



**City of  
Kalgoorlie  
Boulder**

# **AGENDA**

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

**on**

**26 JULY, 2021**

**at the**

**Kalgoorlie Town Hall**

22 July 2021



## **NOTICE OF MEETING**

An Ordinary Council meeting of the City of Kalgoorlie-Boulder will be held in the **Kalgoorlie Town Hall** on **Monday, 26 July 2021** commencing at **7:00pm**.

Regards

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

**JOHN WALKER**  
Chief Executive Officer

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## Table of Contents

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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 .....	2
12.1	POLICY: EXEC-CEO-011 PUBLIC QUESTION AND ACCESS TIME AT COUNCIL MEETINGS .....	2
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 SAFER STREETS PATROL EXPANSION.....	4
	15.1.2 CCTV PARTNERSHIP PROGRAM.....	6

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15.1.3	RECRUITMENT OF NEW CHIEF EXECUTIVE OFFICER .....	8
15.1.4	BLUE TREE PROJECT .....	12
<b>15.2</b>	<b>GENERAL MANAGER – INFRASTRUCTURE AND ENVIRONMENT.....</b>	<b>15</b>
15.2.1	ADOPTION OF DRAFT LOCAL PLANNING SCHEME NO. 2.....	15
15.2.2	FY 2021/2022 - ROADS RENEWAL WORKS PROGRAM .....	29
15.2.3	CHARLES STREET DRAINAGE UPDATE .....	34
15.2.4	TENDER T003 20/21 CONSTRUCTION SITE SUPERVISOR.....	38
<b>15.3</b>	<b>DEPUTY CHIEF EXECUTIVE OFFICER .....</b>	<b>41</b>
15.3.1	MONTHLY FINANCIAL REPORT - MAY 2021 .....	41
15.3.2	ACCOUNTS PAYABLE FOR THE MONTH OF JUNE 2021.....	45
15.3.3	T012 – 20/21 CITY OF KALGOORLIE-BOULDER SECURITY SERVICES.....	47
<b>16</b>	<b>QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN.....</b>	<b>52</b>
<b>17</b>	<b>INFORMATION BULLETIN .....</b>	<b>53</b>
<b>17.1</b>	<b>CHIEF EXECUTIVE OFFICER .....</b>	<b>53</b>
17.1.1	INFORMATION ITEM 26 JULY 2021 .....	53
<b>18</b>	<b>CONFIDENTIAL ITEMS.....</b>	<b>55</b>
18.1.1	COMMERCIAL WATER SUPPLY .....	55
<b>19</b>	<b>DATE OF NEXT MEETING.....</b>	<b>56</b>
<b>20</b>	<b>CLOSURE.....</b>	<b>56</b>

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

To be conducted by Pastor Eliot Vlatko of the Baptist Church.

**3 DISCLAIMER READING**

THE MAYOR WILL READ THE DISCLAIMER TO THOSE PRESENT.

PLEASE NOTE THIS MEETING IS BEING RECORDED AND STREAMED LIVE ON THE COUNCIL'S WEBSITE IN ACCORDANCE WITH COUNCIL'S RECORDING AND STREAMING OF COUNCIL MEETINGS POLICY, WHICH CAN BE VIEWED ON COUNCIL'S WEBSITE.

ALL REASONABLE CARE IS TAKEN TO MAINTAIN YOUR PRIVACY; HOWEVER, AS A VISITOR IN THE PUBLIC GALLERY, YOUR PRESENCE MAY BE RECORDED. BY REMAINING IN THE PUBLIC GALLERY, IT IS ASSUMED YOUR CONSENT IS GIVEN IF YOUR IMAGE IS BROADCAST.

THE RECOMMENDATIONS CONTAINED IN THIS AGENDA ARE OFFICER'S RECOMMENDATIONS ONLY AND SHOULD NOT BE ACTED UPON UNTIL COUNCIL HAS RESOLVED TO ADOPT THOSE RECOMMENDATIONS.

THE RESOLUTIONS OF COUNCIL SHOULD BE CONFIRMED BY PERUSING THE MINUTES OF THE COUNCIL MEETING AT WHICH THESE RECOMMENDATIONS WERE CONSIDERED.

MEMBERS OF THE PUBLIC SHOULD ALSO NOTE THAT THEY ACT AT THEIR OWN RISK IF THEY ENACT ANY RESOLUTION PRIOR TO RECEIVING OFFICIAL WRITTEN NOTIFICATION OF COUNCIL'S DECISION.

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

**IN ATTENDANCE:**

**MEMBERS OF STAFF:**

**VISITORS:**

**PRESS:**

**APOLOGIES – ELECTED MEMBERS:**

**APOLOGIES – MEMBERS OF STAFF:**

**LEAVE OF ABSENCE:**

**5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE****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 June 2021](#)

That the minutes of the **Ordinary** meeting held on 28 June 2021 be confirmed as a true record of that meeting.

[Minutes of Special Council Meeting held on 19 July 2021](#)

That the minutes of the **Special** meeting held on 19 July 2021 be confirmed as a true record of that meeting.

**12 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN****12.1 Motion put forward by Cr Deborah Botica****POLICY: EXEC-CEO-011 PUBLIC QUESTION AND ACCESS TIME AT COUNCIL MEETINGS**

That Council Policy EXEC-CEO-011 Public Question and Access Time at Council Meetings, adopted 4 April 2016, be amended by:

**1. Deleting the following dot point:**

- All three (3) questions must relate to an agenda item at that particular meeting or in the minutes of previous Ordinary Council Meetings; and

**2. Amending the following dot point:**

- **The Presiding Officer can reject any question that does not relate to the agenda item, is defamatory or considered inappropriate, by removing the words “does not relate to the agenda item”.**

**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 SAFER STREETS PATROL EXPANSION

<b>Responsible Officer:</b>	<b>John Walker Chief Executive Officer</b>
<b>Author:</b>	<b>Jade Fusco Executive Assistant to Chief Executive Officer</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

#### VOTING REQUIREMENTS

Simple

#### OFFICER RECOMMENDATION

That Council:

1. Give consideration to proceeding with the expansion of the Safer Streets Patrol to include night shifts providing coverage in residential areas at an estimated annual cost of \$362,903 and a one-off capital cost of \$50,000;
2. Request the State Member for Kalgoorlie on behalf of the State Government to fund the capital component of the program; and
3. Determine the funding source for the expanded program.

#### EXECUTIVE SUMMARY

This proposal will allow the City of Kalgoorlie-Boulder to expand on the current resourcing and duties of the Safer Streets Patrol, to support coverage in both residential and commercial areas during the day and night. This will include the recruitment of two additional officers, on a night-shift roster.

#### COMMUNITY STRATEGIC PLAN LINKS

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

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

#### BUDGET IMPLICATIONS

No budget allocation has been assigned to the Expansion of the Safer Streets Patrol at this time.



**REPORT**

The Expansion of the Safer Streets Patrol has been drafted in-consultation with WA Police Force to ensure hours of duty best support existing crime prevention initiatives. A detailed proposal is attached, however summarised below.

The expansion will require:

- Recruitment of three additional officers, to work 10 hour night shifts on a 4 day working week roster.
- Acquisition of a second vehicle with required fit-out
- Existing vehicle and secondary vehicle to be wrapped with appropriate branding for maximum visibility.

This expansion will support two teams of two officers conducting business hour patrols, as well as a single team of two officers in conducting patrols in residential areas, Wednesday to Saturday, from the hours of 6:00pm to 3:00am.

Duties of the additional officers will also expand to include:

- Engagement with home owners who may require assistance with crime prevention strategies.
- Grid-searching high-volume crime areas with maximum visibility.
- Observe loiterers in residential areas for reporting or engagement.
- Responding to calls or texts for assistance.
- Observing, monitoring and calling Police for response to crimes being committed.

This expansion will cost approximately \$362,903.00 in employment costs, including consideration of shift work, and \$50,000 in one off capital. It is anticipated, the \$50,000 capital cost would be sought from the State Government via the Member for Kalgoorlie in order to share the costs associated with an expansion.

**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**

Expansion Safer Streets Patrol 

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### 15.1.2 CCTV PARTNERSHIP PROGRAM

<b>Responsible Officer:</b>	<b>John Walker Chief Executive Officer</b>
<b>Author:</b>	<b>Jade Fusco Executive Assistant to Chief Executive Officer</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

#### VOTING REQUIREMENTS

Simple

#### OFFICER RECOMMENDATION

That Council:

1. Agree to proceed with the CCTV Partnership Program to expand video surveillance in residential areas as a crime prevention strategy, at a budgetary cost of \$100,000; and
2. Invite the Member for Kalgoorlie on behalf of the State Government to match the undertaking with a further \$100,000 to double the number of properties to be connected to 400.

#### EXECUTIVE SUMMARY

The City of Kalgoorlie-Boulder CCTV Partnership Program is an initiative funded by the City, in consultation with the WA Police Force, to provide adequate CCTV coverage in residential areas, covering public areas such as pathways, parks and access laneways. This strategy is intended to assist in the deterrence of crime, but also the identification and apprehension of offenders.

#### COMMUNITY STRATEGIC PLAN LINKS

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

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

#### BUDGET IMPLICATIONS

\$100,000 has been provided for in the budget to support this program.

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#### REPORT

The CCTV Partnership Strategy aims to encourage residents of the City of Kalgoorlie-Boulder to install visual security systems at their properties in order to assist in crime prevention as well as identification and apprehension of offenders. A detailed proposal is attached, but also, summarised below.

Through providing a maximum rebate of up to \$500 for installation, with a budgetary allocation of \$100,000 this ensures a minimum of 200 properties can have CCTV installed. This rebate is eligible for persons who ensure their system meets certain criteria, detailed in the proposal attached. Most importantly, residents will be required to have their system installed by one of the licensed security companies nominated by the City, and sign a waiver confirming they will provide footage to WA Police Force, upon request. Non-compliance with the conditions, will result in the City seeking return of the full rebate.

The program will require location of offending analysis in order to determine priority areas for CCTV installation, to ensure maximum coverage is achieved in this funding. A post program comparative report will be produced to analyse the success, and whether this should be continued next financial year(s).

The Local Member for Kalgoorlie Ms Ali Kent has been consulted and invited to match the City's contribution with a further \$100,000 to enable 400 properties to be connected.

Liaison with local, licensed security companies will be undertaken so that the City may provide endorsed service providers to residents. This further aims to stimulate local economy in having local businesses involved in the installation process.

Upon completion, a CCTV map will be produced by the City, to be provided to WA Police Force during investigations which will require the request of video captures.

### **STATUTORY IMPLICATIONS**

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

### **POLICY IMPLICATIONS**

New policies for access and non-compliance to criteria will need to be developed in support of the program and in-consultation with WA Police Force.

### **COMMUNITY ENGAGEMENT CONSULTATION**

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

### **ATTACHMENTS**

CCTV Program 

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### 15.1.3 RECRUITMENT OF NEW CHIEF EXECUTIVE OFFICER

<b>Responsible Officer:</b>	<b>John Walker Chief Executive Officer</b>
<b>Author:</b>	<b>John Walker Chief Executive Officer</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

#### VOTING REQUIREMENTS

Simple

#### OFFICER RECOMMENDATION

That Council:

1. **Note and adhere to the Guidelines for Local Government CEO Recruitment and Selection produced as part of the *Local Government (Administration) Amendment Regulations 2021*;**
2. **Appoint a selection panel comprising the Mayor and three (3) Councillors to conduct and facilitate the recruitment and selection process;**
3. **Delegate to the selection panel the appointment of an independent person to the panel to assist with the selection; and**
4. **Delegate to the selection panel the appointment of a recruitment consultant to support it in undertaking aspects of the recruitment process.**

#### EXECUTIVE SUMMARY

The Council is required to follow the Guidelines for Local Government CEO Recruitment and Selection developed with the *Local Government (Administration) Amendment Regulations 2021* when undertaking this task.

These guidelines outline the processes and responsibilities involved and the standards that must be followed.

