would be included for consideration by Council. In addition, individual responses were sent to submissions made by Aboriginal people related to the Aboriginal Heritage site, confirming the applicant was aware of the existence of the site, and that it must be appropriately addressed prior to development approval being issued.

Officer Comment in Relation to Responses

Below is a dot point summary of the issues raised and the resolution:

- ***Aboriginal Heritage***

Concerns the area contains Aboriginal Heritage Site ID 30639 and wants to know how this will be preserved.

Officer Comment

Developer is aware of the presence of Aboriginal Heritage on the site and has proposed to work with the Aboriginal people involved with the site to ensure it is recognized and preserved. M/Group has significant experience in delivering Aboriginal heritage outcomes for major developments and has a partnership with the largest Aboriginal building company in WA. M/Group have a Reconciliation Action Plan and are highly committed to partnering with Aboriginal people to deliver positive outcomes. M/Group's concept also includes Aboriginal Heritage recognition, including a cultural trail, in their revised Visioning Statement.

- ***Historic Dam***

Development would be hindered by historic dam areas and affect drainage.

Officer Comment

A concern was lodged about the retention of a historic dam. This is addressed as M/Group proposes to retain both existing dams and incorporate them into accessible public space with Aboriginal cultural recognition.

- ***Buffer Zone***

Land provides buffer zone between industrial area and residential land.

Officer Comment

For development to occur on the site, application for subdivision and development approvals would be required. The City has capacity to control outcomes relating to these two processes. In relation to the buffer zone between industrial lands, large composite lots (2000m²+) are proposed which support light industrial and residential uses, with the light industrial portion facing and being accessed from Atbara Street. The Atbara Street section will also have additional fencing requirements.

- **Recreational Use**

Would like to see site retained and developed as a bushland park for recreational use, similar to Karlkurla Park.

Officer Comment

The plans submitted by M/Group include accessible public use recreational areas and parks.

- **Lot Size and Alignment**

Lot sizes adjacent to established residential areas are of similar size


Officer Comment

In relation to nearby high quality residential land, M/Group have proposed to work with the City and the community to deliver lot sizes consistent with adjacent properties, particularly along Jordan Street with block sizes between 1200m² to 1500m² square meters in size. Composite lot sizes accessed by Atbara Street will be a minimum of 2000m²+. The minimum lot size throughout the developments will be 500m². The City has the ability to control these outcomes through the land sale and development approval processes.

The matters raised through the public consultation process and by Council have all been considered and addressed by M/Group in their revised Vision Document. The City also have the capacity to deal with these matters through the development approval process by conditions.

ATTACHMENTS

Attachment 2 - M/Group Project Visioning Statement 

Attachment 3 - Site Plan 

CONFIDENTIAL Attachment 4 - Confidential Report OCM 23 August 2021

15.1.3 REQUEST FOR SPONSORSHIP FOR THE GOLDFIELDS CYCLASSIC 2022

Responsible Officer:	Alex Wiese Director of Economy and Growth
Author:	Katie Anderson Economic Development Coordinator
Disclosure of Interest:	Nil

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council:

- 1. Endorse the sponsorship for the EGCC to deliver the 2022 Goldfields Cyclclassic through the provision of a once-off payment of \$19,000 cash and \$5,000 in-kind support, allocated from the 2021/22 FY Economic Development Sponsorships Budget.**

EXECUTIVE SUMMARY

The Eastern Goldfields Cycle Club have applied to the City's Event Sponsorship Program for both a cash and in-kind contribution towards the 2022 Eastern Goldfields Cyclclassic.

The Cyclclassic is a road cycling event that dates back to 1928 and one of the oldest cycling events in the world. The event will take place on Saturday the 4th June and Sunday the 5th June, on the WA Day Long weekend.

Sponsorship for this event has been committed in the past and it is proposed that the City continues to support the event as it has historical significance to the region. The additional funding of \$4,000 proposed in the application will contribute to the costs associated with the club engaging event management company Event Martix, who are essential in ensuring the successful delivery the event in 2022.

The City recognises the important role community and business play in the delivery of projects that contribute to a vibrant and sustainable city. The sponsorship program welcomes proposals that celebrate, develop and engage the City's community and encourage visitation and measurable economic impact.

The City will be recognised to the appropriate level as outlined in the attached Sponsorship Prospectus.

COMMUNITY STRATEGIC PLAN LINKS

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

- **SAFE:** We will deliver a safe and activated community that can be used day

and night.

- **CONNECTED:** We will be connected to our history, culture and community.
- **CAPABLE:** We promote and support local tourism opportunities including facilitating tourism infrastructure and services.

BUDGET IMPLICATIONS

The \$19,000 cash and \$5,000 in costs occurred from the in-kind support associated with this application will be charged to COA 04200112 Economic Development Sponsorships. There are sufficient funds in this budget, once this funding is allocated the account will be fully expended for the 2021/22 financial year.

REPORT

The 2022 Goldfields Cyclclassic & Community Challenge continues the tradition of the Menzies Classic road cycling event dating back to 1928. One of the oldest road cycling events in the world, the current two day format is held over the WA long Weekend on the 4th and 5th June 2022.

Stage one of the event, Saturday June 4, will see up to 200 riders set off from Kalgoorlie-Boulder for Menzies to compete in the Menzies Classic in the Chas Egan Memorial 132km race. Stage two of the event, Sunday the 5th June, is stage will see the competitors set off from Menzies to Leonora in the 'Leonora Golden Wheels' 105km race, to link up with the Leonora Golden Gift and Community event in the Shire of Leonora.

The Cyclclassic attracts both professional and amateur cyclists. Due to Covid-19 restrictions in 2021 the entrants all came from Western Australia however the club aspires to again attract National and International participation this year and into the future.

Whilst the main part of the two day event is held in the Northern Goldfields, the City plays an important part in supporting events that encourage visitation to the region. The Shire of Menzies have committed \$60,000 to this event, which will attract an influx of people from Kalgoorlie-Boulder and the wider region to the Northern Goldfields to celebrate the long weekend. In addition the Shires commitment, it is predicted that the event will attracted \$26,000 in additional funding from business and industry. However this extra funding is yet to be confirmed.

The Eastern Goldfields Cycle Club, who are based in Kalgoorlie-Boulder, is currently in a transitional phase. They are experiencing high volunteer turnover which has escalated the need to engage event management company, Event Matrix. As a result, the sponsorship request has increased by \$4,000 cash, from \$15,000 in previous years to \$19,000. This increase is due to the clubs lack of capacity to deliver the event without assistance. It is a possibility that Event Matrix will be engaged in coming years to both assist the club and also grow the profile of the event. This may include additional side events held in Kalgoorlie-Boulder in the future. The in-kind support recommended in this

report has been provided to the event committee over many consecutive years, however this reports formalises this City in-kind commitment to the value of \$5,000.

It is recommended that Council support Eastern Goldfields Cycle Clubs application for sponsorship for the 2022 Goldfields Cyclclassic as it meets the criteria outlined in the policy and has a long standing reputation as well attended and supported Goldfields event.

The sponsorship application has been assessed against the project guidelines and meets the objective to celebrate, develop and engage the community and encourage visitation to the City and region. This event also aligns with City's Tourism and Marketing strategy's objective to positively promote Kalgoorlie-Boulder and the region as an attractive destination.

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

2022 Cyclclassic Sponsorship Prospectus 

15.1.4 DRAFT

WORKFORCE

ACCOMMODATION

POLICY

Responsible Officer: Alex Wiese
Director of Economy and Growth

Author: Lauren Chapman-Holle
Lead Policy & Research Advisor

Disclosure of Interest: Nil

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council resolves to proceed with Local Planning Policy – Workforce Accommodation (Attachment 1), for submission to the WA Planning Commission for approval.

EXECUTIVE SUMMARY

The City has long held a position as a mining City that promotes residential workforces and does not encourage the growth of FIFO mining workforces in the City wherever practicable. Council has previously considered plans and actions to address the negative effects of FIFO on the City of Kalgoorlie-Boulder resolved to develop a plan to combat FIFO (OCM 22 July 2019, 26 August 2019, 9 December 2019).

To support this position, which aligns with the City of Kalgoorlie-Boulder's Strategic Community Plan 2020-2030, City officers seek Council endorsement of the Draft Workforce Accommodation Local Planning Policy, which will guide the assessment of development applications related to Workforce Accommodation. This policy will set out new conditions to be met, to address the City of Kalgoorlie-Boulder objectives.

At the Ordinary Council Meeting of 22 November 2021, it was resolved *“That Council:*

- 1. Resolves to prepare a Draft Workforce Accommodation Local Planning Policy;*
- 2. Advertise the attached prepared Draft Workforce Accommodation Local Planning Policy in accordance with the requirements set out in the Planning and Development (Local Planning Schemes) Regulations 2015; and*
- 3. Review the Draft Workforce Accommodation Local Planning Policy and submissions at the expiry of the advertising period.*

The Draft Workforce Accommodation Local Planning Policy is being re-presented to Council and recommended for endorsement as the advertising period has been completed. There were no submissions, however changes have been made in response to Elected Member feedback.

COMMUNITY STRATEGIC PLAN LINKS

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

- **SAFE:** We support families and youth.
- **FUTURISTIC:** We plan for the future proofing of our City by being a thinking and innovative society.
- **CAPABLE:** We are combating Fly-In Fly-out (FIFO) and targeting residential population growth of 3% per annum.

BUDGET IMPLICATIONS

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

REPORT

Background

At the Ordinary Council Meeting of 22 November 2021, it was resolved *“That Council:*

- 1. Resolves to prepare a Draft Workforce Accommodation Local Planning Policy;*
- 2. Advertise the attached prepared Draft Workforce Accommodation Local Planning Policy in accordance with the requirements set out in the Planning and Development (Local Planning Schemes) Regulations 2015; and*
- 3. Review the Draft Workforce Accommodation Local Planning Policy and submissions at the expiry of the advertising period.*

The Draft Workforce Accommodation Local Planning Policy has been advertised via public notice, and is now returned to Council for adoption, with minor changes. There were no submissions.