A selection panel must be formed with an agreed number of councillors and in addition, an independent member must also be appointed. Preferably someone with an understanding of local government, perhaps an ex-elected member or staff member or a prominent citizen.

A recruitment consultant should also be appointed.

The selection panel must identify a short list for interviews, however the final selection must be made by an absolute majority of the Council.

Given the timing of this recruitment it is suggested that the appointment of the successful applicant be made after the Council elections on October 16, 2021.

#### COMMUNITY STRATEGIC PLAN LINKS

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

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

### **BUDGET IMPLICATIONS**

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

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### **REPORT**

Earlier this year model standards for the recruitment and selection of local government CEOs prescribed in the *Local Government (Administration) Amendment Regulations 2021* were promulgated. They outline the recommended practice for Local Governments in undertaking these processes and should be followed by the Council in its recruitment of a new CEO.

A local government must select a CEO in accordance with the principles of merit, equity and transparency. A local government must not exercise nepotism, bias or patronage in exercising its powers. Additionally, a local government must not unlawfully discriminate against applicants.

Section 5.40 of the *Local Government Act 1995* lists a number of agreed principles of employment that apply to local government.

#### **Recruitment and Selection Standard**

The minimum standard for recruitment and selection will be met if:

- The council has identified and agreed to the qualifications and selection criteria necessary to effectively undertake the role and duties of the CEO within that particular local government context.
  - The council has approved, by absolute majority, the Job Description Form (JDF) which clearly outlines the qualifications, selection criteria and responsibilities of the position. The JDF is made available to all applicants.
  - The local government has established a selection panel to conduct the recruitment and selection process. The panel must include at least one independent person who is not a current elected member, human resources consultant, or staff member of the local government.
  - The local government attracts applicants through a transparent, open and competitive process (this is not necessary for vacancies of less than one year). The local government must advertise a vacancy for the position of CEO in the manner prescribed.
  - The local government has assessed the knowledge, experience, qualifications and skills of all applicants against the selection criteria.
  - The local government has verified the recommended applicant's work history, qualifications, referees and claims made in their job application.
  - The appointment is merit-based, with the successful applicant assessed as clearly demonstrating how their knowledge, skills and experience meet the selection criteria.
-

- The appointment is made impartially and free from nepotism, bias or unlawful discrimination.
- The council has endorsed by absolute majority the final appointment.
- The council has approved the employment contract by absolute majority.

### **Selection Panel**

Local governments are required to establish a selection panel to conduct and facilitate the recruitment and selection process. The selection panel should be made up of elected members (the number is determined by Council) and must include at least one independent person, preferably with an understanding of local government.

Independent advice from a human resources consultant, recruitment consultant or recruitment agency must also be sought. Lester Blades, who recruited the previous CEO and who has been involved in recruiting a number of Council's Executive Team has been requested to make a submission.

### **Selection**

The panel and/or consultant must identify a shortlist of applicants for interview. A decision on appointment however must be made by the full Council by absolute majority.

Given the timing of the recruitment it may be preferable to leave the final decision on appointment to the new Council to be elected on 16 October 2021. This won't hold up the process unnecessarily as it will take some time to prepare, advertise and consider applicants prior to being ready for interview.

### **STATUTORY IMPLICATIONS**

*Local Government Act 1995*

#### **5.39A. Model standards for CEO recruitment, performance and termination**

*(1) Regulations must prescribe model standards for local governments in relation to the following —*

- (a) the recruitment of CEOs;*
- (b) the review of the performance of CEOs;*
- (c) the termination of the employment of CEOs.*

*(2) Regulations may amend the model standards.*

#### **5.40. Principles affecting employment by local governments**

*The following principles apply to a local government in respect of its employees —*

- (a) employees are to be selected and promoted in accordance with the principles of merit and equity; and*
- (b) no power with regard to matters affecting employees is to be exercised on the basis of nepotism or patronage; and*
- (c) employees are to be treated fairly and consistently; and*
- (d) there is to be no unlawful discrimination against employees or persons seeking employment by a local government on a ground referred to in the Equal Opportunity Act 1984 or on any other ground; and*

- (e) *employees are to be provided with safe and healthy working conditions in accordance with the Occupational Safety and Health Act 1984; and*
- (f) *such other principles, not inconsistent with this Division, as may be prescribed.*

*Local Government (Administration) Regulations 1996*

**18FA. Model standards for CEO recruitment, performance and termination (Act s. 5.39A(1))**

*Schedule 2 sets out model standards for local governments in relation to the following —*

- (a) *the recruitment of CEOs;*
- (b) *the review of the performance of CEOs;*
- (c) *the termination of the employment of CEOs.*

**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**

Guidelines for CEO Recruitment and selection, Performance Review and Termination



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### 15.1.4 BLUE TREE PROJECT

<b>Responsible Officer:</b>	<b>John Walker Chief Executive Officer</b>
<b>Author:</b>	<b>Lui Camporeale Manager Depot and Delivery</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

#### VOTING REQUIREMENTS

Simple

#### OFFICER RECOMMENDATION

That Council:

- 1. Request the Chief Executive Officer to identify suitable trees that may be used for the “Blue Tree Project”; and**
- 2. Identify Community Groups that may partner the City to progress the “Blue Tree Project”.**

#### EXECUTIVE SUMMARY

Currently the City removes a number of failing trees on Council property each year. Staff can identify trees that may be useful for the “Blue Tree Project” in visual areas across the City.

The aim of this project is to encourage people to start the difficult conversations and open up if they are suffering from depression and/or anxiety. This project was inspired by a story that was told at Jayden Whyte’s funeral on the 23 November 2018.

The Blue Tree project, started by Mr Whyte’s best friend, has resonated around the world and hundreds of trees have been painted blue around Australia to encourage people to speak out when doing it tough. It needs to be communicated that it is OK to talk, and it is OK to tell somebody you are not OK, and it is OK to go and seek help.

The mission is to help spark difficult conversations and encourage people to speak up when battling mental health concerns. By spreading the paint and spreading the message that "it's OK to not be OK", we can help break down the stigma that's still largely attached to mental health.

#### 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.



- SAFE: We support families and youth.

### **BUDGET IMPLICATIONS**

21/22 Budget has \$29,760 allocated for the removal of Hazardous Trees. It is proposed that \$5,000 of this be used for the “Blue Tree Project”.

### **REPORT**

The aim of this project is to encourage people to start the difficult conversations and open up if they are suffering from depression and/or anxiety. This project was inspired by a story that was told at Jayden Whyte’s funeral on 23 November 2018.

Jayden painted a tree blue one night on his family farm, in Mukinbudin after sneaking out, wondering just how long it would be before anyone noticed the deep blue tree on the horizon. This tree was painted out of love, mischief and friendship. It was painted with a special friend Tjarda Tiedeken on February 14 2014. What a shock it would be when his dad came across the tree standing in the middle of the paddock proud and blue he thought. Jayden was close with family and friends, highly intelligent and driven. Many would say he had ‘a promising life ahead’. He was extremely loved and anyone would be there in a heartbeat if he needed.

Unfortunately, loved ones weren’t aware of the extent of his mental health issues and did not have the opportunity to support him in a time that would prove critical. Jayden presented himself to hospital twice within one day fearing for what he might do. The first time calling 000, where a policeman attended the scene until an ambulance arrived. He was then taken to hospital and discharged 2 hours later. He then took himself back to the same hospital later that evening at a time that would have been pivotal for him. Where he was once again released, this time into the dark at 11pm, to find his own way home, where it ended in tragic circumstances.

It’s believed Jayden tried calling his parents’ home phone on the day but they were not nearby. They are obviously experiencing immense grief due to the fact no one from the hospital spoke with them directly and he was sent home alone during this crucial time. Jayden was overlooked in an overwhelmed system which is not made for modern society’s mental health issues.

With this project, the City hopes to raise awareness but also become a part of the change to help better inform our health system of where people are being let down. We need to raise the alarm that the current health departments dealing with mental health issues is in no way good enough and serious action is needed. Problems can be fixed but people can’t be replaced.

The blue tree now holds a whole new meaning and the City hopes to spread a message of hope by having people paint a tree in need of a ‘blue’ lease on life. We believe these blue trees that are painted across the nation and the world can act as a visual reminder to check in with a loved one, a friend that’s having a rough time or a mate having a blue day. By spreading the paint and spreading the message that it’s OK to not be OK we can help break down the stigma that’s still largely attached

to mental health - and inform people that we all have blue days but there will always be someone who you can talk to, and someone who will listen.

**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.

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## 15.2 GENERAL MANAGER – INFRASTRUCTURE AND ENVIRONMENT

### 15.2.1 ADOPTION OF DRAFT LOCAL PLANNING SCHEME NO. 2

<b>Responsible Officer:</b>	<b>Italo Pisedda General Manager Infrastructure and Environment</b>
<b>Author:</b>	<b>Kaitlin Redmond-Ball Senior Planning Officer</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

#### VOTING REQUIREMENTS

Simple

#### OFFICER RECOMMENDATION

That Council:

1. Pursuant to Regulation 25 (2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, endorse the recommendations contained within the Schedule of Submissions (refer Attachment 3).
2. Endorse the Schedules of Modifications (refer Attachments 4 and 5).
3. Pursuant to Regulation 25 (3) (b) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, resolve to adopt with modifications the City of Kalgoorlie-Boulder Local Planning Scheme No. 2.
4. Authorise the Mayor and Chief Executive Officer to sign and apply the Common Seal to the Local Planning Scheme No. 2 documentation.
5. Pursuant to Regulation 28 of the *Planning and Development (Local Planning Schemes) Regulations 2015*, authorise the Chief Executive Officer to forward the Local Planning Scheme No. 2 documentation to the Western Australian Planning Commission for its consideration, and request that the Minister for Planning grant final approval to Local Planning Scheme No. 2.
6. Pursuant to Regulation 35 of the *Planning and Development (Local Planning Schemes) Regulations 2015* resolve to enact a cessation on the preparation or adoption for advertising of any additional amendments to Town Planning Scheme No. 1, until such time that the Minister for Planning has made a determination on Local Planning Scheme No. 2.
7. Advise all submitters of Council's resolution in relation to Local Planning Scheme No. 2.

#### EXECUTIVE SUMMARY

Council adopted draft Local Planning Scheme No. 2 (draft LPS2) at the Ordinary Council Meeting on 22 June 2020 for the purpose of public advertising. Draft LPS2 was advertised for a period of 150 days between 27 July and 21 December 2020; during which time the City received ninety-nine (99) submissions. A number of text and map modifications are proposed to LPS2 for formatting consistency, to correct

minor drafting errors and to reflect community participation.

The purpose of this report is for Council to consider all submissions on LPS2 and the justification by officers regarding modifications and decision making. Council may resolve to adopt the City of Kalgoorlie-Boulder's Local Planning Scheme No. 2 (LPS2), subject to the modifications set out in the Schedules of Modifications (Attachments 4 and 5) and advise the Western Australian Planning Commission (WAPC) accordingly.

### COMMUNITY STRATEGIC PLAN LINKS

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

- **FUTURISTIC:** We plan for the future proofing of our City by being a thinking and innovative society.
- **EMPOWERED:** We are utilising diverse points of view to inform decision making and actions taken for the City.

### BUDGET IMPLICATIONS

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

## REPORT

### Background

Town Planning Scheme No. 1 (TPS1) was gazetted on 18 April 1997 and since that time has been providing overarching land use and development control across the City.

In accordance with the *Planning and Development Act 2005* (the Act) and the *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations), all local governments are required to conduct five yearly reviews of their local planning scheme, with a comprehensive review occurring at each 10 year interval. On 3 April 2012, Council resolved to prepare Town Planning Scheme No. 2.

The following table outlines the key milestones that have been achieved to date.

Date	Milestone
3 April 2012	Council resolved to prepare a new Planning Scheme
11 March 2013	Council adopted Local Planning Strategy
9 July 2013	Local Planning Strategy endorsed by the Western Australian Planning Commission (WAPC)
22 February 2016	Council initiated amendment to Local Planning Strategy
December 2016	Councillor workshop to formulate the new Scheme
12 June 2017	Council adopted modification to Local Planning Strategy
29 January 2018	Council endorsed modifications to the draft Local Planning

	Scheme
29 June 2018	The WAPC advise that the Scheme is suitable for advertising subject to modifications
6 August 2018	Environmental Protection Authority (EPA) advise scheme is not required to be assessed under Part IV Division 3 of the <i>Environmental Protection Act 1986</i>
22 October 2018	Council resolved to endorse LPS2 Community Engagement Strategy
April 2019	Workshop with Department of Planning to clear remaining issues
December 2019	Final modifications made to draft scheme in conjunction with the Department of Planning text and map corrections
22 June 2020	Council resolved to endorse draft Local Planning Scheme No. 2 for the purposes of public advertising

### Overview of Local Planning Scheme No. 2 Principles

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

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

### Consultation

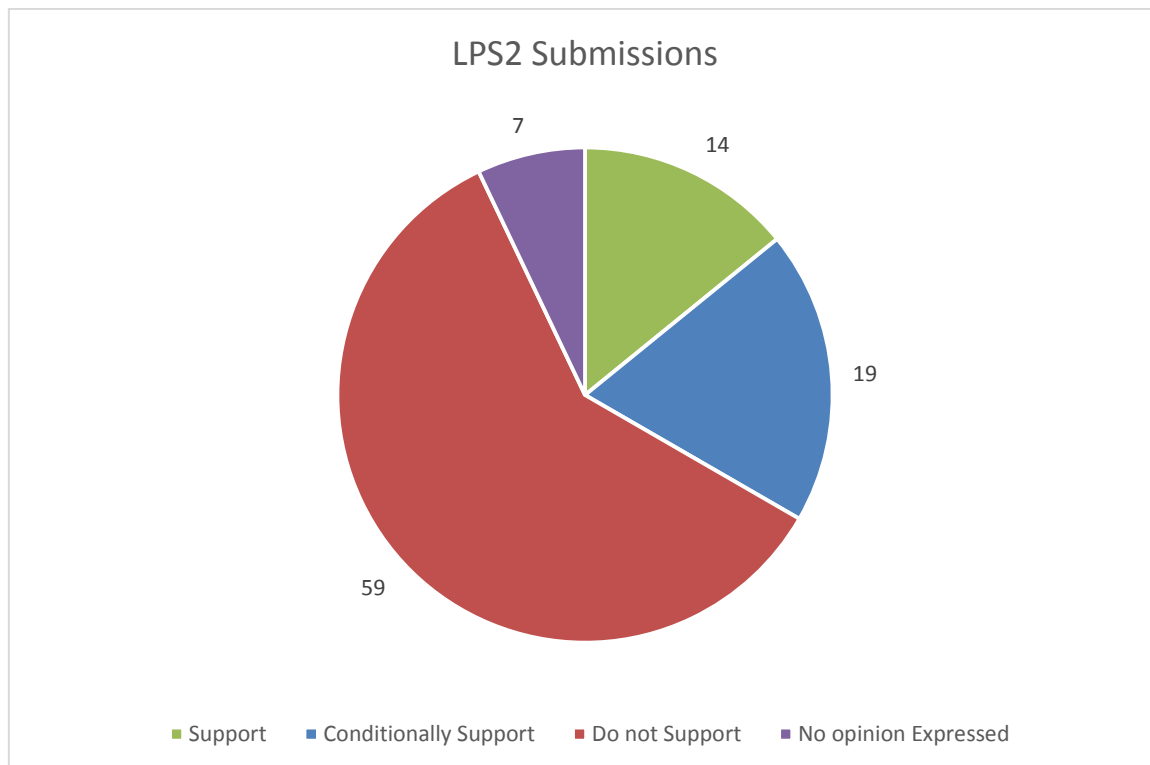
Draft Local Planning Scheme No. 2 was advertised for public comment between 27 July 2020 and 21 December 2020 (150 days). The public consultation process was undertaken as follows:

- Public Notice in the Kalgoorlie Miner (Saturday 25 July 2020)

- Notice and publication via the City’s website
- Available for public inspection at various City locations including the Administration Building, William Grundt Library, Oasis Recreation Centre and the Kalgoorlie and Boulder Town Halls
- Written notification to landowners within street blocks requested to be upcoded.
- Written notification to each public authority the local government considers likely to be affected by the Scheme
- Workshops with key stakeholders

**Public Submissions**

The City received ninety-nine (99) submissions, including twelve (12) submissions from State Government agencies. Of the submissions, fourteen (14) were supportive, nineteen (19) were conditionally supportive, fifty-nine (59) were not supportive of the proposed Local Planning Scheme and seven (7) did not explicitly express an opinion.



***Schedule of Submissions***

Planning legislation mandates that the City consider and present to Council all properly made submissions received on LPS 2. The Schedule of Submissions (Attachment 3) is a summary of all public submissions together with the City’s recommendation and justification. Having regard to all public submissions, officer’s assessment and justifications are founded on the Local Planning Strategy, state and federal legislation, market analysis, population trends and community expectations.

## Scheme Modifications

Modifications to the Scheme text and maps are recommended for the following general reasons. LPS2 is distinguished by its two parts – the Scheme text (Attachment 1) and the Scheme Maps (Attachment 2). A detailed schedule of modifications (Attachments 4 and 5) outlines the document sections to be modified, the specific modification and the officer justification.

**Note:** *All modifications are not considered to be significant and are predominantly administrative in nature and don't require specific consideration.*

- To correct errors, omissions or reflect new or superseded information
- To improve grammar
- To improve legal interpretation
- To ensure consistency with the recently updated *Planning and Development (Local Planning Schemes) Regulations 2015*
- To ensure consistency throughout the scheme text
- To address concerns raised by submitters

### ***Matters for Consideration on Proposed Modifications***

Recommendations on modifications that will create significant change to the advertised Scheme are summarised in the proceeding report segment. These proposals are not considered as having an adverse impact on any of the affected properties. The summary of the officer's recommendation outlines the decision-making process.

1. **Town Centre Zone** - deleting the 'Mixed Use' zone and introducing the 'Town Centre' zone.
2. **Town Centre Density** - increasing the residential density within the walkable catchment of the Kalgoorlie and Boulder Town Centres.
3. **Town Centre Development Requirements** - introducing development requirements relating to minimum and bonus densities and built form within the Town Centre zone.
4. **Mixed Business Zone** - introducing Additional Uses 13 and 14

#### ***1. Town Centre Zone***

Both the Kalgoorlie and Boulder town centres were proposed to be zoned 'Mixed Use' with varying densities between R60 and R100. Based on two (2) separate submissions (Submissions 1 and 16) it was considered that the Mixed Use zone was not flexible enough to allow the market to drive development and did not provide enough incentive for developers to invest in the CBD. To address this, officers propose to use the 'Town Centre' zone with Residential Activity Centre coding. Development in this zone is to be guided by Table 11 within Schedule 2 of the scheme text, in addition to a Local Planning Policy and State Planning Policy 7.3 Volume 2 – Apartments. Through these provisions, City staff envision unique town centres possessing a high level of amenity and activity while reinforcing and building upon the town's established character. It is worth noting that other regional local



governments have followed a similar approach to development within their town centres.

**2. Town Centre Density**

Kalgoorlie and Boulder have always been low scale, low density and dispersed commercial centres with Hannan and Burt streets forming the major movement and activity axis. The town centres currently contain few residents or temporary accommodation for tourists and visitors. This has resulted in most streets becoming very quiet after hours, which is not conducive to the safety and security of the streets and their users, detrimental to the commercial viability of many businesses, and inconsistent with the vibrant, lively and attractive urbanity the City is keen to promote.

In response to two (2) separate submissions (Submissions 1 and 16), it was considered the proposed varying densities between R60 and R100 did not provide enough incentive for developers to invest in the CBD. To address this, officers propose Residential Activity Centre codes as depicted below in Figures 1 and 2.