The City of Kalgoorlie-Boulder, its stakeholders and many local businesses have been actively working towards maintaining and attracting a residential workforce.

Recent City actions include:

- Submission to the Productivity Commission Review on Fringe Benefit Tax and Remote Area Tax
- Submission on Productivity Commission Review draft report
- Support and participation in More than Mining Campaign
- (<https://www.morethanmining.com.au/>) on Fringe Benefits Tax
- Arranged for Brendon Grylls to speak on behalf of the More than Mining Campaign at the 2021 SEGRA Conference in Kalgoorlie
- Regular political advocacy by the Mayor John Bowler and CEO at a State, Federal and private sector level

To deliver on the City's objective to grow its population and support local businesses, it is necessary for the City to consider the adoption of a Workforce Accommodation Local Planning Policy. This report asks Council to formally endorse the Draft Policy. Following Council endorsement, the Workforce Accommodation Local Planning Policy will be submitted to the Western Australian Planning Commission for approval.

If adopted, the Policy will set out Council's position on Workforce Accommodation and provide guidance on the assessment and decision-making for Workforce Accommodation development applications. The policy will be implemented under Town Planning Scheme 1 and included in the future suite of policies for the Local Planning Scheme 2.

Conclusion

It is recommended that Council endorse the Draft Workforce Accommodation Local Planning Policy for submission to the Western Australian Planning Commission.

STATUTORY IMPLICATIONS

Once endorsed by the Western Australian Planning Commission, Council and City Officers must give due regard to the provisions of the policy when assessing development applications for Workforce Accommodation.

POLICY IMPLICATIONS


Once endorsed by the Western Australian Planning Commission, the Workforce Accommodation Local Planning Policy will be added to the City's suite of Local Planning Policies.

COMMUNITY ENGAGEMENT CONSULTATION

The Workforce Accommodation Local Planning Policy was advertised via public notice process for 30 days, longer than the minimum requirement of 21 days. Notice was published in the Kalgoorlie Miner on Saturday 27 November 2021 and on CKB unearthed. Submissions closed on Monday 27 December 2021.

The draft policy received significant coverage in both traditional and social media (Please refer to Attachment 2 – Media Coverage of Draft Workforce Accommodation Local Planning Policy). No submissions were received.

ATTACHMENTS

Attachment 1 - Draft Workforce Accommodation Local Planning Policy with Track Changes 

Attachment 2 - Media Coverage of Draft Workforce Accommodation Policy 

15.1.5 COUNCIL MEETING SCHEDULE MAY - DECEMBER 2022

Responsible Officer: Andrew Brien
Chief Executive Officer

Author: Emma Holtum
PA to Deputy Chief Executive Officer

Disclosure of Interest: Nil

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council:

- 1. Endorse the revised Meeting Schedule for Ordinary Council Meetings for the remainder of 2022 as follows:**
 - **Tuesday 10 May**
 - **Tuesday 24 May**
 - **Tuesday 28 June**
 - **Tuesday 26 July**
 - **Tuesday 23 August**
 - **Tuesday 27 September**
 - **Tuesday 25 October**
 - **Tuesday 22 November**
 - **Tuesday 20 December**
- 2. Note that an agenda briefing forum will be held each month in the week prior to the Ordinary Council Meeting;**
- 3. Request the Chief Executive Officer to advertise the changes to the Meeting Schedule in accordance with the requirements of the Local Government (Administration) Regulations 1996.**

EXECUTIVE SUMMARY

In October 2021, the Council resolved to implement a fortnightly meeting cycle which provided the opportunity for Council to effectively make decisions during the period while there was an Acting Chief Executive Officer in place. Now that the new Chief Executive Officer is in place, a review of the meeting cycle and associated briefings and forums has been undertaken to look at alternative arrangements for the effective

management and operations of Council Meetings.

A decision of Council is required to amend the Council Meeting dates for the remainder of the calendar year noting that the 10th May will be kept to approve the Endorsement & Advertising of 2022/23 Differential Rates.

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

In considering the appropriate framework and timeframe for Council Meetings, council should consider the intention of the Local Government Act in that councils should conduct business and make decisions:

- openly and transparently
- with a high level of accountability to their community
- efficiently and effectively
- with due probity and integrity
- acknowledging relevant community input
- with all available information and professional advice
- with the fullest possible participation of elected members

In order to effectively restructure the meeting cycle, consideration has been given to the operational guideline which was issued by the Department of Local Government, Sport and Cultural Industries which in part talks about Concept Forums and Agenda Forums along with their relationship with Council Meetings.

The proposed meeting cycle has been designed to incorporate a combination of a concept forum, requested council briefings, agenda forum and ordinary council meeting. This is outlined in the following diagram



The above framework enables the Council and community additional time to review and consider information provided at the Agenda Briefing Forum prior to the formal debate of items at the Ordinary Council Meeting. It has been proposed to change the meeting day from Monday to Tuesday to enable staff to more effectively respond to issues as they arise from the Agenda Briefing Forum.

Concept forums

Concept forums involve elected members and staff meeting to propose, discuss and formulate philosophies, ideas, strategies and concepts for the development of the local government and the district. Such forums often involve projects that are in the early planning stage and are some time away from being presented to council for decision. In discussing such issues, staff are looking for guidance from the elected members as they research the matter and draft the report.

Elected members and staff are also looking to present ideas and concepts for future consideration. If the response is favourable staff can proceed with their research and eventual report on the matter.

Examples of the type of issues concept forums may cover include:

- Current matters of a local or regional significance.
- Matters relating to the future development of the local government.
- Significant revenue-raising requirements or expenditure needs.
- The development of internal strategic, planning, management and financial documents.
- Development of the selection criteria and performance objectives for the Chief Executive Officer (CEO).

Behind closed doors and in a relatively informal manner are the two notable characteristics of concept forums. Holding such meetings behind closed doors is justified in that many of the ideas and concepts are preliminary and while looking for

that creative gem some may be extreme, expensive or impractical and never adopted.

Discussion on such proposals in a public forum would be counter-productive. Privacy and informality allows elected members to propose ideas, ask questions and discuss issues for the better understanding of those in attendance. Such forums assist individuals to become better informed and to clarify their views.

The privacy and informality of concept forums also has pitfalls including the risk of neglecting proper standards of probity and public accountability. Over time, participants can become too familiar, and therefore more lax, with the procedure and purpose of the meeting. Unless procedures are adopted and rigorously applied to these forums, there is a danger that collective or collaborative decisions may be made, implied and otherwise.

Agenda forums

For proper decision-making, elected members must have the opportunity to gain maximum knowledge and understanding of any issue presented to the council on which they must vote. It is reasonable for elected members to expect that they will be provided with all the relevant information they need to understand issues listed on the agenda for the next ordinary council meeting. The complexity of many items means that elected members may need to be given information additional to that in a staff report and/or they may need an opportunity to ask questions of relevant staff members.

It is considered that Agenda Forums are much more efficient and effective than elected members meeting staff on an individual basis for such a purpose with the added benefit that all elected members hear the same questions and answers.

To protect the integrity of the decision-making process it is essential that agenda forums are run with strict procedures.

The identified principles and associated procedures are accountability, openness and transparency, probity and integrity, authority for the chair and meeting notification. Each of these is explained below.

- **Accountability**
 - The Act requires that ordinary and special council meetings and committee meetings that have delegated authority must be open to the public. Most local governments also open committee meetings even where there is no delegated authority. This openness allows the community to view the decision-making process from the time an issue is first presented to elected members through to the final decision.
 - There must be no opportunity for a collective council decision or implied decision that binds the local government to be made during a forum.
 - Agenda forums should be for staff presenting information and elected members asking questions, not opportunities to debate the issues. A council should have clearly stated rules that prohibit debate or vigorous

discussion between elected members that could be interpreted as debate. Rules such as questions through the chair and no free-flowing discussion between elected members should be applied.

- If there is minimum debate in the ordinary meeting because the elected member attitudes have been established through the item being thoroughly canvassed in the agenda forum then the community is denied the opportunity to witness any debate and understand how the council reached its decision. Other concerns relate to elected members agreeing on movers, seconders and/or amendments. Such an approach must not be allowed by the council whether the agenda forum is open or closed to the public but a closed forum will almost certainly generate a perception by the community of secret meetings where the decisions are made beyond public scrutiny.
 - Councils, when considering conducting closed forums, need to consider their reasons for justification against the likely damage to their public standing from the perception of secrecy. A policy that the forums will generally be open to the public will make a significant contribution to the community perception of council accountability. A clearly delineated distinction between agenda and concept forums is important for these reasons.
- Openness and transparency
 - A significant strength of local government is the openness and accessibility of its processes to the community. In conducting forums each local government should make a conscious decision to promote the community perception that it embraces the concept of openness and transparency. Therefore, whenever appropriate, forums should be open to the public.
 - Probity and integrity
 - The legislation provides that in ordinary meetings and committee meetings elected members must disclose conflicts of interest and exclude themselves from proceedings where they have a financial interest.
 - Disclosure in forums is a matter of ethics. The disclosure requirements only apply to meetings that are convened under the provisions of the Act. Elected members can legally participate at forums without being in breach of the legislation even where they have a clear financial interest or conflict of interest. Such participation is ethically unacceptable and is clearly at odds with the probity and accountability principles of the Act and codes of conduct. It is essential that councils adopt standards for forums that stipulate that disclosure rules applying to meetings constituted under the Act also apply at all forums. Disclosure should lead to an individual departing the forum.
 - Authority for the chair
 - Many councils have established a forum process without specifying how the forums should be chaired and what authority the chair is given to control proceedings. In some local governments, the CEO chairs the

forums in certain circumstances. This latter approach is not supported because it confuses the roles and relationships established in the Act.

- It is recommended that the mayor or president or, if appropriate, another elected member, chairs all forums that involve elected members. Properly managed forums rely on strength and leadership from the chair. Therefore, a forum's chair should be supported by established rules similar to the standing orders that apply to formal meetings.
- Meeting notification
 - The provisions of the Act are designed to ensure that members are given timely notice of, and information for, council and committee meetings. Formal provisions do not apply to forums but the principles remain the same. Adequate notice needs to be given of the time, location and content of the forum.
 - The forum process is most successful in those local governments where forums are held on a regular basis such as on the alternative weeks to the ordinary council meeting (where they are held fortnightly) or a week before the ordinary council meeting. By setting the dates for forums well in advance, elected members, staff and the community can plan for their attendance.
 - Forums that are organised without adequate notice or a proper agenda are often poorly attended and inefficiently run. This will be detrimental to the purpose of the forum.