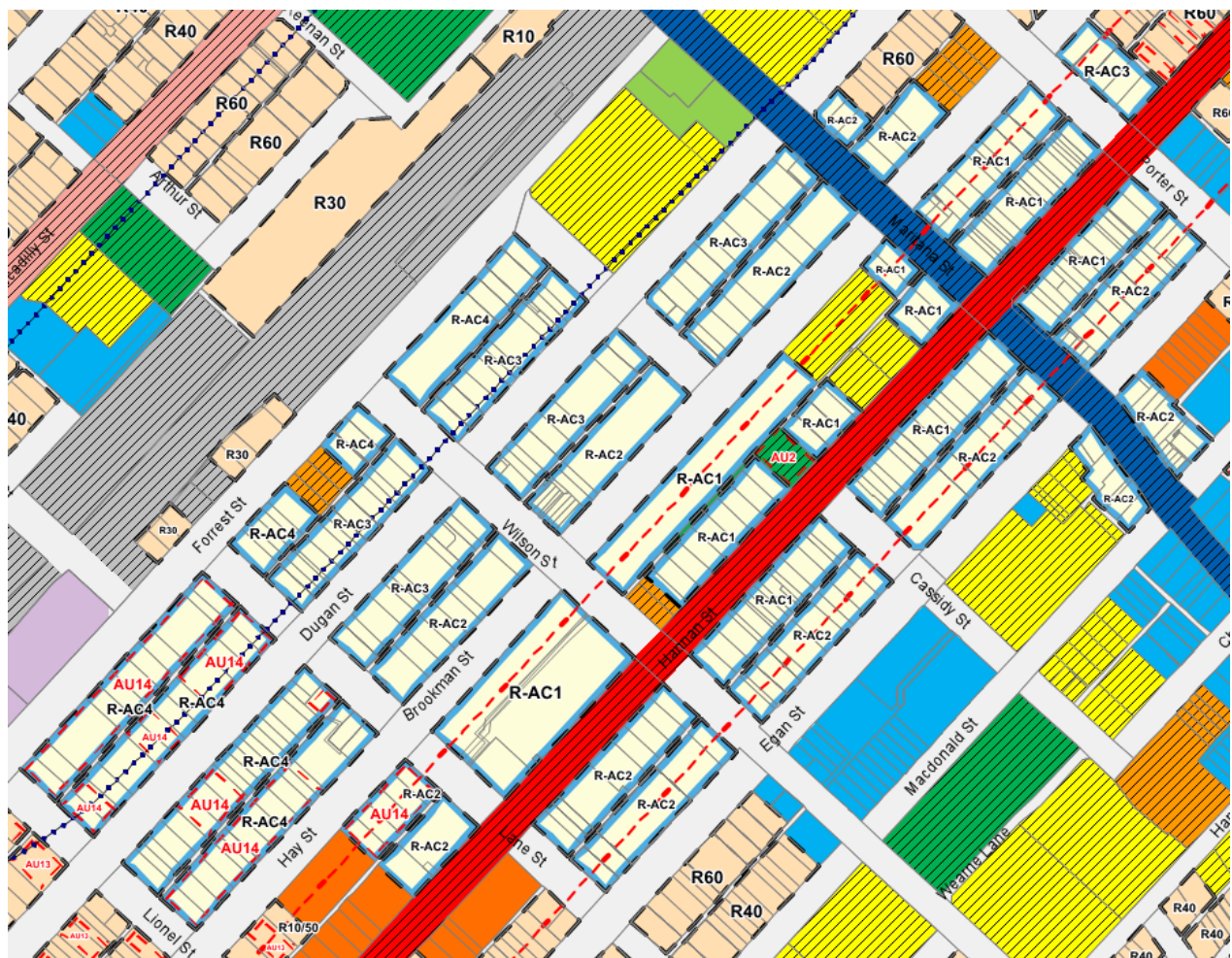


Figure 1. Kalgoorlie Town Centre



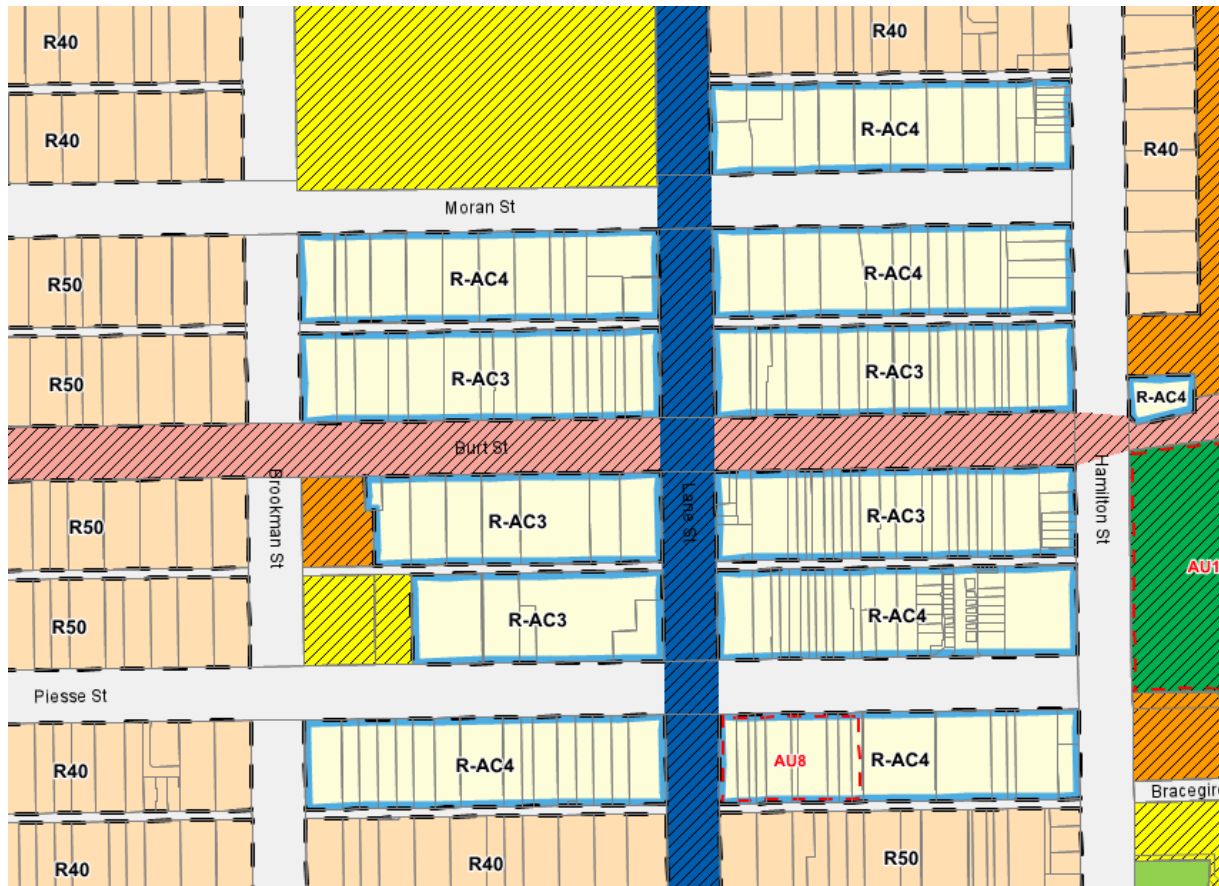


Figure 2. Boulder Town Centre

### 3. Forrester Street/Throssell Street Mixed Business Zone

Thirty five (35) submissions specifically relate to the existing Forrester Street/Throssell Street Mixed Business zone; defined for the purposes of this report by the area outlined in blue in Figure 3.

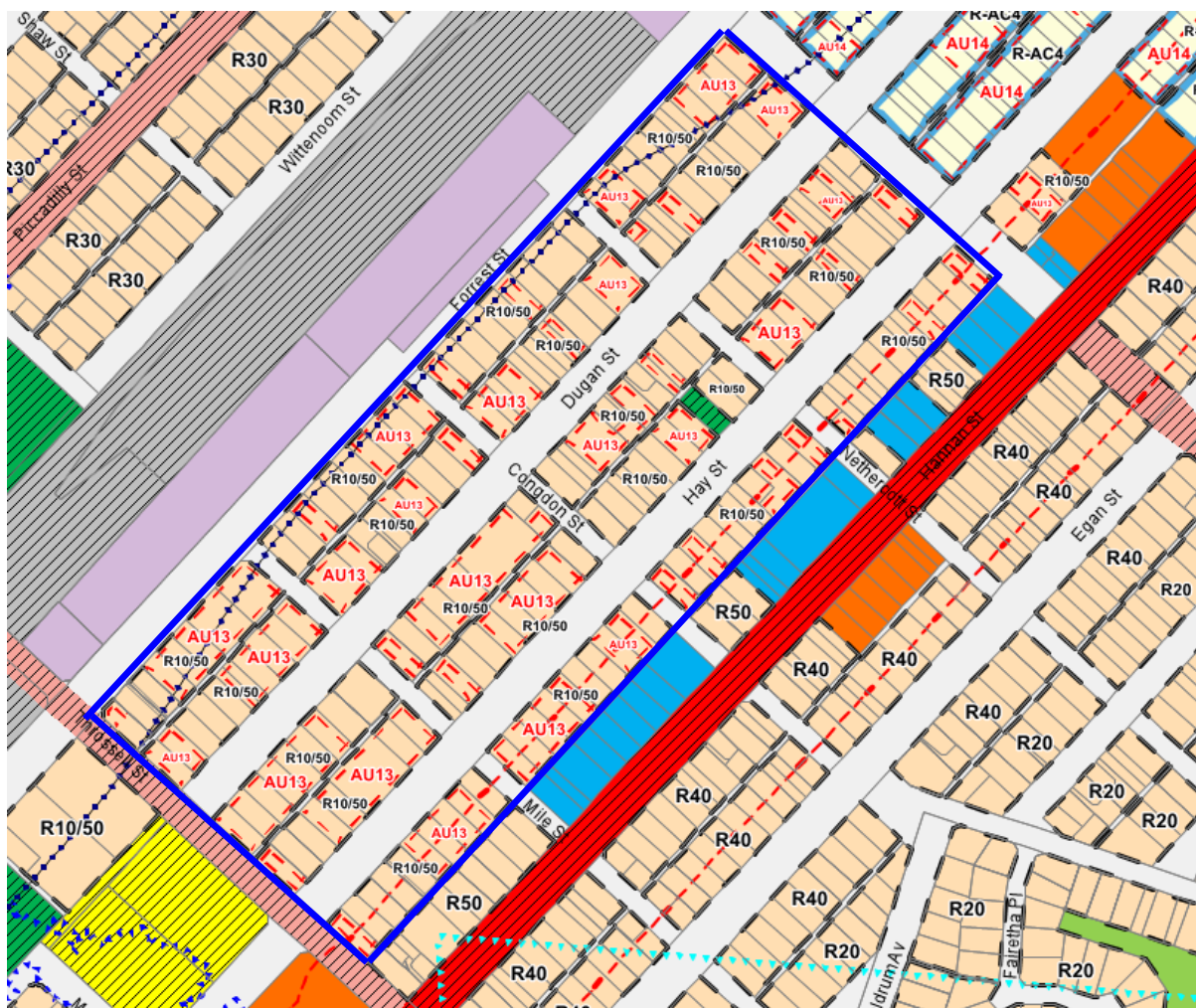


Figure 3. Mixed Business zone

Of the thirty-five (35) submissions received, twenty-eight (28) **do not** support reclassifying the Forrest Street/Throssell Street area from Mixed Business to Residential. The submissions highlighted potential adverse commercial impacts in addition to restricting business opportunities if non-conforming use rights take effect. Additional use rights provide flexibility to landowners in terms of land use diversity and is suitable in this locality due to the eclectic mix of land uses that co-exist. Justification supporting additional use rights is discussed below:

- Applies to existing lawful commercial land uses within the defined boundary of Throssell / Forrest / Lionel / Hay streets
- Does not apply to existing residential land uses
- Applies to LPS2 land use categories compatible with a residential area
- Without modification to the Scheme, additional use rights extinguish when a use lawfully changes to a permitted use within the zone
- Allows voluntary transition to the residential zone through incentives and increased development opportunity
- Properties are listed in Table 5 of the Scheme text

**Additional Use 13 (AU13) Land Use Categories**

Land use categories nominated for additional uses were determined on the compatibility with residential activity. The additional use classes proposed in LPS2 (listed below) were assessed against the current site activity of properties in the defined area. This was performed by site inspections, review of building/planning approval types, and local government records.

Planning Permissibility	
Discretionary (D)	Advertisement Required (A)
Office	Bulky Goods Showroom
Shop	Garden Centre
Warehouse/Storage	Industry Light
	Motor Vehicle, Boat or Caravan Sales
	Motor Vehicle Repair

*Gatacre Drive and Great Eastern Highway cell*

The Gatacre Drive and Great Eastern Highway cell is defined by those properties outlined in blue in Figure 4.

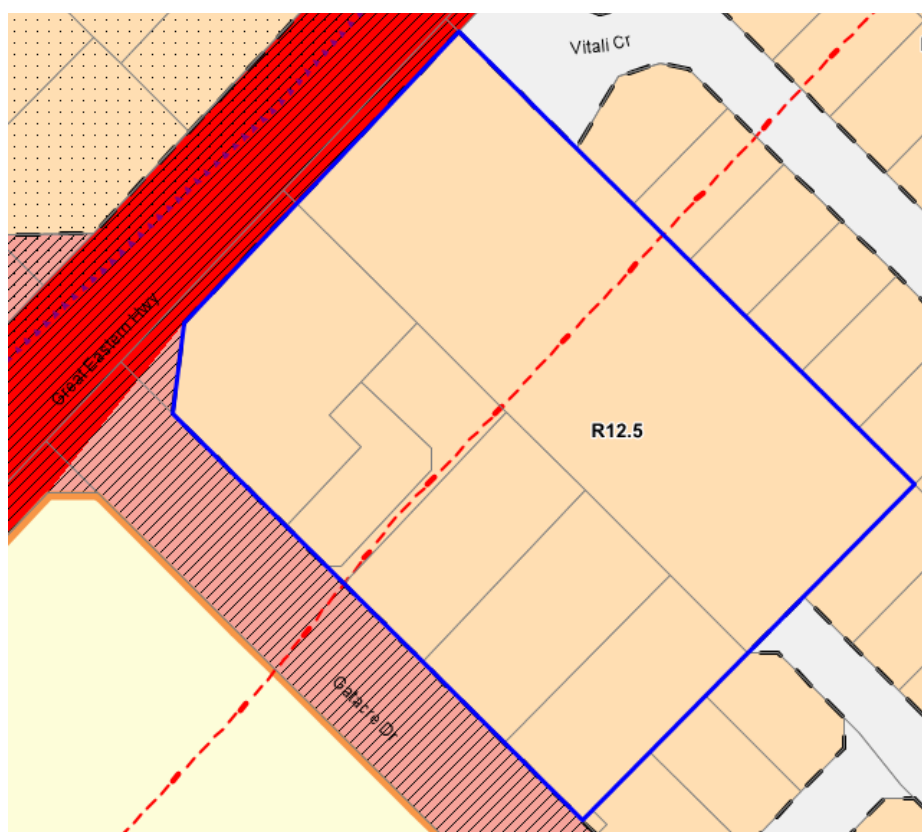


Figure 4. Gatacre Drive and Great Eastern Highway cell

During the consultation process, the City received three (3) submissions requesting this cell be considered for more intensive development; more specifically either Mixed Use with a density of R60 or Residential R40. The request to increase the density to R40 is generally consistent with the objective of the Local Planning Strategy to increase density along Great Eastern Highway. As a result, City staff

sent a written notification of the request to each landowner within the defined development area to gauge whether the request should be supported. Two (2) further submissions were received which did not support the proposal to increase the density in this area.

At 22 February 2021 Ordinary Council Meeting, Council acknowledged receipt of the public submissions and preliminary assessment undertaken by the City. Officers recommended that an increase in density to the defined area should not be supported through this process.

Upon further consideration, City staff recommend an increase in density to R40 should be supported for the portion of 23 Great Eastern Highway that abuts the Child Care Centre and in close proximity to Great Eastern Highway. This recommendation is consistent with the objective of the Local Planning Strategy to increase the residential density of properties fronting Great Eastern Highway. It is recommended that the remainder of 23 Great Eastern Highway is increased to a density of R25 so as to decrease the harsh transition between the proposed R40 and the surrounding lots which are afforded a density of R12.5. This recommended densities are depicted below in Figure 5.



Figure 5. Recommended Density for 23 Great Eastern Highway

**Scheme Governance**

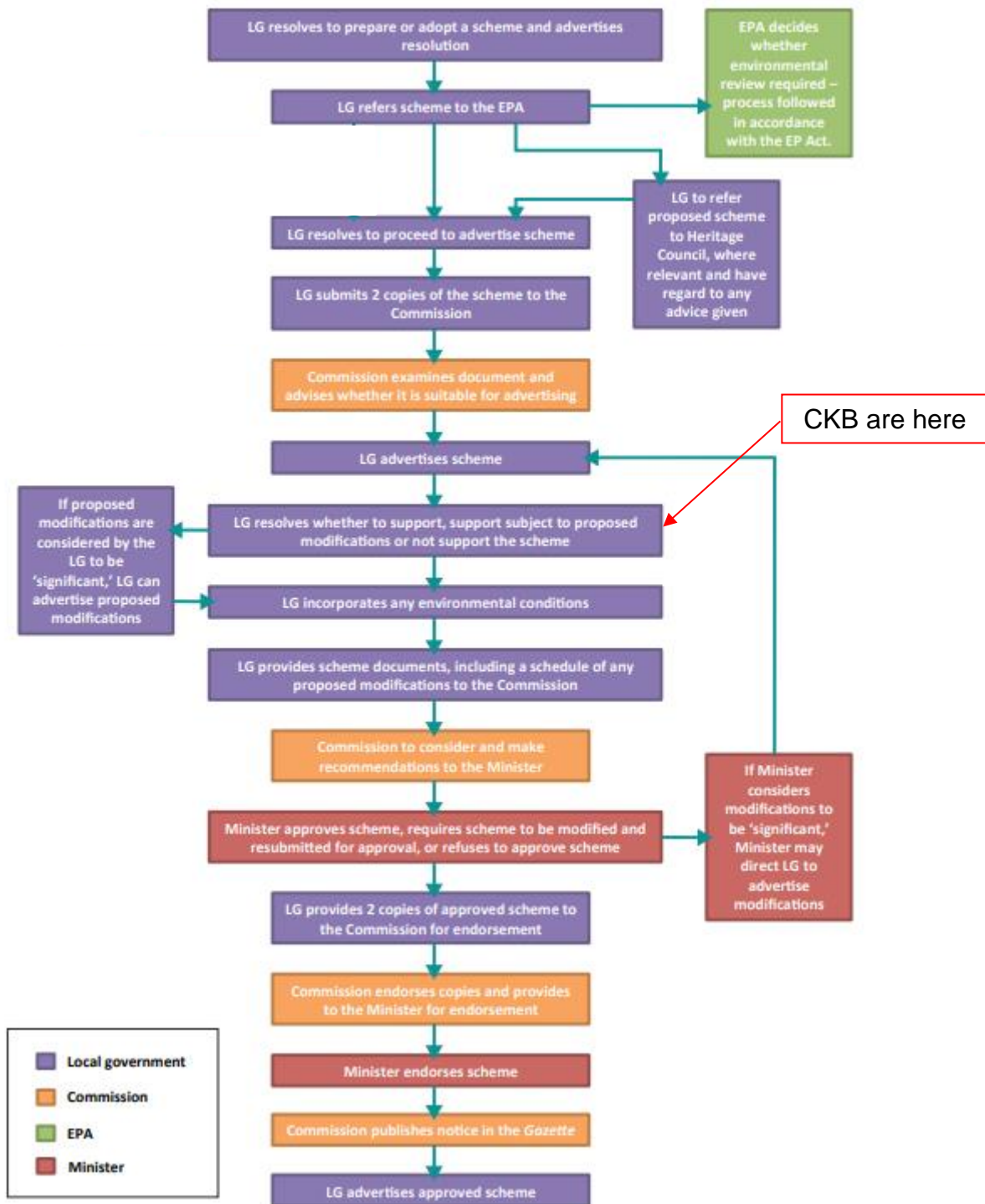
LPS2 will replace TPS1 as the principal statutory planning tool for controlling land use and development. To achieve this, local government use Model Provisions prescribed under Section 257A of the Act. The provisions establish a consistent planning framework across WA and set planning tools and requirements for local government to use. Fundamentally, the LPS2 was prepared using the Model Provision framework, guided by the strategic goals, planning intent and community expectations within the City of Kalgoorlie-Boulder Local Planning Strategy.

**Process for Preparation or Adoption of a New Local Planning Scheme**

The WAPC has prepared a simplified preparation or adoption of a new Local Planning Scheme flowchart, provided below.



Simplified preparation or adoption of a new local planning scheme flowchart



In accordance with Regulation 25 (3) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, Council must pass a resolution:

- a) To support the draft scheme without modification; or
- b) To support the draft scheme with proposed modifications to address issues raised in the submissions; or
- c) Not support the draft scheme

EPA has advised that there are no environmental conditions which need to be incorporated into the Scheme, as such within 21 days of the date of Council's resolution, the Scheme documents including a schedule of any proposed modifications must be forwarded to the WAPC.

### **Moratorium on Amendments on Town Planning Scheme No. 1**

When gazetted, Clause 3 of LPS2 will repeal TPS1. Following a decision of Council on LPS2, the WAPC will consider LPS 2 and make a recommendation to the Minister for Planning. The Minister for Planning will subsequently make a determination on LPS2. While the specific timeframe for this process is unknown by the City, it is estimated that LPS2 could be approved by the Minister for Planning within the next 12 months (following the statutory timeframes for various steps under Regulations 29 and 31 of the Regulations). It should be noted that this is only an estimated timeframe.

Based on the progress of previous amendments to TPS1 since the Regulations were introduced in 2015, it is considered that a scheme amendment generally takes a minimum of 12 months to progress from initiation (at a Council meeting) to Gazettal. This excludes the time taken prior to initiation spent drafting the amendment documents and the Council report. On this basis, it is not considered efficient to continue amending TPS1, when the Scheme could potentially be repealed prior to the completion of the scheme amendment process.

Council is therefore requested to enact a cessation on any further amendments to TPS1, and the Officer Recommendation of this report reflects this accordingly. This essentially places a moratorium on scheme amendments until the Minister for Planning has made a decision on LPS2. The wording of the moratorium is such that should the Scheme not be approved by the Minister, the moratorium would be lifted and amendments to TPS1 may again be prepared; however, the risk of this scenario is low.

It is common practice for local governments to maintain a record of items that require attention in a forthcoming Local Planning Scheme, so that an omnibus amendment can be prepared or progressed once the Scheme is gazetted. Any items that may arise between Council's decision and gazettal of LPS2 will be recorded in this manner for inclusion in an omnibus amendment to LPS2.

### **Deemed Provisions**

In accordance with Part 9, Schedule 2 (the Deemed Provisions) of the *Planning and Development (Local Planning Schemes) Regulations 2015*; the local government is to have due regard to the requirements of orderly and proper planning including any proposed local planning scheme that has been advertised in accordance with the Regulations or any other proposed planning instrument that the local government is seriously considering adopting or approving. Should Council resolve to adopt LPS2, the City may commence to exercise limited discretion in considering development applications utilising the provisions of LPS2. This discretion cannot extend to uses currently not capable of approval within a zone (in other words, 'X' uses) or to areas where residential density is proposed to increase.

## Conclusion

A contemporary Planning Scheme enables the City to effectively implement its Local Planning Strategy and Strategic Community Plan to support growth and development of Kalgoorlie-Boulder and meet Council's objectives to enhance liveability and support the local economy and vibrancy of the City.

The requirements for community consultation and compliance with State legislation are now satisfied. Officers have considered and responded to each submission received and, in some instances, recommend that modifications be undertaken to update the Scheme in accordance with best practice, legislative responsibilities and community expectations.

The Scheme is anticipated to come into effect within 12 months. During this period a suite of new local planning policies will be created to guide users on Scheme requirements. This will hopefully achieve better development outcomes and lower compliance incidences.

It is recommended that Council supports LPS 2 and the proposed modifications contained in this report, to progress the statutory process for the Scheme to take legal effect.

## STATUTORY IMPLICATIONS

*Planning and Development Act 2005*

*Planning and Development (Local Planning Schemes) Regulations 2015*

Town Planning Scheme No. 1

## POLICY IMPLICATIONS

There are currently 15 Local Planning Policies that are adopted under and complement TPS 1. In preparation for the adoption of Local Planning Scheme No. 2, the City has consolidated the TPS 1 Local Planning Policy suite, including repealing some policies that are no longer required.

A new suite of Local Planning Policies will need to be adopted when Local Planning Scheme No. 2 is gazetted, as the statutory head of power for Local Planning Policies will have changed. The City is preparing an updated Local Planning Policy suite that will be progressively advertised and finalised in preparation for the gazettal of Local Planning Scheme No. 2, and will be referred back to Council for approval at a time when the gazettal of LPS2 is imminent. It is intended that through this process, a Local Planning Policy suite will be approved in an expedient manner to complement Local Planning Scheme No. 2.

## ATTACHMENTS

15.2.1 Attachment 1 - Local Planning Scheme No. 2 Text 

15.2.1 Attachment 2 - Local Planning Scheme Maps 

15.2.1 Attachment 3 - LPS2 Submissions 

15.2.1 Attachment 4 - Scheme Text Modifications Log Sheet 

15.2.1 Attachment 5 - Scheme Map Modifications Log Sheet 



**15.2.2 FY 2021/2022 - ROADS RENEWAL WORKS PROGRAM**

<b>Responsible Officer:</b>	<b>Italo Pisedda General Manager Infrastructure and Environment</b>
<b>Author:</b>	<b>Johannes Prinsloo Engineering Services Team Leader</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

**VOTING REQUIREMENTS**

Simple

**OFFICER RECOMMENDATION**

**That Council endorse the Road Renewal Works as set out in Attachment 1 and Attachment 2.**

**EXECUTIVE SUMMARY**

The purpose of this report is to confirm the road renewal priorities for the 2021/2022 financial year; and inform and explain the various road work types, road resurfacing treatments, work priority and implementation strategy.

A schedule of works is presented based on priority need. A wide range of factors has been taken into account to determine priorities, including a comprehensive survey of the paved condition, road function, visual inspection and community feedback. The program also recognises purpose-specific grant funding.

Of the \$7.4M program, approximately \$3M is committed to improving 5.5km of roads in the industrial areas and \$2.7M for residential roads renewing about 17km of streets.

The proposed Road Renewal Works is recommended for Council endorsement.

**COMMUNITY STRATEGIC PLAN LINKS**

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

- **EMPOWERED:** We provide opportunities for genuine engagement with the community to inform the Council's decision-making.

**BUDGET IMPLICATIONS**

The resurfacing road works funding is sourced from City's municipal funds and grant funds via the State and Federal governments. The State and Federal governments fund the roads via the Regional Road Group (RRG) grants, Roads to Recovery (R2R) grant, Federal Assistance Grants (FAGs) and Local Roads Community Infrastructure Program Grant (LRCIP).

The draft 2021/2022 budget allocation for the renewal of roads is in Table 1. CKB revenue funds (\$1,350,070) finance only 18% of the preservation of roads.