The following provides an overview of the operating procedures for forums which include the following:

- Dates and times for concept forums and agenda forums will be set in advance.
- The CEO will ensure timely written notice and the agenda for each forum is provided to all members.
- Forum papers should be distributed to members at least three days prior to the meeting.
- The Mayor will be the presiding member at all forums open to the public.
- The Chief Executive Officer or Mayor may chair the concept forum which is closed to members of the public.
- Elected members, employees, consultants and other participants shall disclose their financial and conflicts of interest in matters to be discussed.
- Interests are to be disclosed in accordance with the provisions of the Act as they apply to ordinary council meetings. Persons disclosing a financial interest will not participate in that part of a forum relating to their interest and leave the meeting room.
- There is to be no opportunity for a person with an interest to request that they continue in the forum.
- A record should be kept of all forums. As no decisions will be made, the record need only be a general record of items covered but should record disclosures of interest with appropriate departures/returns.

Summary of procedures specific to concept forums

- Concept forums will not be open to the public.
- Discussion between members is to be limited to those issues which are in the preliminary development stages. Items already listed on a council meeting agenda are not to be discussed.
- As discussion items are not completely predictable there is to be some flexibility as to disclosures of interest. A person may disclose an interest at the time discussion commences on an issue not specifically included on the agenda.

Summary of procedures specific to agenda forums

- Agenda forums will be open to the public unless the forum is being briefed on a matter for which a formal council meeting may be closed.
- Items to be addressed will be limited to matters listed on the forthcoming agenda
- Briefings will only be given by staff or consultants for the purpose of ensuring that elected members and the public are more fully informed.
- All questions and discussions will be directed through the chair. There will be no debate style discussion as this needs to take place in the ordinary meeting of council when the issue is set for decision.

STATUTORY IMPLICATIONS

Local Government (Administration) Regulations 1996

12. Publication of meeting details (Act s. 5.25(1)(g))

1. In this regulation —
meeting details, for a meeting, means the date and time when, and the place where, the meeting is to be held.
2. The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held —
 - a. ordinary council meetings;
 - b. committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public.
3. Any change to the meeting details for a meeting referred to in subregulation (2) must be published on the local government's official website as soon as practicable after the change is made.

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.

15.2 GENERAL MANAGER – INFRASTRUCTURE AND ENVIRONMENT**15.2.1 DETERMINATION OF A USE NOT LISTED "WORKFORCE ACCOMMODATION" IN A 'TOURIST' ZONE UNDER TOWN PLANNING SCHEME 1**

Responsible Officer: Ric Halse
Manager Planning, Development and
Regulatory Services

Author: Kaitlin Redmond-Ball
Principal Planning Officer

Disclosure of Interest: Nil

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council:

- 1. Resolve in accordance with Clause 3.6 (b) of Local Planning Scheme No. 1 that the land use "Workforce Accommodation" may be consistent with the objectives and purposes of the "Tourist" zone at Lot 93 (No. 36) Great Eastern Highway, Somerville.**
- 2. Authorise the CEO to undertake advertising of the proposed land use in the 'Tourist' zone as follows:**
 - a) Refer the land use to Main Roads WA, Department of Mines, Industry, Regulation and Safety and Department of Planning, Lands and Heritage (Aboriginal Affairs).**
 - b) Publish the details of the proposed use of the land on the City's website and CKB Unearthed**
 - c) Give notice of the proposed use of the land to the owners and occupiers of every property within 200m of the subject site by way of letter**
 - d) Erect a sign on the land the subject of this proposal which contains details of the proposed use of the land**

EXECUTIVE SUMMARY

Council are being asked to consider whether the land use 'Workforce Accommodation' is consistent with the objectives and purposes of the 'Tourist' zone in accordance with Clause 3.6 of Local Planning Scheme No. 1. City staff note that Local Planning Scheme No. 1 does not set out objectives for the 'Tourist' zone.

Without specific objectives for the Tourist zone listed in LPS1, it is considered unreasonable to attempt to determine conclusively whether a proposed land use is or isn't consistent with the intent for the zone without understanding what that intent is.

City staff consider that this should be established through the input of the community.

With Council support of the officer recommendation, a report will be presented to Council with any submissions received for final determination of the land use. Should Council then determine that the use is consistent, the City can then proceed to undertake an assessment of the application. The Responsible Authority Report (RAR) will be presented to Council at a later date for final recommendation to the Regional JDAP.

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

The City has received a Joint Development Assessment Panel (JDAP) application for a workforce accommodation facility to be located in the Tourist zone at Lot 93 (No. 36) Great Eastern Highway, Somerville.

The applicant/proponent has sought to construct/provide a specific site to accommodate their workforce to ensure existing tourist and other short term accommodation providers will have availability for persons travelling to Kalgoorlie for tourism or leisure purposes.

‘Workforce Accommodation’ is a land use not specifically mentioned in the Zoning Table of Local Planning Scheme No. 1 (LPS1) therefore Council must first determine the compatibility of ‘Workforce Accommodation’ in the Tourist zone.

‘Workforce Accommodation’ as defined in the *Planning and Development (Local Planning Schemes) Regulations 2015* as:

“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”*

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. Such provisions exist because in some instances, the planning framework cannot always predict the types of development that may arise in the future.

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.*

When considering an application for a 'Use Not Listed' Council must first determine whether the proposed use is consistent with the objectives and purposes of the zone. Local Planning Scheme No. 1 does not specifically set out objectives for the 'Tourist' zone. In light of this, the City must determine whether the land use is appropriate for the zone on its merits.

The applicant submits that the nature of the land use is not too dissimilar from that of a 'Motel' or 'Caravan Park' – all three land uses are forms of accommodation for human habitation which allow for the provision of parking for motor vehicles. The distinct difference is that the 'Workforce Accommodation' definition goes on to specify who is to occupy the accommodation – workers engaged in construction, resource, agricultural or other industries.

Similar to the development proposed the subject of this application, Caravan Parks and Motels typically comprise rooms, gyms, barbecue areas and other common leisure spaces for guests. The above is relevant as a Caravan Park is a 'P' permitted use while Motel is an 'AA' discretionary use; in other words both are capable of approval within the Tourist zone.

It is warranted to consider the compatibility (ability to coexist) of the workforce accommodation with the amenity (character) of the area in which the development is proposed. The current character of the area is defined by an eclectic mix of development – a transport depot, Caravan Park, a new development site for 51 residential lots currently under construction, several vacant sites, a child care centre and residential dwellings. The physical development within the area is a mix of single and double storey. The proposed development is to be single storey.

Consideration of Clause 3.6

Since LPS1s 1997 gazettal, neither City staff nor Council have established any written objectives for the Tourist zone. As a result, it is considered unreasonable to attempt to determine conclusively whether a proposed land use is or isn't consistent with the intent for the zone without understanding what that intent is. City staff recommend that the procedures set out in Clauses 6.5 and 6.6 of the Scheme be followed in order to understand from the community what the intent of the Tourist zone is or should be and whether 'Workforce Accommodation' is consistent with that.

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 26 July 2021, Council resolved to support Draft Local Planning Scheme No. 2 with proposed modifications with the exception of those pertaining to the 'Mixed Business' area.

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 zone's objectives). This allows local planning schemes to be flexible enough to meet local needs across differing communities.

Under the resolution of Council, 'Workforce Accommodation' was considered capable of approval in the following zones –

Zone	Rural	Rural Townsite	Residential	Service Commercial	Light Industry
Permissibility	D	A	A	D	D

Notwithstanding that 'Workforce Accommodation' is not capable of approval in the 'Tourism' zone under LPS2, the subject site is proposed to be zoned 'Urban Development'. The objectives for the 'Urban Development' zone are to:

- Provide an intention of future land use and a basis for more detailed structure planning in accordance with the provisions of the Scheme;
- Provide for a range of residential densities to encourage a variety of residential accommodation;
- Provide for progressive and planned development of future urban areas for residential purposes and for commercial and other uses normally associated with residential development.

Schedule 7 of LPS2 outlines:

"The local government may approve the development of the land within the Urban Development and Industrial Development zones prior to a structure plan prepared in accordance with clause 16 of Schedule 2 – Deemed Provisions for Local Planning Schemes of the Planning and Development (Local Planning Schemes) Regulations 2015 coming into effect in relation to the land, if the local government is satisfied that this will not prejudice future structure planning in the area."

'Workforce Accommodation' by nature is a temporary land use. The applicant submits that given the development is temporary, the proposal will not impact or compromise the ultimate development potential of the site. It is suggested that until the Scheme is gazetted (estimated to be six months from adoption by Council) and the site and locality is ready for broader structure planning (preparation and approval is estimated to be a minimum of twelve months), the proposal provides an opportunity to activate a site which has historically remained vacant and provide a use/development that is demanded in the area.

OPTIONS AND IMPLICATIONS

Option 1: Council may resolve that the land use 'Workforce Accommodation' is consistent with the objectives and purposes of the 'Tourist' zone and is therefore permitted.

Implications: The City can proceed to undertake an assessment of the application. City staff must consult with the appropriate public and/or statutory authorities and advertise the application in accordance with the provisions set out in Clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*. The Responsible Authority Report (RAR) will be presented to Council at a later date for final recommendation to the Regional JDAP.

This is not the recommended option

Option 2: Council may resolve that the land use 'Workforce Accommodation' may be consistent with the objectives and purposes of the 'Tourist' zone and is therefore permitted.

Implications:

1. The City must consult with the appropriate public and/or statutory authorities and the community on the land use in accordance with the provisions set out in Clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
2. The City must present the submissions of the statutory authorities and community back to Council to determine conclusively whether the land use is consistent with the zone.
3. Should Council determine that the use is consistent, the City can then proceed to undertake an assessment of the application. The Responsible Authority Report (RAR) will be presented to Council at a later date for final recommendation to the Regional JDAP.

This is the recommended option

Option 3: Council may resolve that the land use 'Workforce Accommodation' is not consistent with the objectives and purposes of the 'Tourist' zone and is therefore not permitted.

Implications: The City must then recommend that the Regional JDAP that the application be refused as the use is not considered to be capable of approval. The applicant will have a right of review of Council/JDAP's decision by the State Administrative Tribunal.

This is not the recommended option

CONCLUSION

The City has received a Joint Development Assessment Panel (JDAP) application for a workforce accommodation facility to be located in the Tourist zone at Lot 93 (No. 36) Great Eastern Highway, Somerville. City staff consider the most appropriate use class to be 'Workforce Accommodation' as defined in the Model Scheme Text of the *Planning and Development (Local Planning Schemes) Regulations 2015*; a land use not specifically mentioned in the Zoning Table of Local Planning Scheme No. 1 (LPS1). Council are being asked to consider whether the use of the land is consistent with the objectives and purposes of the 'Tourist' zone in accordance with Clause 3.6 of LPS1.

Without specific objectives for the Tourist zone listed in LPS1, it is considered unreasonable to attempt to determine conclusively whether a proposed land use is or isn't consistent with the intent for the zone without understanding what that intent is. City staff consider that this should be established through the input of the community.

Accordingly, 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 the Community Engagement Consultation section to be undertaken.

STATUTORY IMPLICATIONS

Determination of this item resolves the matter of whether a use not listed (Workforce Accommodation) application is capable of approval within the Tourist zone. The assessment of the application will proceed based on the details set out in the Options and Implications section.

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 contained in the *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 contained in the *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).

The following is recommended to be undertaken in relation to the proposed land use:

1. Refer to the following statutory authorities –
 - (a) Main Roads WA as the subject site proposes access from Great Eastern Highway which is a Primary Regional Road
 - (b) Department of Mines, Industry, Regulation and Safety as the development is located within the Explosives Reserve Safety Buffer
 - (c) Department of Planning, Lands and Heritage (Aboriginal Affairs) as the subject site is in proximity to a site that is understood to be of Aboriginal significance
2. In accordance with Clause 64 (3)(a), publishing the details of the application and any accompanying material on the City's website and the CKB Unearthed website.
3. In accordance with Clause 64 (3)(b), giving notice of the application to the owners and occupiers of every property within 200m of the proposed development.
4. In accordance with Clause 64 (3)(c) erecting, in the manner and form approved by the Commission, a sign on the land the subject of the application.

15.2.2 REDUCTION OF RESERVE 4459 TO CREATE A NEW RESERVE TO SUPPORT THE KALGOORLIE DESERT RACERS PTY LTD.

Responsible Officer:	Ric Halse Manager Planning, Development and Regulatory Services
Author:	Paul Nuttall Planning and Development Team Leader
Disclosure of Interest:	Nil

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council:

- 1. Request the Minister of Lands under Section 51 of the *Land Administration Act 1997* to reduce Reserve 4459 by 885ha.**
- 2. Request the Minister of Lands under Section 46 of the *Land Administration Act 1997* to change the vesting of the remainder of Reserve 4459 to the City of Kalgoorlie - Boulder**
- 3. Request the Minister of Lands under section 41 of the *Land Administration Act 1997* to create a new reserve of 885ha for the purposes of “Motorsport, Storage, and Camping”.**
- 4. Request the Minister of Lands under Section 46 of the *Land Administration Act 1997* to issue a Management Order to the City of Kalgoorlie – Boulder and grant vesting on the new reserve with power to lease for a period not exceeding 21 years.**
- 5. Absolve the Minister of Lands of any cost associated with actions to achieve the completion of these requests.**

EXECUTIVE SUMMARY

The Kalgoorlie Desert Racers PTY LTD (KDR) are seeking a new location to hold their events. They are seeking a long term lease from the City for this purpose.

The City and KDR, in negotiation with State, have agreed to progress an amendment to the existing Kanowna Townsite common (Reserve 4459), and create a purpose specific reserve of about 885.3ha of land. This site was chosen by the Western Desert Racers as being suitably located away from the Kalgoorlie Townsite while still being on a sealed road to Kalgoorlie that will enable easy access to the site. The site intersects with their current track and offers the possibility of a more self-contained facility.

Negotiations with the current mining lease holder have been undertaken and completed, they are supportive of this proposal. The new Crown reserve will be created specifically to meet the needs of the KDRs activities. It is recommended that

Council support these actions.

COMMUNITY STRATEGIC PLAN LINKS

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

- **CONNECTED:** We provide public spaces that facilitate a diverse range of activities and strengthen social bonds within the community.
- **SUSTAINABLE:** We advocate for the provision of land use.

BUDGET IMPLICATIONS

All costs associated with implementation and establishment of these actions are to be completed within current budgets.

REPORT

The KDR is a not for profit Motorcycling Western Australia (MWA) affiliated motorsport management business. They are the organisers of a premier off road motor sports event, encompassing both off road motor vehicles (auto) and motorcycles (moto). In 2021, the event attracts about 200 moto teams and about 65 auto teams. This represents a 47% increase in moto entrants and a 30% increase in auto entrants compared to the 2020 Kalgoorlie event.

The event organisers have a focus on supporting local businesses, encouraging community participation and promoting Kalgoorlie-Boulder's unique tourism offerings. The KDR sees both auto and motorcycle teams take on a 120km course that passes through the Kalgoorlie International Speedway complex, King of the West Lake, Mt Vettors Station, Broad Arrow and Lake Perkolilli - thought to be the Southern Hemisphere's first natural speedway.

The Kalgoorlie Desert Racers PTY LTD (KDR) are seeking a new location to hold their events and have enough space to contain most their track and facilities. They are seeking a long term lease from the City for this purpose.

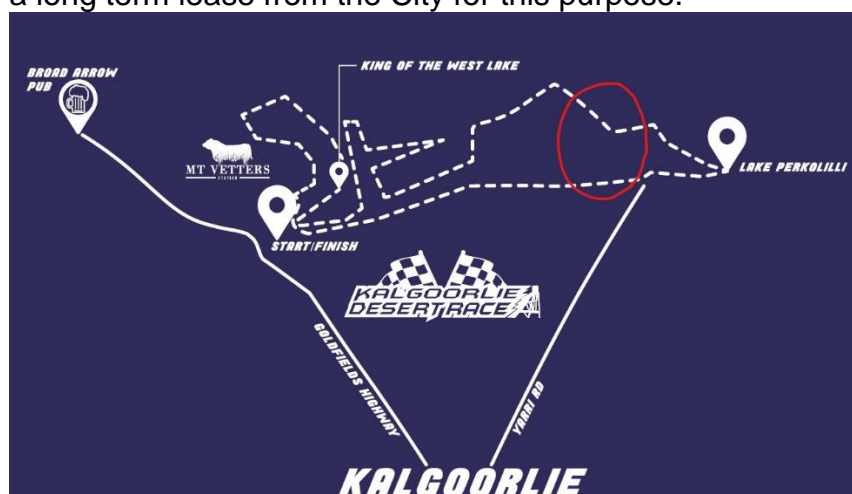


Figure 1 - Location of the track and proposed Reserve

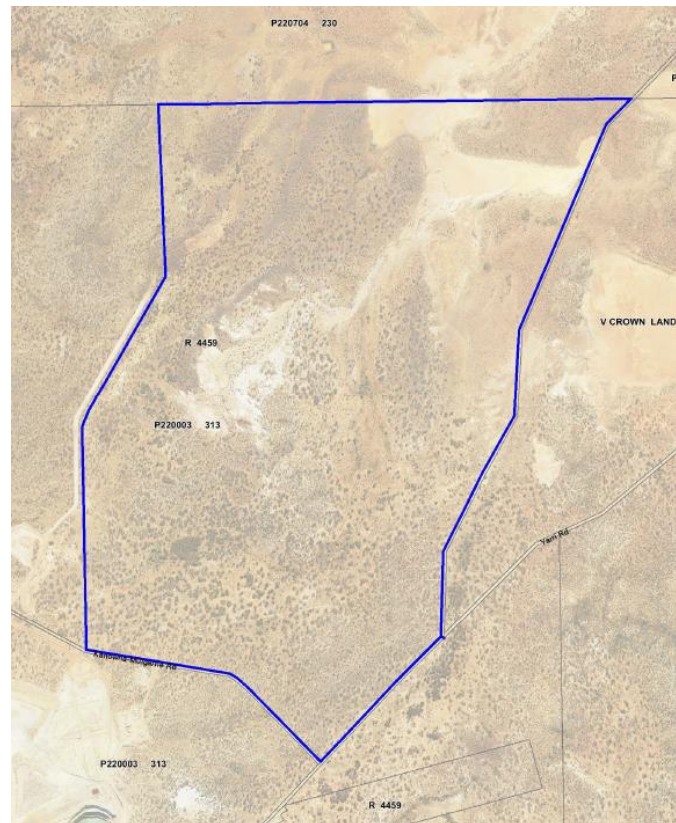


Figure 2 – location detail. Corner of Yarri Road and Kanowna – Mulgarrie Road

SITE

The City and KDR, in negotiation with State, have agreed to progress an amendment to the existing Kanowna Townsite common (Reserve 4459), and create a purpose specific reserve of about 885ha of land. This site was chosen by the Western Desert Racers as being suitably located away from the Kalgoorlie Townsite while still being on a sealed road to Kalgoorlie that will enable easy access to the site. The site intersects with their current track and offers the possibility of a more self-contained facility.

Crown Reserve 4459, which is for the purpose of 'Common' is vested to the Shire of Boulder. A recommendation of this report is to correct the Shire of Boulder vesting to that of City of Kalgoorlie – Boulder, at the same time of these Reserve actions. The site offers an opportunity to contain a portion (or more) of the course and build a substantial permanent home base.