**Table 1: Summary of Roads Renewal Budget**

ITEM	DESCRIPTION	GRANT	CKB FUNDING	AMOUNT
1	RESURFACING OF URBAN ROADS	\$4,993,863	\$826,137	\$5,820,000
2	BOULDER/FEDERAL/LANE ROADS RRG	\$314,533	\$157,266.67	\$471,800
3	MARITANA STREET RRG	\$120,000	\$60,000	\$180,000
4	LIONEL STREET RRG	\$186,666.67	\$93,333	\$280,000
5	BURT STREET RRG	\$173,333.33	\$86,667	\$260,000
6	YARRI ROAD RRG	\$253,333	\$126,666.67	\$380,000
	<b>GRAND TOTAL</b>	<b>\$6,041,730</b>	<b>\$1,350,070</b>	<b>\$7,391,800</b>

Table 2 is a breakdown of the various sources of funding for the Resurfacing of Urban Roads.

**Table 2: Summary of Resurfacing of Urban Roads funding**

ITEM	FUNDING	AMOUNT
A	FAGS ROADS	\$1,700,000
B	RRG DIRECT ROADS	\$420,000
C	R2R ROADS	\$1,400,000
D	CITY REVENUE	\$826,137
E	LRCIP PHASE 2	\$1,473,863
	<b>GRAND TOTAL</b>	<b>\$5,820,000</b>

## REPORT

The purpose of this report is to confirm the road renewal priorities for the 2021/2022 financial year. The report explains and informs the various road work types, road resurfacing treatments, work priority and implementation strategy.

### Background to Proposed Work

The current road network statistics of the total CKB are summarised in Table 3.

**Table 3: Statistics of the present sealed roads and parking lots.**

DESCRIPTION	ESTIMATED AREA (m <sup>2</sup> )	ESTIMATED LENGTH (km)
TOTAL CKB Sealed Roads	4,232,865	431
TOTAL CKB Sealed Laneways	378,268	13
TOTAL CKB Sealed Parking Lots	151,000	N/A

The Roads Renewal Program aims to sustain or improve the existing condition of the existing surfaced roads, laneways and parking areas asset infrastructure.

### Work Types

The Resurfacing Works Program is spread across renewal and improvement works, and the work types are listed in Table 4.

**Table 4: Road Works Types**

<b>RENEWAL WORKS – Maintaining asset condition</b>	
RECONSTRUCTION	Rebuilding road pavement formation and reseal with bitumen seal or asphalt.
RESURFACING	Remove existing sealed surface and construct new bitumen or asphalt seal.
OTHER	Kerbing, laneway, parking bay, lightning and other miscellaneous works.
<b>IMPROVEMENT WORKS – Improving or creating new assets</b>	
UPGRADE WORKS	Improving the road to a standard better than original – includes safety improvements.
EXPANSION	Creating a new Road

**Resurfacing Treatments**

The following treatments under Contract T011 – 20/21– Supply and construction of asphalt surfacing, bitumen seals and bitumen binder supply products are proposed for the resurfacing program:

- a) Asphalt surfacing for primarily significant roads, intersections or as a corrector.
- b) Stress alleviation membranes –SAM seals (PMB) pavement cracking;
- c) Geosynthetic reinforced seals as an extensive crack treatment.
- d) PMB Seals (Single and two coat) – Residential roads;
- e) Heavy Duty Asphalt (PMB) for specific applications in Industrial Areas or at Restricted Access Vehicle Routes; and for
- f) Special applications like crack sealing, pothole repairs where required.

**Work Priority**

The following treatments under Contract T011 – 20/21– Supply and The priorities for the various works in any given year are recommended according to a range of considerations, including road condition, traffic volumes, and the function of road and safety standards.

The Regional Strategies for Significant Local Government Roads with Regional Importance short title Roads 2040 (MRWA document) lists significant regional roads. RRG allocation of funding is based on the criteria in this document and the Regional Road Group nominations.

The road structural and surface conditions have been assessed based on the Talis Consultants Road Condition Assessment (RAMM) in late 2018 and a recent review by Engineering Services.

The City has reviewed the condition of the roads within the categories of residential, CBD, Local Distributor (Significant), Industrial and Rural roads. Table 5 indicates the categories of road funding, costs and length of roads addressed. More roads are listed than the budget allocation to provide any additional funds available through the financial year.

**Table 5: Road category allocation of funding**

FINANCIAL YEAR	2021/2022	
Row Labels	Sum of COST ESTIMATE	Sum of LENGTH (M)
☒ CBD	\$113,066	253.00
R2R	\$113,066	253.00
☒ INDUSTRIAL	\$2,985,485	5,528.00
LRCIP	\$1,501,314	3,091.00
OTHER FUNDS	\$148,405	260.00
R2R	\$1,335,766	2,177.00
☒ LOCAL DISTRIBUTOR	\$1,166,725	3,617.00
OTHER FUNDS	\$265,222	1,347.00
RRG	\$901,503	2,270.00
☒ RESIDENTIAL	\$4,022,739	25,965.00
OTHER FUNDS	\$4,022,739	25,965.00
☒ RURAL ROADS	\$416,318	2,872.00
RRG	\$416,318	2,872.00
<b>Grand Total</b>	<b>\$8,704,333</b>	<b>38,235.00</b>

The statistics from Table 1 and the allocations in Table 5 show that 2021/2022 resurfacing program will renew 8.8% of the road network. From the summary, it is clear the City target the industrial and residential roads that are in very poor condition, with many complaints received from the community. The City will also pursue other sources of funding to address the backlog of resurfacing the roads.

To demonstrate the cost impact of the wide (wider than 15m) residential roads, Table 6 has summarised some treatment options for a typical 25m wide road. Where the road surface is not deformed, a single seal can renew the road at the cost of \$161. When the road is deformed, an asphalt/seal combination treatment (asphalt a 7.5m strip along the centre of the road and 1m widths along the gutter line) are required, and the cost increases by 283%. When the entire width of the road is asphalt paved, the cost increased by 582%. The City will investigate options that are fit for purpose, cost-effective and serve the community for the various site-specific conditions for the wide residential roads.

**Table 6: Wide residential road cost treatments for a typical 25m wide road**

SURFACE TREATMENT DESCRIPTIONS	COST/M LENGTH OF ROAD	COST PER KM OF ROAD
ASPHALT RESURFACING/PROFILING FULL WIDTH OF ROAD	\$938	\$938,000
ASPHALT RESURFACING/ PROFILING 9.5M WIDTH AND PMB SINGLE SEAL FOR REMAINDER	\$456	\$456,415
PMB SINGLE SEAL FULL WIDTH WHERE TECHNICAL POSSIBLE	\$161	\$161,250

The recommended list of roads for resurfacing is attached in Attachment 1, and the location and scope of works are shown in Attachment 2.

### **STATUTORY IMPLICATIONS**

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

### **POLICY IMPLICATIONS**


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

### **COMMUNITY ENGAGEMENT CONSULTATION**

Community engagement is not required as part of this report. It is noted, however, that internal practices are enhancing to ensure the community is provided adequate advanced notice of works ahead of construction.

### **ATTACHMENTS**

Attachment 1 - Roads Renewal List 

Attachment 2 - Location and Scope of Works Sketches 

**15.2.3 CHARLES STREET DRAINAGE UPDATE**

<b>Responsible Officer:</b>	<b>Italo Pисcedda General Manager Infrastructure and Environment</b>
<b>Author:</b>	<b>Johannes Prinsloo Engineering Services Team Leader</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

**VOTING REQUIREMENTS**

Simple

**OFFICER RECOMMENDATION**

That Council, in relation to:

1. **Charles Street Drainage – Portion 1 (24 Charles St)**
  - a) **Authorise the Chief Executive Officer to accept Boord Constructions (WA) Pty Ltd’s quote for RFQ T010 – 20/21 - Charles Street Drainage – Portion 1 (24 Charles St); and**
  - b) **Authorise the Mayor and the Chief Executive Officer to sign the contract documents accordingly under the common seal of the City of Kalgoorlie-Boulder in accordance with part 19.1 (2) of the *Standing Order Local Laws 2013*.**
2. **Charles Street Drainage – Portion 2 (Charles St from 6 Charles Street to White Street/Charles Street intersection)**
  - a) **Authorise the Chief Executive Officer to engage with a supplier of services as per *Local Government Regulations 1996 Part 4, Regulation 11, Division (2c)* as recommended by the City’s responsible officer; and**
  - b) **Authorise the Mayor and the Chief Executive Officer to sign the contract documents accordingly under the common seal of the City of Kalgoorlie-Boulder in accordance with part 19.1 (2) of the *Standing Order Local Laws 2013*.**

**EXECUTIVE SUMMARY**

The purpose of this report is to inform the Council of the latest progress of the Charles Street Drainage works, comprising Portion 1 (24 Charles St) and Portion 2 (Charles St from 6 Charles Street to White Street/Charles Street intersection).

At the closing date 6 May 2021 the City received nil (0) tender submissions for neither Portion 1 or Portion 2 and has since proceeded with requesting quotations for Portion 1 only.

Two (2) quotation submissions have been received and Boord Constructions (WA) Pty Ltd, a locally based company, is recommended as the most suitable and advantageous quotation (\$392,248.97) for the works. Approval is sought for the City to accept Boord’s quotation for Portion 1 of the works

and enter into a contract accordingly.

The City will seek quotations for Portion 2 of the works by the end of August 2021.

### **COMMUNITY STRATEGIC PLAN LINKS**

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

- **EMPOWERED:** We are utilising diverse points of view to inform decision making and actions taken for the City.

### **BUDGET IMPLICATIONS**

The draft 2021/2022 budget allocation for the Charles Street Drainage Works is \$1,737,072, of which \$868,536 is funded from the BBRF (Building Better Regions Fund) grant application equal amount co-funded from City's revenue). At present, the City awaiting grant approval. However, if the grant application is not a success, the City intends to finance the shortfall from municipal surplus funds via the midyear CAPEX budget review process.

## **REPORT**

The purpose of this report is for Council to consider the quotation submissions received for tender number T010 – 20/21– Charles Street Drainage- Portion 1.

### **Background to Proposed Work**

The City had redesigned the Charles Street Drainage system to be an open channel system to eliminate drainage clogging, easy to maintain, construct and to divert stormwater away from lower laying properties for the 1% (1:100 year flood) AEP (Annual Exceedance Probability) flooding event.

Most of the drainage water will be drained from Charles Street for harvesting by the Kalgoorlie-Boulder Racing Club (KBRC).

Charles Street is to be lowered from 6 Charles Street (just west of Cheetham Street) to White Street and Charles Street intersection. The deepest section of the road is at 24 Charles Street, where the stormwater is diverted into a lined channel that flows into the recently constructed Charles Street Detention Dam. A sketch is attached that described the layout of the works in *Attachment 1*.

The works are separated into two portions with the aim to:

- Proceed with Portion 1 of Works that are not impacted by the relocation of services and to;
- Expedite the implementation of Portion 1 (On 24 Charles Street) to minimise the interim impact of extreme flooding along Charles Street.

The battery limits of portion 1 are indicated in *Attachment 2* and can be described as the works located on 24 Charles Street and the KBRC property. The Works include excavating and lining the Channel, erosion protection works, security fencing, and a diversion bund at the KBRC parking area to be constructed with the excavated materials. All Works within the City's road reserves are scoped as Portion 2 of the Works.

The underground services relocation will commence during July 2021, and one power pole needs to be relocated by Western Power Corporation. No timeframe has yet been confirmed for the relocation of the power pole.

### Tendering Process Outcome

Tender (Number: RFT Number T010 – 20/21) Charles Street Drainage; was issued on the 10th of April 2021 and closed on the 6th of May 2021 at 2:00 pm WST. At the close of tender, nil (0) submissions had been received for Portions 1 and 2 of the Works.

### Quotation Process Outcome

Subsequently, the City requested quotations on the 14th of May 2021 for both portions, with the closing date the 4th of June 2021. The contractors further asked for a submission extension to the 21st of June. The following two (2) quotations have been received for Portion 1 only:

- Boord Constructions (WA) Pty Ltd, and
- Cornerstone Maintenance & Construction Pty Ltd

From the two quotations received, all were assessed against meeting the requirements of the quotation and evaluated on price.