The land is shown as part of Lot 313 on deposited plan 220003 (PIN 11163360), which is about 22.5km north east of the Kalgoorlie town centre on the corner of Yarri Road and the Kanowna – Mulgarrie Road. There is a good quality sealed road (Yarri Road) and two adjacent gravel roads that may be upgraded for access if required.

The site is clear of structures and shows evidence of past mining exploration and pastoral activities. Numerous tracks criss-cross the site which is generally flat with ephemeral water courses. There are patches of trees but generally the site is open grassland.

A NEW MOTORSPORT RESERVE

Creation of a new reserve under Section 41 of the *Land Administration Act 1997*, permits the State government to set the reserve purpose. In this case, based on discussions between the City, KDR and the Department of Planning Lands and Heritage, the reserve purpose is recommended to be: “Motorsport”, “Storage”, and “Camping”.

These three Reserve (land use) purposes dictate what development approvals may be issued by the City. Further to this process, conditions contained within a City lease can relate to the form and use of that development. These will be a matters for a future Council report.

The new reserve will essentially give the KDR a permanent home base and the prospect of long term tenure. With a City issued lease, the establishment of permanent facilities and tracks is possible with an option of more frequent events to be held on site. The tenure afforded by these processes would make the seeking of government grants easier for the KDR.

A FUTURE LEASE

Originally, the City had sought a Crown lease to be directly negotiated between the KDR and State. This option was found to be less efficient as compared to a lease issued by the City. Lease conditions are better established through local government as would be lease compliance matters.

Terms of a future lease relate to land use matters, siting of facilities, environmental management and the maintenance of tracks and roads on the site. In preliminary discussions with the KDR, a village will be established in a suitable location serviced with an effluent disposal system, as well as an associated camping area. A helicopter landing site is proposed within the reserve for events, as well as a storage compound for equipment and fuel. Activities on the site and their frequency of occurrence can be managed through lease conditions, but importantly the site will facilitate an increase in the scope and number of activities occurring.

The matter of the terms of a future lease will be subject to a future Council report. A planning application will need to be submitted and approved, as a condition, prior to the issue of a lease.

OPTIONS AND IMPLICATIONS

Option 1:

Council may resolve to support the reduction of Reserve 4459 to create a new reserve to be vested in the City, shown in Figure 2, to subsequently facilitate a future lease between the KDR and the City.

Implications:

A new reserve will be created to support Motorsport, Storage and Camping, vested in the City with power to lease, will satisfy the requirements the KDR.

Lease conditions will be established between the KDR and the City under a separate future report to council.

This is the recommended option

Option 2

Council may resolve not to support the creation of a new reserve in this location.

Implications

The KDR will be required to seek a new location to satisfy their requirements for the establishment of a new home base.

This is not the recommended option

STATUTORY IMPLICATIONS

All actions recommended in this report relate to actions under the *Land Administration Act 1997* and its associated regulations.

The City can only grant a lease between the City and the KDR for a period of no more than 21 years in alignment with the land uses of a Crown Reserve.

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. There are no sensitive land uses in the area and negotiation with the current mining lease holder has already been undertaken by the KDR and the Department of Planning Lands and Heritage.

15.2.3 APPLICATION FOR PLANNING APPROVAL FOR AN ADDITION TO A NON-CONFORMING USE (OUTBUILDING) - LOT 4 (NO. 14) MORAN STREET, BOULDER (P023/22)

Responsible Officer:	Ric Halse Manager Planning, Development and Regulatory Services
Author:	Holly Doherty Planning Officer
Disclosure of Interest:	Nil
Assessment Number:	A2253
Owners Name:	Michael Douglas
Application Number:	P023/22
Applicants Name:	SRW Group Pty Ltd
Development Value:	\$48,000

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council resolve to grant development approval for the application for an addition to a non-conforming use (outbuilding) at Lot 4 (No. 14) Moran Street, Boulder; subject to the following conditions:

1. This development must substantially commence within two (2) years from the date of this decision notice, 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 18th February 2022.
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 REQUIRED TO BE MET PRIOR TO USE

4. Prior to use of this development, stormwater drainage works must be completed in accordance with the approved plans to the satisfaction of the City.

CONDITIONS TO BE MET ON AN ONGOING BASIS

5. Stormwater from roofed and paved areas 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.

- 6. Use of the outbuilding shall be for domestic, non-habitable, purposes only. Use of the outbuilding to operate a business, or to store business related equipment and/or materials, is not permitted.**

EXECUTIVE SUMMARY

This proposal seeks development approval for an outbuilding to be located at Lot 4 (No. 14) Moran Street, Boulder. The property is located within the 'District Business' zone where a single house is an 'X' use. In this instance, the city records indicate the property has a non-conforming use right to operate as a single house. There is no current officer delegation for the approval of a non-conforming use and therefore necessitates its presentation to Council.

Conditional approval is recommended as no objections were received during the consultation process and the proposed development to the non-conforming use is not considered to adversely impact the amenity of the locality nor the long term objectives for the area.

COMMUNITY STRATEGIC PLAN LINKS

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

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

BUDGET IMPLICATIONS

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

REPORT

Planning approval is sought for an addition to a non-conforming use (Single House) at Lot 4 (No. 14) Moran Street, Boulder. This application seeks approval for an 8m x 12m (96m²) outbuilding to be located in the South-West corner of the property. The outbuilding is to have a wall height of 3.6m and a peak roof height of 4.3m. The specific colour palette and materials for the outbuilding are not specified. The outbuilding is to be used for storing household goods. The outbuilding is to be setback 1m from the western side boundary and 1.5m from the rear (southern) boundary.

Site Context

Lot 4 (No. 14) Moran Street, Boulder is irregular in shape with a total lot area of 1208m². The property is listed on the City of Kalgoorlie-Boulder's Local Government Heritage Inventory (Place No. 180). It was constructed in 1911 and was known as 'St George's Presbyterian Church' until the 1970s when the interior was converted to a private residence. The surrounding land uses are predominantly residential.



Local Planning Scheme No. 1

The subject site is zoned 'District Business' under Local Planning Scheme No. 1 (LPS1). The use of the land is considered to be 'Dwelling – Single House' which is defined in the R-Codes as:

A dwelling standing wholly on its own green title or survey strata lot, together with any easement over adjoining land for support of a wall or for access or services and excludes dwellings on titles with areas held in common property.

'Dwelling – Single House' is an 'X' (prohibited) use in the 'District Business' zone. Based on information contained in the City's Local Government Heritage Inventory and the fact that the property rates define the land use as 'house', City staff are satisfied that this lot has non-conforming use rights.

The application is made in accordance with Clause 7.2: 'Extension of a Non-Conforming Use' of LPS1 which states that:

A person shall not alter or extend a non-conforming use or erect, alter or extend a building used in conjunction with a non-conforming use without first having applied for and obtained the planning approval of the Council under the Scheme and unless in conformity with any other provisions and requirements contained in the Scheme.

Draft Local Planning Scheme No. 2

The subject site is to be zoned 'Town Centre' under Draft Local Planning Scheme No. 2. A 'Single House' under this Scheme is also proposed to be an 'X' use. As the lot will continue to be a non-conforming use, implications of any proposed development of the lot are the same in LPS1. Any future development of the property requires a planning application which would be required to be determined by Council.

Local Planning Policy 08 – Residential Design Codes

In accordance with Clause 3.11.1 of LPS1, where residential development is proposed as a single use only, the provisions of the Residential Design Codes (R Codes) shall apply. Compliance with the R Codes is achieved through meeting the 'deemed to comply' provisions or by demonstrating compliance with the relevant design principles. The proposed development was assessed against the relevant part of LPP08 (Part 5.4.3 – Outbuildings) and is summarised below:

Provision	Deemed-to-Comply Provision	Provided	Compliance
Siting	Not attached to a dwelling	Not attached to dwelling	Complies
Use	Non-habitable	Used for storage	Complies
Size	Does not exceed 200m ² or 10% of site, whichever is the lesser	96m ²	Complies
Wall Height	Does not exceed 3m	3.6m	Variation assessed against Design Principles below
Peak Roof Height	Does not exceed 5m,	4.3m	Complies
Siting	Not within primary street setback	Located at rear of lot	Complies
Open Space	40%	62%	Complies
Setbacks	1.5m from W side boundary	1.0m	Variation assessed against Design Principles below
	1.1m from S rear boundary	1.5m	Complies

The relevant Design Principles are set out as follows:

5.1.3 – Lot Boundary Setback

Buildings are to be setback from lot boundaries so as to:

- *reduce impacts of building bulk on adjoining properties;*
- *provide adequate direct sun and ventilation to the building and open spaces on the site and adjoining properties; and*

- *minimise the extent of overlooking and resultant loss of privacy on adjoining properties.*

5.4.3 – Outbuildings

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

It is considered that the proposed development is consistent with the above design principles for the following reasons:

- The outbuilding is considered to be single storey
- The outbuilding is considered to be at an appropriate scale in the context of the dwelling
- The outbuilding is to be non-habitable, used for storage purposes and does not have any openings facing the adjoining properties that may result in overlooking or loss of privacy
- The lot is oriented North/South. The development will not impact on the adjoining properties by way of overshadowing nor will it reduce their access to direct sun and ventilation
- None of the adjoining landowners/occupiers have objected to the siting of the proposed outbuilding
- The siting of the existing dwelling and mature vegetation forward of the location of the proposed outbuilding will screen the development from view of the street

Conclusion

Planning approval is sought for an addition (outbuilding) to a non-conforming use (Single House) at Lot 4 (No. 14) Moran Street, Boulder. Conditional approval is recommended for the following reasons:

1. The proposed development was assessed and considered to comply with the relevant 'deemed-to-comply' provisions with the exception of the proposed wall height and side boundary setback.
2. The wall height and side setback are consistent with the 'design principles' of the R-Codes (Part 5.1.3 and 5.4.3) as the development is not considered to have an adverse impact on the subject site, streetscape or the adjoining properties. This consideration is enhanced by the fact that the adjoining owners/occupiers have not objected to the siting of the proposal.
3. The proposed development is not considered to prejudice the long term objectives for the area

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

The application was advertised by way of letter to the adjoining owners and occupiers at 16 Moran Street for a period of 14 days between 28th February 2022 and 14th March 2022. During this period, no submissions were received.

ATTACHMENTS

Development plans 

15.3 DEPUTY CEO - FINANCE AND CORPORATE

15.3.1 2022-23 RATES MODELLING

Responsible Officer: Xandra Curnock
Chief Financial Officer

Author: Jocelyn Power
Rates Coordinator

Disclosure of Interest: Nil

VOTING REQUIREMENTS

Absolute

OFFICER RECOMMENDATION

That Council:

Endorse a rates model that applies a percentage increase in the rate in the dollar and minimum payment for gross rental values and unimproved rental values for differential rating categories not exceeding a five percent increase (5%).

EXECUTIVE SUMMARY

This report has been prepared as part of the financial planning and budgetary process for 2022-23. The purpose of this report is to present differential rating models to Council and seeks Council's endorsement on a percentage increase (if any) to be used to set the general differential rate in the dollar and minimum payment for both gross rental values and unimproved rental values for the 2022-23 financial year.

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

Background

Section 6.33 of the Local Government Act 1995 (the Act), empowers local governments to impose uniform general rates, differential general rates or a combination of both.

In the 2016-17 financial year, Council introduced differential rating Gross Rental Valuations (GRV) and Unimproved Valuations (UV) rating categories. The adoption of a differential rating system represents a conscious decision by the City to redistribute the rate burden by imposing a higher impact on some ratepayers and a lower impact on others.

Differential rating provides the City flexibility in the level of rates levied against specific identifiable properties or groups of properties based on Town Planning Scheme zonings, predominant land use or other such criteria prescribed by the Act or Regulations. The aim is to ensure that rate revenue is collected on an equitable basis from all properties.

Rating Strategy

Through its Long Term Financial Plan 2020-2030 (LTFP), the City is committed to ensuring that it has the financial capacity to continue to maintain service levels which meet the needs of the community in a financially sustainable way. This is achieved through:

- continued austerity measures - focusing on improving utilisation of all resources;
- better resourcing and creating efficiencies through a high performance culture;
- benchmarking and continuous improvement; and
- assessing the economic climate - re-assessing and re-adjusting as and when needed.

The City's LTFP rating strategy's framework was prepared to:

- provide equitable rate increases i.e. that reflect the level of service provision to rate payers;
- maintain Council's position for an average residential rate which remains comparable to other regional local government.

When setting the percentage increase, Council must take in to consideration:

- CPI increases; December 2020 to December 2021 has shown a 5.7% CPI increase (Western Australian Treasury Corporation CPI Q4 2021). CPI increases will result in an increase in the City's operating expenses, including wages.
- The risk of under rating in one year can have a significant effect on future income and result in a large one-off rate percentage increase in the future, which has been seen in other local governments.
- In 2021, the City froze rates and did not propose a percentage increase, the 10 year impact of this freeze has been estimated to be \$6.5m.
- If the rate increase is too low not only does this have a long term financial impact but means key capital projects may not be achievable.

Rates Modelling

The overall objective of a rating model is to provide funding for the City's services, activities, current and future capital requirements as outlined in its Long Term Financial Plan 2020-2030. Council set the total amount of rates revenue to be raised as part of the annual budget process, and then the modelling determines how this is distributed across the gross rental values and unimproved values differential rating categories.

Rates' modelling is conducted with the valuations that exist in the City's valuations register database. The modelling gives Council an indicative predetermined total rates revenue figure based on the current valuations held in the database.

The rates in the dollar (RID) and minimum payments for gross rental values (GRV) and unimproved rental values (UV) are calculated to provide the shortfall in revenue required to make up the budget deficiency. Rates revenue also enables the City to provide the level and range of works and services required in a financial year after taking into account all non-rate sources of revenue.

Valuations – Gross Rental Values (GRV)

Landgate undertakes a GRV revaluation process on a four-year cycle for all GRV rated properties. The next scheduled review by Landgate will be conducted during 2023-24 financial year, with an effective date 1 July 2024.

All GRV interim revaluations received from Landgate for the period up to and including 18 March 2022 have been factored into the rates models data.

Valuations – Unimproved Values (UV)

UV Valuations (i.e. Pastoral, Exploration/Prospecting and Mining/General Leases) are updated every year (1 July) and are therefore subject to (unforeseeable) change.

Mining Tenements are subject to annual rental reviews which are undertaken by the Department of Mines, Industry Regulation and Safety (DMIRS). When DMIRS finalise their review, the information is forwarded to Landgate's Valuation and Property Analytics (VPA) team to update the tenements valuations. Recent advice received from VPA indicated the date of delivery for UV Rolls for mining tenements would be mid to late May.

Delays in receiving the annual 1 July UV mining tenement valuations from Landgate's has been concerning and has proved difficult in the past to factor the new 1 July valuations into the City's budget deliberations. This impacts on the setting of the rate in the dollar at budget time especially where UV tenement valuations may have had a substantial increase or decrease in their UV value(s).

The logical action for the City would be to delay setting its Rates Budget until after valuations have been received. However because of time constraints in having to obtain ministerial approval for UV mining operations and exploration and prospecting rates in the dollar (RID), it is important to proceed with rates modelling without them.

The interim rating indicators for mining tenement valuations have shown positive growth. The overall additional revenue collected from UV mining tenements in

2021-22 up to 30 March 2022 was \$27,646. We anticipate their valuations to increase from 1 July 2022 due to the DMIRS annual rental increase. However, given the volatility of the mining industry this can change at any time. There has been considerable movement in the City's 2021-22 mining tenements valuation register. This was due to the surrender of 128 tenements resulting in a decrease in revenue of \$73,691. However, this has been offset by the additional revenue received from 312 new mining tenement grants of \$101,337.

The overall movement in the 2021-22 valuation register shows an increase in valuations of \$3,626,115 (0.93%). Any increases or decreases in property valuations will increase or decrease rates revenue for council. The results of those valuations movements by rating categories is displayed in Table 1 below.

Table 1 Valuation Register

Differential Rating Category	2021-22 Rates Budget	2021-2022 Current	\$ change	% change
GRV Valuation Register	\$298,180,648	\$301,613,567	\$3,432,919	1.15%
UV Valuation Register	\$30,961,004	\$31,153,240	\$192,236	0.62%
TOTAL	\$329,141,652	\$332,766,807	\$3,625,155	

\$ Valuation change to LY **\$3,626,155**

% Valuation change to LY **0.93%**

Method to determine total rate revenue

The methodology to determine the total rates revenue is the same regardless of whether any interim valuations have not been received or not for both GRV and UV properties.

If Council proposes a two percent (2%) increase on the rate in the dollar and minimum payment for GRV and UV differential rating categories, a 2% increase will be applied to the current rate in the dollar and minimum payment across all rate codes (i.e. 01- GRV Residential, 02 – GRV Central Business, 03 – GRV General Industry, 04 – GRV Mining, 08 – GRV All Other Properties, 05 – UV Pastoral, 09 – UV Mining, 10 - UV Exploration/Prospecting, 11 – UV General Leases).

Example:

Using current valuations in the system for rate code 01 – GRV Residential, the current differential rate in the dollar of \$0.066741 and minimum payment of \$933 would be revised and increase to \$0.068076 and \$952 respectively if a 2% increase was applied.

	current RID (cents)	% increase	proposed RID (cents)
<i>rate in dollar (cents)</i>	6.6741	2%	6.8076
<i>minimum payment</i>	\$933	2%	\$952

Comparison of Rate Models Structures

Model Structure 1

This model maintains the same rating parameters as the adopted rates model in 2021-22 with a zero percent (0%) increase in the rate in the dollar (RID) and minimum payments. The model results show an increase in revenue of \$255,003 (0.93%) to the total rates revenue raised from 2021-22 Annual Rates Budget. The increase to the rates revenue is contributed to the interim valuation changes to the GRV and UV properties that have occurred throughout the 2021-22 financial year.

A zero percent (0%) increase in the rate in the dollar (RID) and minimum payments means that Council will not earn any additional income from rates in 2022-23, except in relation to

- 'new' properties (new parcels from subdivisions, new buildings on previously vacant land etc) and
- 'new' grants to mining tenements minus the 'surrender' of old tenements.

Table 2 Rate in the dollar (RID) and Minimum payments

Rates Code Description	2021-22	2021-22	2022-23 0%	2022-23 0%
	RID (cents)	Min Pay \$	RID (cents)	Min Pay
Gross Rental Values (GRV)				
01 - All Residential	6.6741	933.00	6.6741	933.00
02 - Central Business	7.0073	933.00	7.0073	933.00
03 - General Industry	7.5664	933.00	7.5664	933.00
04 - Mining	4.8114	933.00	4.8114	933.00
08 - All Other Properties	7.4738	933.00	7.4738	933.00
Unimproved Values (UV)				
05 - Pastoral	7.9254	290.00	7.9254	290.00
09 - Mining	18.8999	404.00	18.8999	404.00
10 – Exploration / Prospecting	18.8973	290.00	18.8973	290.00
11 - General Leases	18.8999	404.00	18.8999	404.00

Table 3 Total Rates Revenue - GRV and UV Differential Rating Categories

Differential Rating Category	2021-22 Budgeted Rates Revenue \$	2022-23 Actual Rates to Raise \$
Gross Renal Values (GRV)	21,637,925	21,850,829
Unimproved Values (UV)	5,656,804	5,698,904
TOTAL	27,294,729	27,549,732

\$ Revenue change to LY

\$ 255,003

% Revenue change to LY

0.93%

Model Structure 2

This model structure proposes rating scenarios of applying a one percent (1%) incremental increase to the current 2021-22 rate in the dollar (\$) and minimum payments for GRV and UV differential rating categories, capped at 5%. The rate modelling results are displayed in Tables 4 to 8 below and in Attachment 1 of this report.

Gross Rental Values (GRV)

Residential (01), Central Business (02), General Industry (03), Mining (04) and All Other Properties (08).