The results of the price comparison are as follow:

ITEM DESCRIPTION	Cornerstone Maintenance and Construction	Boord Constructions (WA)
Preliminaries	\$20,840.00	\$32,270.00
General Civil	\$114,764.43	\$97,892.70
Earthworks	\$20,777.05	\$24,920.00
Concrete Works	\$147,644.28	\$114,194.60
Drainage	\$66,514.30	\$80,385.40
Optional Extras	\$0	\$7,620.00
Provisional sum	\$37,054.01	\$34,966.27
<b>TOTAL LUMP SUM</b>	<b>\$407,594.07</b>	<b>\$392,248.97</b>

The submission provided by Boord Constructions (WA) Pty Ltd is recommended as the best-priced quotation, and the contractor has a sound understanding of the scope of works and the capacity to commence with the Works early in August 2021.



The City will further engage with a supplier of services as per *Local Government Regulations 1996 Part 4, Regulation 11* for Portion 2 of the Works before the end of August 2021.

### **STATUTORY IMPLICATIONS**

Tenders were called in accordance with section 3.57 of the *Local Government Act 1995* and *Local Government (Function and General) Regulations 1996 Part 4, Division 2, Regulation 11 (a)* which requires tenders to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, worth more than \$250,000 unless sub-regulation (2) states otherwise.

Regulation 11, Tenders do not have to be publicly invited according to the requirements of this Division if (2c) within the last 6 months (i) the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications or satisfied the value for money assessment.

### **POLICY IMPLICATIONS**

The tender process ensures Policy CORP-AP-001 relating to purchasing is satisfied. Further, the requirement for public tender where the aggregate value exceeds \$250,000 is complied with.

An exemption to publicly invite tenders may apply to any of the other exclusions under Regulation 11 of the *Local Government (Functions and General) Regulations 1996*.

### **COMMUNITY ENGAGEMENT CONSULTATION**

No prior community consultation on nature of the works was considered necessary concerning the recommendations of the report.

The community has been updated about the proposed project program at the end of March using letter drops. The City plans to update the residents before the end of this month about the latest project progress. The City has extensively consulted with KBRC about the works and will update KBRC of the project's latest progress and project plan.

Before works commence, the residents will be informed via letter drops, City's website, and other public media sources.

### **ATTACHMENTS**

General Arrangement Plan 

Battery Limits of Seperable Portion 1 and 2 

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**15.2.4 TENDER T003 20/21 CONSTRUCTION SITE SUPERVISOR**

**Responsible Officer:** Italo Pisedda  
**General Manager Infrastructure and Environment**

**Author:** Eva-Marie Motherway  
**Commercial Leasing Officer**

**Disclosure of Interest:** Nil

**VOTING REQUIREMENTS**

Simple

**OFFICER RECOMMENDATION**

**That Council:**

- 1. Not award Tender T003 20/21 Construction Site Supervisor – Approximately 18 month Program; and**
- 2. To decline all tendered offers.**

**EXECUTIVE SUMMARY**

The purpose of this report is to seek Council approval to decline all tenders received by the City for Request for Tender T003 20/21 Construction Site Supervisor – Approximately 18 Month Program. The received submissions significantly exceeded budgeted amount for this project.

**COMMUNITY STRATEGIC PLAN LINKS**

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

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

**BUDGET IMPLICATIONS**

The City has allocated \$320,000 from the Kal City Centre Economic Transformation Project to appoint a Site Supervisor for the duration of the construction works. All Tender submissions exceed the budget amount by a minimum of \$100,000.

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**REPORT**

The purpose of this report is for Council to consider the submissions received for Tender T003 20/21 Construction Site Supervisor – Approximately 18 Month Program

**Background**

The City had a number of large projects commencing in 20/21, it was anticipated a Site Supervisor be appointed to supplement the existing Project Management and Site Supervision Service of the City.

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The major projects this service would have been required for were the \$16 million Kalgoorlie City Centre Economic Transformation and the Hannan Street and Burt Street Paving Upgrade Projects.

The overall responsibilities of the Site Supervisor were to include:

- Direct onsite supervision of contractors;
- Application of knowledge, skills, tools, and other management techniques against project activities to meet the project requirements;
- Ensure all works are constructed to contract documents and within the allocated program timeframe safely and correctly;
- Comply with all company and industry Quality Systems, policies and procedures;
- Complete site diaries daily;
- Completing site supervisors' logs & site reports; and
- Reporting on work progress.

The role was to be residential and based on a 50 hour working week, inclusive of a vehicle. The Site Supervisor was to be accountable for administration, safety, environmental aspects, leadership/people management, quality, program and budget, project handover and defects liability period, application of knowledge, skills and attributes and will be suitably qualified to perform all aspects of the role.

### **Tender Assessment**

Tender number T002 20/21 Construction Site Supervisor – 18 Month Program was drafted based on the terms set out above. The tender was issued on 5 September 2020 and closed on 24 September 2020. At the close of tender, four (4) submissions had been received from the following Tenderers:

- Pro Earth Civil
- Project Delivery Partners Australia
- Talis Consultants
- Waco Pty Ltd

After initial assessments of the Pricing Schedule it was concluded to not proceed further in assessing the pricing criteria component due to submitted pricing schedules vastly varying.

This recommendation is due to all 4 submissions exceeding the allocated budget.

The budget for this Tender T003 20/21 was \$320,000 over 18 months.

### **STATUTORY IMPLICATIONS**

Tenders were called in accordance with section 3.57 of the *Local Government Act 1995* and *Local Government (Function and General) Regulations 1996 Part 4, Division 2, Regulation 11 (a)* which requires tenders to be publicly invited according

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to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, worth more than \$250,000 unless sub-regulation (2) states otherwise.

**POLICY IMPLICATIONS**

The tender process ensures Policy CORP-AP-001 relating to purchasing is satisfied. Further, the requirement for public tender where the aggregate value exceeds \$250,000 is complied with.

**COMMUNITY ENGAGEMENT CONSULTATION**

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

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## 15.3 DEPUTY CHIEF EXECUTIVE OFFICER

### 15.3.1 MONTHLY FINANCIAL REPORT - MAY 2021

**Responsible Officer:** David Trevaskis  
Deputy Chief Executive Officer

**Author:** Ishani Subaharan  
Corporate Accountant

**Disclosure of Interest:** Nil

#### VOTING REQUIREMENTS

Absolute

#### OFFICER RECOMMENDATION

**That Council in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, receive the Statement of Financial Activity for the period ending 31 May 2021.**

#### EXECUTIVE SUMMARY

In accordance with regulation 34 of the *Local Government (Financial Management) Regulations 1996* (“**the Regulations**”), the City is to prepare a monthly Statement of Financial Activity for approval by Council. Attached for consideration is the completed Statement of Financial Activity for the period ending 31 May 2021.

#### COMMUNITY STRATEGIC PLAN LINKS

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

- **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.

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## REPORT

The Statement of Financial Activity was introduced by the Department of Local Government from 1 July 2005; the change was implemented to provide elected members with a better idea of operating and capital revenues and expenditures. It was also intended to link operating results with balance sheet items and reconcile with the end of month balances.

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

For the year to date to 31 May 2021 income is under budget by 2.58% and expenditure is under budget by 7.06%, commentary is provided at sub program level. A nil variance means 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 2.58%, \$1,783,001 under budget. The sub programs which are outside the allowable variance are as follows.

#### Other Culture

Description	YTD Budget	YTD Actual	YTD Variance
<b>Other Culture</b>	<b>\$413,412</b>	<b>\$283,768</b>	<b>(\$129,644)</b>

Decrease in revenue is due to less operation in Goldfields Art Centre due to restrictions from COVID-19.

#### Building Control

Description	YTD Budget	YTD Actual	YTD Variance
<b>Building Control</b>	<b>\$198,911</b>	<b>\$254,937</b>	<b>\$56,026</b>

This is due to an increase in building development applications.

#### Economic Development

Description	YTD Budget	YTD Actual	YTD Variance
<b>Economic Development</b>	<b>\$1,958,373</b>	<b>\$1,058,908</b>	<b>(\$899,465)</b>

This is due to a delay in Kal City Centre project and corresponding State Government progress payments for funds held in WA Treasury Corp.

#### General Administration Overheads

Description	YTD Budget	YTD Actual	YTD Variance
<b>General Administration Overheads</b>	<b>\$355,470</b>	<b>\$50,882</b>	<b>(\$304,587)</b>

This is due to timing delay in CBD Wi-Fi grant of (\$205k) and (\$99k) less other income compared to budget.

#### Town Planning & Regional Development

Description	YTD Budget	YTD Actual	YTD Variance
<b>Town Planning &amp; Regional Development</b>	<b>\$300,000</b>	<b>\$55,403</b>	<b>(\$244,597)</b>

This is due to profit on sale of assets being \$245k lower compared to budget.

### EXPENSE CATEGORIES

Overall stated expenditure is 7.06% \$4,099,446 under budget. The sub programs which are outside the allowable variance are as follows.

**Other Governance**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Other Governance</b>	<b>\$2,155,534</b>	<b>\$1,554,133</b>	<b>(\$601,402)</b>

(\$487k) of the variance is due to less Covid-19 contributions, (\$69k) due to less administration cost allocations and (\$45k) due to less economic development sponsorships.

**Aged and Disabled – Senior Citizens Centres**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Aged and Disabled – Senior Citizens Centres</b>	<b>\$776,780</b>	<b>\$572,949</b>	<b>(\$203,831)</b>

(\$107k) of the variance is due to lower employee costs and (\$72k) due lower indirect administration costs. (\$25k) due to less contract costs due to cost saving measures and less Meals on Wheels numbers.

**HACC**

Description	YTD Budget	YTD Actual	YTD Variance
<b>HACC</b>	<b>\$888,861</b>	<b>\$1,025,354</b>	<b>\$136,493</b>

This is due to higher employee costs of \$160k, administration costs of \$22k partially offset by less contract costs of (\$45k) year-to-date.

**Other Welfare**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Other Welfare</b>	<b>\$416,734</b>	<b>\$354,916</b>	<b>(\$61,818)</b>

(\$81k) of the variance is from less material and contract costs due to delay in projects and (\$11k) due to less contributions which is partially offset by higher employee and insurance costs of \$30k compared to budget.

**Other Community Amenities**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Other Community Amenities</b>	<b>\$526,500</b>	<b>\$378,507</b>	<b>(\$147,993)</b>

(\$125k) of the variance is due to less contract costs, contributions and less employee costs. (\$23k) is due lower indirect administration costs.

**Other Culture**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Other Culture</b>	<b>\$1,861,965</b>	<b>\$1,319,918</b>	<b>(\$542,047)</b>

This reflects the less operations in GAC due to COVID-19. (\$339k) of the variance is due to less contract costs due to delay in GAC events, (\$125k) is due to lower indirect administration costs, (\$42k) is due to less employee costs and (\$36k) due to less contributions.

**Building Control**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Building Control</b>	<b>\$698,419</b>	<b>\$601,500</b>	<b>(\$96,919)</b>

(\$45k) of the variance is due to employee costs, (\$35k) is due to less administration overhead allocations and (\$17k) due to less contract costs year-to-date.

**Economic Development**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Economic Development</b>	<b>\$1,168,441</b>	<b>\$970,468</b>	<b>(\$197,974)</b>

(\$113k) of the variance is due to less contracts, (\$56k) due to less employee costs and (\$28k) due to less indirect administration costs.

**Plant Operation Costs**

Description	YTD Budget	YTD Actual	YTD Variance
<b>Plant Operation Costs</b>	<b>\$144,907</b>	<b>\$887,713</b>	<b>\$742,806</b>

Plant operating costs year-to-date are under-allocated. This is due less usage of plant on capital works.

**CAPITAL CATEGORIES**

May 2021 capital expenditure is under budget by (\$9m) YTD. Actual YTD expenditure is \$22m versus budgeted YTD spend of \$13m.

The main variances are from Infrastructure – Roads of (1.9m), Buildings of (\$1.4m), Work in Progress of (\$1.2m), Plant and Light Vehicles of (\$1.2m), Footpaths of (\$1m), Parks and Sewerage of (\$1.3m) due to the delay in projects starting.