Table 4 GRV rate in the dollar and minimum payments

Rates Code Description	2021-22	2022-23				
		1%	2%	3%	4%	5%
Rate in the dollar (cents)						
01 - All Residential	6.6741	6.7408	6.8076	6.8743	6.9411	7.0078
02 - Central Business	7.0073	7.0774	7.1474	7.2175	7.2876	7.3577
03 - General Industry	7.5664	7.6421	7.7177	7.7934	7.8691	7.9447
04 - Mining	4.8114	4.8595	4.9076	4.9557	5.0039	5.0520
08 - All Other Properties	7.4738	7.5485	7.6233	7.6980	7.7728	7.8475
Minimum payment (\$)						
01 - All Residential	933	942	952	961	970	980
02 - Central Business	933	942	952	961	970	980
03 - General Industry	933	942	952	961	970	980
04 - Mining	933	942	952	961	970	980
08 - All Other Properties	933	942	952	961	970	980

Unimproved Rental Values (UV)

Pastoral (05), Mining Operations (09/11) and Exploration/Prospecting (10).

Table 5 UV rate in the dollar and minimum payments

Rates Code Description	2021-22	2022-23				
		1%	2%	3%	4%	5%
Rate in the dollar (cents)						
05 - Pastoral	7.9254	8.0047	8.0839	8.1632	8.2424	8.3217
09 - Mining	18.8999	19.0889	19.2779	19.4669	19.6559	19.8449
10 - Expl / Prosp	18.8973	19.0863	19.2752	19.4642	19.6532	19.8422

11 - General Leases	18.8999	19.0889	19.2779	19.4669	19.6559	19.8449
Minimum payment (\$)						
05 - Pastoral	290	293	296	299	302	305
09 - Mining	404	408	412	416	420	424
10 - Expl / Prosp	290	293	296	299	302	305
11 - General Leases	404	408	412	416	420	424

The modelling results in Table 6 below shows the estimated annual rates yields to be raised in the gross rental values (GRV) based on the percentage increases applied.

Table 6 GRV Rating Category - Actual Rates to Raise

2021-22 GRV Rate Budget	2022-2023				
	1%	2%	3%	4%	5%
\$21,637,925	\$22,067,575	\$22,289,618	\$22,506,359	\$22,723,299	\$22,945,189

\$Revenue change to LY	429,649	651,693	868,434	1,085,374	1,307,263
%Revenue change to LY	1.99%	3.01%	4.01%	5.02%	6.04%

The modelling results in Table 7 below shows the estimated annual rates yield to be raised in 2022-23 for the current unimproved values (UV) based on the percentage increases applied.

Table 7 UV Rating Category - Actual Rates to Raise

2021-22 UV Rates Budget	2022-2023				
	1%	2%	3%	4%	5%
\$5,656,804	\$5,755,925	\$5,812,936	\$5,869,957	\$5,926,975	\$5,983,996

\$Revenue change to LY	99,121	156,132	213,154	270,171	327,192
%Revenue change to LY	1.75%	2.76%	3.77%	4.78%	5.78%

The modelling results in Table 8 below shows the estimated total annual rates yield to be raised in 2022-23 for GRV and UV differential rating categories based on the percentage increases applied.

Table 8 Total Rates Revenue - GRV and UV Differential Rating Categories

TOTAL REVENUE 2021-22 Rates Budget		2022-2023				
		1%	2%	3%	4%	5%
GRV	\$21,637,925	\$22,067,575	\$22,289,618	\$22,506,359	\$22,723,299	\$22,945,189
UV	\$5,656,804	\$5,755,925	\$5,812,936	\$5,869,957	\$5,926,975	\$5,983,996

TOTAL	\$27,294,729	\$27,823,499	\$28,102,554	\$28,376,317	\$28,650,274	\$28,929,184
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\$Revenue change to LY	528,770	807,825	1,081,588	1,355,545	1,634,455
%Revenue change to LY	1.94%	2.96%	3.96%	4.97%	5.99%

Imposing Differential Rates

Section 6.33 of the Local Government Act 1995 (the Act), empowers local governments to impose uniform general rates, differential general rates or a combination of both.

Before imposing any differential general rates or a minimum payment, the City is to give local public notice of its intention to do so, calling for submissions from electors or ratepayers.

Ministerial Approval - UV Valuations

Where the City imposes a differential general rate which is more than twice the lowest differential general rate, the City must give public notice and seek Ministerial approval.

The City's UV Mining Operations and UV Exploration and Prospecting rates in the dollar (\$0.18999 and \$0.18973) are more than twice the lowest UV rate - UV Pastoral (\$0.079254). These rates require ministerial approval before council can adopt the annual budget .

Consultation

Before imposing any differential general rates or a minimum payment applying to a differential rate category, a local government is to give local public notice of its intention to do so, calling for submissions from electors or ratepayers. The minimum submission period is 21 days.

The local Government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification. Where any adopted rate or minimum payment has been modified from that advertised, there is no requirement to give further local public notice.

It should be noted, that with respect to general minimum rates applied separately to each differential rating category (where a differential general rate is proposed), no more than 50% of the number of properties in each category can attract the proposed minimum rate for that category.

A Local Government is not to impose a differential general rate which is more than twice the lowest differential rate, without Ministerial approval.

STATUTORY IMPLICATIONS

- Section 6.33 of the Local Government Act 1995 – Differential General Rates;
- Section 6.35 of the Local Government Act 1995 – Minimum Payments;
- Section 6.36 of the Local Government Act 1995 – Giving Notice.

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

Attachment 1 - 2022-23 Rates Models Reports 

15.3.2 CONTRACT VARIATION T003/19-20 DETAILED DESIGN KAL CITY CENTRE ECONOMIC TRANSFORMATION

Responsible Officer: Mia Hicks
Executive Manager Communications and
Community Development

Author: Mia Hicks
Executive Manager Communications and
Community Development

Disclosure of Interest: Nil

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council

1. In accordance with *Local Government (Functions and General) Regulations 1996 21A*, approve a \$100,000 (ex GST) contract variation to tender T003/19-20 Detailed Design Kal City Centre Economic Transformation with Aspect Studios Pty Ltd.
2. Approve a budget variation of \$20,000 to Account number 1306944 and Work Order number 86048034 in 2021/22 Financial Year Budget and approve an allocation of \$80,000 in the 2022/23 Financial Year Budget.

EXECUTIVE SUMMARY

The purpose of this report is to request Council approval for a contract variation of \$100,000 to Tender T003/19-20 Detailed Design – Kal City Centre Economic Transformation which was awarded by Council on 25 November 2019. The tender variation is required to pay for architectural and design advice that will be required during the construction phase of the project.

COMMUNITY STRATEGIC PLAN LINKS

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

- **CONNECTED:** We provide public spaces that facilitate a diverse range of activities and strengthen social bonds within the community.

BUDGET IMPLICATIONS

The original contract amount was \$997,355.50 (ex GST). A further amount of \$100,000 (ex GST) is required with the allocation to be \$20,000 in the 2021/22 Financial Year budget and \$80,000 in the 2022/23 Financial Year budget.

REPORT

On 25 November 2019 at the Ordinary Council meeting, Council resolved under Item 15.3.1 (T003/19-20 Detailed Design – Kal City Centre Economic Transformation), to award a tender to Aspect Studios Pty Ltd.

The City requires a contract variation of \$100,000 (ex GST) to *T003/19-20 Detailed Design Kal City Centre Economic Transformation* to be approved by Council to ensure the successful completion of the project. Specifically, the funds will be used for the commissioning of architectural and engineering drawings required during the construction phase of the project.

STATUTORY IMPLICATIONS

In accordance with the ***Local Government (Functions and General) Regulations 1996 21A*** below; Council is required to approve a tender variation to allow further expenditure under T003/19-20 Detailed Design – Kal City Centre Economic Transformation.

21A Varying a contract for the supply of goods and services.

If a local government has entered into a contract for the supply of goods or services with a successful tender, the contract must not be varied unless –

- (a) The variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract; or*
- (b) The variation is a renewal or extension of the term of the contract as described in regulation 11(2)(j)*

POLICY IMPLICATIONS

Pursuant to Variation to Tenders Policy (EXEC-CEO-008), the CEO has delegated authority to approve tender variations on a sliding scale of up to 10% of the awarded tender up to a maximum of \$25,000. The contract variation requested is above the CEO's delegated authority being \$100,000 (ex GST) and therefore requires Council approval.

COMMUNITY ENGAGEMENT CONSULTATION

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

15.3.3 KARLKURLA PARK NATURE PLAYGROUND

Responsible Officer:	Mia Hicks Executive Manager Communications and Community Development
Author:	Mia Hicks Executive Manager Communications and Community Development
Disclosure of Interest:	Nil

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council:

- 1. Approve the location of a Nature Playground on Reserve R46967 “Karlkurla Park” within the area marked in the report.**
- 2. Approve that on completion of the Nature Playground Project, that the playground and all associated improvements will become assets of the City of Kalgoorlie-Boulder who will be the owner responsible for the ongoing maintenance and repairs for the life of the assets.**
- 3. Request the CEO to include estimated expenditure of \$150,000 (ex GST) in the Draft 2022/23 Annual Budget for the construction and installation of an ambulant public toilet block.**

EXECUTIVE SUMMARY

The Nature Playground Project is to be funded by a \$600,000 (ex gst) grant from the State of Western Australia which was awarded as an election commitment to the Kalgoorlie-Boulder Urban Landcare Group. The purpose of this report is for Council to consider the recommended location of the playground, approve the ongoing maintenance and asset renewal costs and approve the expenditure of \$150,000 (ex GST) towards an ambulant public toilet block in the draft 2022/23 Annual budget.

COMMUNITY STRATEGIC PLAN LINKS

This report links to the Strategic Community Plan through the following Guiding Theme/s: CONNECTED: We provide public spaces that facilitate a diverse range of activities and strengthen social bonds within the community.

BUDGET IMPLICATIONS

The estimated ongoing maintenance for the Nature Playground and toilet block is \$25,000 per annum. The estimated expenditure of the construction and installation of the toilet block is \$150,000 to be included in the Draft 2022/23 Annual Budget.

REPORT

Background

The Kalgoorlie-Boulder Urban Landcare Group received a \$600,000 (ex GST) election commitment to develop a Nature Playground in Karlkurla Park for the benefit of children and the community.

Lot Number 4989/ R46967 is zoned Parks and Recreation vested to the City of Kalgoorlie-Boulder. The City of Kalgoorlie-Boulder is responsible for the maintenance of the Reserve with the Kalgoorlie-Boulder Urban Landcare Group maintaining a community nursery at the location.

Site Selection

On 7 December 2021, the Karlkurla Park Working Group (comprising the Member for Kalgoorlie, CEO for KBULG, Acting CEO and Executive Manager of Communications and Community Development for the CKB, Director and Senior Regional Development Officer of the GEDC) met to discuss the preferred site for the playground.

A number of options were evaluated by the Working Group and City Officers consulted on available sewer and power infrastructure.

The agreed site location (outlined in yellow) is presented to Council below:



Toilet Installation

The City of Kalgoorlie-Boulder have agreed to facilitate the development of a sewer connected public toilet block as part of this project.

After consultation with the City's Water Department, a bio-system would not be permitted at any of the reviewed sites under the Health Act due to being over 90 metres from the perimeter of the park.

There may be additional requests by KBULG for financial assistance for future works such as shade sail structures and pathway improvements, once the construction budget has been finalised.

Ongoing Maintenance

The playground will require ongoing maintenance by the City of Kalgoorlie-Boulder. It is estimated that this would be in the vicinity of \$25,000 per annum. KBULG have invited City Officers to be part of the selection committee for the playground to ensure it aligns with the City of Kalgoorlie-Boulder's playground asset requirements.

STATUTORY IMPLICATION

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

City Officers are members of the Karlkurla Working Group which was consulted in the site selection and toilet block requirements for this project.

15.3.4ACCOUNTS PAYABLE FOR THE MONTH OF MARCH 2022

Responsible Officer: Xandra Curnock
Chief Financial Officer

Author: Victoria Nakamya
Finance Officer

Disclosure of Interest: Nil

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council receive the list of payments totalling \$ 8,512,030.75 as presented for the month of March 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 March 2022 and a list of corporate credit card transactions by card holder of the same period totalling \$ 8,512,030.75.

Municipal EFT	\$	8,201,418.21
Municipal Cheque	\$	1,527.20
Direct Debit	\$	249,130.07
Credit Cards	\$	59,955.27
Grand Total	\$	8,512,030.75

STATUTORY IMPLICATIONS

The Accounts Payable for the Month of March 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

EFT MUNICIPAL PAYMENTS MARCH 2022 

CHEQUE MUNICIPAL PAYMENTS MARCH 2022 

DIRECT DEBIT PAYMENTS MARCH 2022 

CREDIT CARD PAYMENTS MARCH 2022 

15.3.5 MONTHLY FINANCIAL REPORT - FEBRUARY 2022

Responsible Officer: Xandra Curnock
Chief Financial Officer

Author: Ishani Subaharan
Senior Accountant

Disclosure of Interest: Nil

VOTING REQUIREMENTS

Absolute

OFFICER RECOMMENDATION

That Council in accordance with Regulation 34 of the Local Government (Financial Management Regulations 1996), receive the Statement of Financial Activity for the period ending 28 February 2022.

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 28 February 2022.

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.
- **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

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 28 February 2022 income is under budget by 1.14% and expenditure is over budget by 0.67%, 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 1.14%, \$732,298 under budget. The sub programs which are outside the allowable variance is as follows.

Other Welfare

Description	YTD Budget	YTD Actual	YTD Variance
Other Welfare	\$246,731	\$320,942	\$74,211

This is due to other welfare grant received of \$100k not included in budget.

Other Culture

Description	YTD Budget	YTD Actual	YTD Variance
Other Culture	\$463,285	\$313,566	(\$149,718)

This is due to timing delay in operating grants of (\$100k) and other income of (\$49k).

General Administration Overheads

Description	YTD Budget	YTD Actual	YTD Variance
General Administration Overheads	\$812,032	\$595,577	(\$216,455)

This is due to timing delay in non-operating grants of (\$167k) and other income of (\$49k).

Salaries & Wages

Description	YTD Budget	YTD Actual	YTD Variance
Salaries & Wages	\$273,672	\$221,567	(\$52,105)

This is due to less other income of (\$52k) compared to budget.

EXPENSE CATEGORIES

Overall stated expenditure is 0.67% \$295,046 over budget. The sub programs which are outside the allowable variance is as follows.

Rate Revenue

Description	YTD Budget	YTD Actual	YTD Variance
Rate Revenue	\$765,534	\$527,945	(\$237,589)

This variance is due to less other expenses of (\$177k), less employee costs of (\$35k) and less contract works of (\$25k) compared to budget.

Members of Council

Description	YTD Budget	YTD Actual	YTD Variance
Members of Council	\$1,427,799	\$1,076,896	(\$350,903)

This variance is due to less overhead costs of (\$333k) and less contract costs of (\$18k) compared to budget.

Other Governance

Description	YTD Budget	YTD Actual	YTD Variance
Other Governance	\$1,053,260	\$875,768	(\$177,492)

This variance is due to less other expenses of (\$294k), partially offset by higher employee costs of \$58k, contract costs of \$39k and contributions of \$20k compared to budget.

HACC

Description	YTD Budget	YTD Actual	YTD Variance
HACC	\$262,055	\$452,320	\$190,265

This variance is due to less other expenses of (\$183k) and contract costs of (\$8k) compared to budget.

Other Welfare

Description	YTD Budget	YTD Actual	YTD Variance
Other Welfare	\$419,359	\$355,285	(\$64,073)

The variance is due to less contract costs of (\$51k), other expenses of (\$21k), and contributions of (\$10k), partially offset by higher employee costs of \$18k compared to budget.

Sanitation - Other

Description	YTD Budget	YTD Actual	YTD Variance
Sanitation - Other	\$905,590	\$800,313	(\$105,276)

The variance is due to less other expenses of (\$51k), contract costs of (\$47k) and employee costs of (\$7k) compared to budget.

Sewerage

Description	YTD Budget	YTD Actual	YTD Variance
Sewerage	\$2,641,663	\$2,367,875	(\$273,788)

The variance is due to less other expenses of (\$170k), contract costs of (\$158k) which is partially offset by higher employee costs of \$23k, utilities of \$18k and depreciation of \$14k compared to budget.

Town Planning & Regional Development

Description	YTD Budget	YTD Actual	YTD Variance
Town Planning & Regional Development	\$899,686	\$698,665	(\$201,021)

The variance is due to less other expense of (\$191k) and contract works of (\$10k) compared to budget.

Public Halls & Civic Centres

Description	YTD Budget	YTD Actual	YTD Variance
Public Halls & Civic Centres	\$430,058	\$363,280	(\$66,778)

The variance is due to less other expenses of (\$53k) and contract works of (\$14k) compared to budget.

Libraries

Description	YTD Budget	YTD Actual	YTD Variance
Libraries	\$675,798	\$576,940	(\$98,858)

The variance is due to less other expenses of (\$39k), contract costs of (\$31k), and employee costs of (\$29k) compared to budget.

Heritage

Description	YTD Budget	YTD Actual	YTD Variance
Heritage	\$290,051	\$220,891	(\$69,160)

The variance is due to less contract works of (\$31k), employee costs of (\$25k), and other expenses of (\$13k) compared to budget.

Other Culture

Description	YTD Budget	YTD Actual	YTD Variance
Other Culture	\$2,195,822	\$1,928,196	(\$267,626)

The variance is due to less employee costs of (\$214k) and contract costs of (\$53k) compared to budget.

Parking Facilities

Description	YTD Budget	YTD Actual	YTD Variance
Parking Facilities	\$374,756	\$314,323	(\$60,433)

The variance is due to less other expenses of (\$44k), less employee costs of (\$28k) partially offset by higher depreciation costs of \$12k compared to budget.

Building Control

Description	YTD Budget	YTD Actual	YTD Variance
Building Control	\$544,539	\$452,912	(\$91,627)

The variance is due to less other expenses of (\$54k), contract costs of (\$20k), loss on sale of assets of (\$13k) and less employee costs of (\$5k) compared to budget.

Economic Development

Description	YTD Budget	YTD Actual	YTD Variance
Economic Development	\$828,971	\$699,587	(\$129,385)

This is due to less contract costs of (\$149k), which is partially offset by higher other expenses of (\$20k) compared to budget.

General Administration Overheads

Description	YTD Budget	YTD Actual	YTD Variance
General Administration Overheads	(\$2,147,213)	\$4,204	\$2,151,416

This is due to timing variance.

Public Works Overheads

Description	YTD Budget	YTD Actual	YTD Variance
Public Works Overheads	(\$971)	\$1,010,321	\$1,011,292

This is due to timing variance.

Plant Operation Costs

Description	YTD Budget	YTD Actual	YTD Variance
Plant Operation Costs	\$152,664	\$795,315	\$642,651

This is due to higher overhead allocations of \$440k, contract works of \$192k and insurance expenses of \$10k compared to budget.

CAPITAL CATEGORIES

February 2022 capital expenditure is under budget by (\$9m) YTD. Actual YTD expenditure is \$16m versus budgeted YTD spend of \$25m. Main variances from Water Conservation of (\$2m), Infrastructure –Roads of (\$2m), Work in Progress of (\$1m), Sewerage of (\$0.8m) and Buildings of (\$0.7m).

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.

COMMUNITY ENGAGEMENT CONSULTATION

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

ATTACHMENTS

MONTHLY FINANCIAL REPORT FEBRUARY 2022 

16 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

17 INFORMATION BULLETIN

17.1 CHIEF EXECUTIVE OFFICER

17.1.1 INFORMATION ITEM 26 APRIL 2022

Responsible Officer: Andrew Brien
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	March 2022
Facebook Statistics	March 2022
Graffiti Report	March 2022

PDRS Information Bulletin	March 2022
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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 March 2022 

Graffiti Report - March 2022 

Seal Register March 2022 

PDRS Information Bulletin - March 2022 

18 CONFIDENTIAL ITEMS

19 DATE OF NEXT MEETING

The next Ordinary Council Meeting will be on Monday 9 May 2022.

20 CLOSURE