**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 - May 2021 



**15.3.2 ACCOUNTS PAYABLE FOR THE MONTH OF JUNE 2021**

**Responsible Officer:** David Trevaskis  
Deputy Chief Executive Officer

**Author:** Kristy Van Kuyl  
Senior Finance Officer

**Disclosure of Interest:** Nil

**VOTING REQUIREMENTS**

Simple

**OFFICER RECOMMENDATION**

**That Council receive the list of payments totalling \$3,816,175.58 as presented for the month of June 2021.**

**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), debit card and credit card.

**COMMUNITY STRATEGIC PLAN LINKS**

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

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

**BUDGET IMPLICATIONS**

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

**REPORT**

Attached to this report are the lists of all cheque and EFT payments made during the month of June 2021 and a list of corporate credit card transactions by card holder of the same period totalling \$3,816,175.58.

Municipal EFT	\$	3,403,197.45
Municipal Cheque	\$	51,691.33
Direct Debit	\$	313,055.04
Debit Card	\$	764.16
Credit Cards	\$	47,467.60
<b>Grand Total</b>	<b>\$</b>	<b>3,816,175.58</b>

**STATUTORY IMPLICATIONS**

The Accounts Payable for the Month of June 2021 has been prepared in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996*.

**POLICY IMPLICATIONS**

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

**COMMUNITY ENGAGEMENT CONSULTATION**

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

**ATTACHMENTS**

Municipal EFT Payments - June 2021 

Municipal Cheque Payments - June 2021 

Direct Debit Payments - June 2021 

Debit Card Payments - June 2021 

Credit Card Payments - June 2021 

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**15.3.3 T012 – 20/21 CITY OF KALGOORLIE-BOULDER SECURITY SERVICES**

**Responsible Officer:** David Trevaskis  
Deputy Chief Executive Officer

**Author:** Nicole Ilsley  
Property Coordinator

**Disclosure of Interest:** Nil

**VOTING REQUIREMENTS**

Simple

**OFFICER RECOMMENDATION**

**That Council:**

- 1. Accept MCM Protection Pty Ltd and Lucrative Security Services as the preferred tenderers of RFT012-20/21 – City of Kalgoorlie-Boulder Security Services;**
- 2. Authorise the CEO or his nominated delegate(s) to negotiate with MCM and Lucrative to split the contract works between the companies for a period of three (3) years; and**
- 3. Upon reaching an agreement, authorise the Mayor and CEO to sign the contract documents under the common seal of the City of Kalgoorlie-Boulder in accordance with part 19.1 (2) of the Standing Order Local Laws 2013.**

**EXECUTIVE SUMMARY**

The purpose of this report is for Council to consider the submissions received from request for Tender T012-20/21 – City of Kalgoorlie-Boulder Security Services.

The City of Kalgoorlie-Boulder's (**City**) contract for the provision of security services across Kalgoorlie-Boulder, including scheduled patrols, monitoring alarms, emergency callouts and event security has recently expired. Before the City can enter into a new contract arrangement, a tender process must be completed as per the City's purchasing policy and LG statutory requirements.

A total of four (4) submissions were received for T012 – 20/21 City of Kalgoorlie-Boulder Security Services. Following completion of the evaluation process tenderer B received the highest weighted score. MCM Protection Pty Ltd (MCM) and Lucrative Security Services (LSS), were the only submissions eligible to be assessed as regional (local) suppliers. Despite scoring lower weighted scores than tenderer B the panel deemed that there would be value for money benefits if engaging local suppliers for this contract. Advantages include local knowledge and familiarity of the City's existing facilities, events and needs and increased resource availability by splitting the total works across two providers. When applying the City's regional price preference MCM and LSS services were competitively priced.

Therefore the evaluation panel is recommending that Council accept MCM Protection Pty Ltd and Lucrative Security Services as the preferred tenderers and

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authorise the CEO or his nominated delegate to enter into two separate agreements for the provision of security services for the City.

### **COMMUNITY STRATEGIC PLAN LINKS**

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

- SAFE: We will be safe and free from harm and crime.
- SAFE: We will deliver a safe and activated community that can be used day and night.

### **BUDGET IMPLICATIONS**

An annual amount of \$119,896.00 has been budgeted for the 2021/22 financial year.

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## **REPORT**

### **Background**

The City of Kalgoorlie-Boulder requires a contractor for the provision of various security services in and around specified properties which are owned and managed by the City. A contractor will provide services to deter and detect unusual and suspicious activity, as well as safeguarding people and property. The City's current security contract is completed, and a new contract is to be entered into, the duration of the new contract will be three (3) years. In 2020/21 financial year, over \$150,000.00 was spent on security services by the City's Property department.

The successful tenderer is required to provide security patrols (static, foot and vehicle), alarm response, emergency call outs services, locking and unlocking gates to City premises, security for community and private events.

Tender T012-20/21 – City of Kalgoorlie-Boulder Security Services was released on the City's e-Tendering portal VendorPanel on 20 March 2021. The tender which closed on 8 April received a total of four (4) submissions.

### **Assessment**

The tendering period for T012 – 20/21 – City of Kalgoorlie-Boulder Security Services was from 20 March to 8 April 2021. In this period, four (4) submissions for the tender were received from the below suppliers;

- Lucrative Security Services;
  - La Fortuna Pty Ltd T/as Australian Guards and Patrols;
  - MCM Protection Pty Ltd; and
  - Resolute Security Services Pty Ltd.
-

All submissions were marked as compliant, however some pricing was not included in two submissions, as the services could not be provided. The evaluation panel consisted of three senior City staff.

Each tender submission was assessed against the following qualitative criteria and weighting:

- Relevant Experience (10%)
- Key Personnel Skills and Experience (20%)
- Regional Supplier (10%)
- Demonstrated Understanding (20%)
- Price (40%)

Of the 4 submissions, 2 were Kalgoorlie-Boulder based and eligible to be assessed as *regional suppliers*. Regional Price Preference was also applied during the assessment process.

Tenderers A and C did not complete pricing for all the services provided, tenders B and D submitted completed pricing schedules. Overall, the pricing submitted by the majority of the tenderers sees a potential reduction in pricing and a cost saving opportunity to the City compared to the previous contract terms.

### Panel Assessment Recommendation

Following completion of the tender evaluation process tenderer B received the highest weighted score of 70.08%. After applying the regional price preference for local suppliers the price schedules from all tenderers were considered competitive and reasonable for the requested services and works. Tenderer B scored highest for relevant experience, key personnel skills and demonstrated understanding and was assessed second highest for pricing. A table summarising the results of the evaluation is provided below:

<i>Tenderers</i>		<i>A</i>	<i>B</i>	<i>C</i>	<i>D</i>
<b>Relevant Experience</b>	<b>10%</b>	7.33%	9.33%	8.67%	9.33%
<b>Key Personnel Skills and Experience</b>	<b>20%</b>	12.00%	18.67%	10.67%	13.33%
<b>Key Personnel - Regional Contracting</b>	<b>10%</b>	9.33%	3.33%	10.00%	6.67%
<b>Demonstrated Understanding</b>	<b>20%</b>	10.67%	17.33%	13.33%	16.00%
<b>Pricing</b>	<b>40%</b>	23.42%	21.41%	19.11%	16.05%
<b>TOTAL weighted score</b>	<b>100.00%</b>	<b>62.75%</b>	<b>70.08%</b>	<b>61.78%</b>	<b>61.39%</b>

As per the City's purchasing policy and regional preference/buy local policy, a local business is defined as being a business/organisation substantially trading from a recognised business address within the region including having operated out of the premises for a continuous period of not less than six (6) months. The City has engaged both MCM Protection Pty Ltd and Lucrative Security Services for the provision of various security services over several years. Continuing to engage the services of local businesses for the City has several advantages including opportunities to realise value for money over the term of the contract as well as supporting the goals and initiatives established in City's *Buy Local Strategy* <https://www.ckb.wa.gov.au/Doing-Business/Economic-Development/Buy-Local-Initiatives> .

The evaluation panel recommendation is to accept MCM and LSS as the preferred tenderers and enter into two separate contracts. Despite scoring lower total weighted scores than tenderer B the benefits of utilising two local suppliers for security works will be most advantageous for the City over the term of the contract(s). This includes taking advantage of local knowledge and familiarity of the City's existing facilities, events and needs and increased resource availability by splitting the total works across two providers.

## **STATUTORY IMPLICATIONS**

Tenders were called in accordance with section 3.57 of the *Local Government Act 1995* and *Local Government (Function and General) Regulations 1996* Part 4, Division 2, Regulation 11 (a) which requires tenders to be publically invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, worth more than \$250,000 unless sub-regulation (2) states otherwise.

### ***Function and General Regulations 1996***

#### **18. *Rejecting and accepting tenders***

- (4) *Tenders that have not been rejected under subregulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them (if any) it thinks it would be most advantageous to the local government to accept.*
- (5) *The local government may decline to accept any tender.*

#### **20. *Variation of requirements before entry into a contract***

- (1) *If, after it has invited tenders for the supply of goods or services and chosen a successful tenderer but before it has entered into a contract for the supply of the goods or services required, the local government wishes to make a minor variation in the goods or services required, it may, without again inviting tenders, enter into a contract with the chosen tenderer for the supply of the varied requirement subject to such variations in the tender as may be agreed with the tenderer.*
- (2) *If –*
  - (a) *the chosen tenderer is unable or unwilling to enter into a contract to supply the varied requirement; or*

(b) *the local government and the chosen tenderer cannot agree on any variation to be included in the contract as a result of the varied requirement,*

*that tenderer ceases to be the chosen tenderer and the local government may, instead of again inviting tenders, chose the tenderer, if any, whose tender the local government considered it would be most advantageous to it to accept.*

(3) *In subregulation (1) –*

***minor variation** means a variation that the local government is satisfied is minor having regard to the total goods or services that tenderers were invited to apply.*

### **POLICY IMPLICATIONS**

The tender process ensures Policy CORP-AP-001 relating to purchasing is satisfied. Further, the requirement for public tender where the aggregate value exceeds \$250,000 is complied with.

Regional Price Preference / Buy local Policy CORP-AP-005.

### **COMMUNITY ENGAGEMENT CONSULTATION**

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

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



**17 INFORMATION BULLETIN****17.1 CHIEF EXECUTIVE OFFICER****17.1.1 INFORMATION ITEM 26 JULY 2021**

<b>Responsible Officer:</b>	<b>John Walker Chief Executive Officer</b>
<b>Author:</b>	<b>Eve Reitmajer PA to Deputy Chief Executive Officer</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

**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:

- **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.

<b>INFORMATION ITEM:</b>	<b>DATE:</b>
Seal Register	July 2021
Facebook Statistics	June to July 2021
Contract Variations	Nil
Water Services	EOFY July 2021
Sustainability & Waste Services	2021 FY
2020-2021 Rural Works Program	July 2021
PDRS Information Bulletin	June 2021

**STATUTORY IMPLICATIONS**

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

**POLICY IMPLICATIONS**

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

**COMMUNITY ENGAGEMENT CONSULTATION**


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

**ATTACHMENTS**

Seal Register 

Facebook Statistics 

2020-2021 Rural Works Program 

Sustainability & Waste Services - 2021 FY Annual Report 

Water Services EOFY July 2021 report 

PDRS Information Bulletin - June 2021 

## 18 CONFIDENTIAL ITEMS

### 18.1.1 COMMERCIAL WATER SUPPLY

<b>Responsible Officer:</b>	<b>John Walker Chief Executive Officer</b>
<b>Author:</b>	<b>Alex Weise Executive Manager Economy and Growth</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

#### OFFICER RECOMMENDATION

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

- a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government
- a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government

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#### EXECUTIVE SUMMARY

It is the recommendation of the Responsible Officer that this item be considered “in camera” due to the private and confidential nature of its contents.

**19 DATE OF NEXT MEETING**

The next Ordinary Council Meeting will be on Monday 23 August 2021.

**20 CLOSURE**