



**City of
Kalgoorlie
Boulder**

MINUTES

of the Ordinary Council Meeting

held at 7:00 PM

on

21 NOVEMBER 2022

at the

Kalgoorlie Town Hall

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Mayor declared the meeting open at 7:00pm welcoming the gallery and those present.

2 OPENING PRAYER

The opening prayer was conducted by Major Craig Spooner from the Salvation Army.

3 DISCLAIMER READING

The Mayor read the disclaimer to those present.

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

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

The recommendations contained in this Agenda are Officer's Recommendations only and should not be acted upon until Council has resolved to adopt those recommendations.

The resolutions of Council should be confirmed by perusing the Minutes of the Council Meeting at which these recommendations were considered.

Members of the public should also note that they act at their own risk if they enact any resolution prior to receiving official written notification of Council's decision.

4 RECORD OF ATTENDANCE

4.1 Attendance

COUNCIL RESOLUTION

Moved By:

Cr Kim Eckert

Seconded By:

Cr Amy Astill

That Council authorises the attendance of Cr Reidy and Cr Winner to participate in the Ordinary Meeting of Council in accordance with the provisions of the Local Government (Administration) Regulations 1996 Clause 14A.

**CARRIED
(9 / 0)**

In Attendance:

Mayor John Bowler

Deputy Mayor Glenn Wilson

Cr Deborah Botica

Cr Mandy Reidy Via telephone conference

Cr Dave Grills

Cr Terrence Winner Via telephone conference

Cr John Matthew

Cr Kirsty Dellar

Cr Amy Astill

Cr Kim Eckert

Cr Michael McKay Via telephone conference

Cr Suzie Williams

Members of Staff:

Andrew Brien

Chief Executive Officer

David Trevaskis

Director Corporate and Commercial

Alex Wiese

Director Development and Growth

Kevin Ketterer

Director Engineering

Mia Hicks

Director Community Development

Frances Liston

Executive Manager Governance and Risk Services

Emma Holtum

Governance Officer

Rajan Prajapati

IT Technical Systems Analyst

Visitors:

5

Press:

2

4.2 Apologies

Apologies - Elected Members:

Cr Wayne Johnson

Apologies - Members of Staff:

Nil

4.3 Leave of Absence (Previously Approved)

Leave of Absence:

Nil

5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6 PUBLIC ACCESS AND PUBLIC QUESTION TIME

6.1 Public Access

Nick Strong General Manager at Northern Star Resources Limited addressed the meeting regarding Item 15.3.2 - Road Reserve Closure - KCGM Fimiston South Project.

Northern Star Resources Ltd (Northern Star) is currently preparing for a growth project at KCGM Operations called 'Fimiston South Project', commencing at the southern end of the Fimiston Open Pit (Super Pit) in 2023. The Fimiston South Project will extend KCGM Operations' Life of Mine to 2034, providing ongoing benefits to the Kalgoorlie-Boulder community and sustaining hundreds of local jobs at the Super Pit and its suppliers. As part of the Fimiston South Project, a portion of the existing noise bund towards the South Boulder industrial area will be relocated westwards, because it lies within the Fimiston South Project footprint. To enable the noise bund relocation, Northern Star has applied to the City of Kalgoorlie Boulder to permanently close small sections of existing and legacy roads adjacent to the Super Pit.

6.2 Public Question Time

Brendon Wilson, resident of Somerville asked the following question:

What can the Council do to assist the Goldfields Touch Association and TeeBall Association by making our respective sports safer? 4.6.1 strategic community plan theme/goal "safe" presently both associations are victims of poor and dangerous behaviours of disaffected youths.

Response from Mayor:

Mayor thanked Brendon, and informed him that this is an issue that Council and City staff are aware of and concerned about. As law and order is a State matter, the Mayor suggested that it should also be brought to the attention of our State Member of Parliament. The Mayor gave an undertaking to keep the clubs informed on what Council are doing and will continue to work with the users of the facilities to find a solution.

7 PETITIONS / DEPUTATIONS / PRESENTATIONS

Nil

8 NOTATIONS OF INTEREST

8.1 Interest Affecting Impartiality City of Kalgoorlie-Boulder Code of Conduct

Nil

8.2 Financial Interest Local Government Act Section 5.60A

Deputy Mayor Glenn Wilson declared a financial interest in item 15.1.3 as his partner is a former staff member.

Councillor Amy Astill declared a direct financial interest in item 15.3.2 as she is an employee of Northern Star.

Councillor Kim Eckert declared a direct financial interest in item 15.3.2 as KCGM/ Northern Star are sponsors of Kalgoorlie-Boulder Urban Landcare Group.

8.3 Proximity Interest Local Government Act Section 5.60B

Nil

9 APPLICATIONS FOR LEAVE OF ABSENCE

Moved By:

Cr Amy Astill

Seconded By:

Cr Suzie Williams

That Council approve the leave request.

**CARRIED
(12 / 0)**

Applicant: Cr Johnson

Cr Wayne Johnson requested leave of absence from 21 November 2022 to 6 December 2022.

10 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSIONS

10.1 Mayor Announcements

25 October 2022 Sports Star Meeting
7 November 2022 Met Tellus re Sandy Ridge progress
7 November 2022 Seniors Week Opening
7 November 2022 Council Briefing Workshop
9 November 2022 Roadwise Photo for WALGA
11 November 2022 Kalgoorlie Campus Curtin Uni Meeting
14 November 2022 First Seniors Workshop
14 November 2022 Council Agenda Briefing Meeting
15 November 2022 Planning for Australia Day
15 November 2022 Oasis Clubrooms with Deputy Mayor Wilson

15 November 2022 Meeting with Brendon Grylls
15 November 2022 Sports Star Meeting
17 November 2022 What's Down the Track
18 November 2022 White Ribbon Day at Lord Forrest
18 November 2022 Sports Star of the Year
19 November 2022 Laying Paving Plaques in Hannan Street
21 November 2022 Citizenship Ceremony

**Deputy Mayor
Wilson**

8 November 2022 Senior Directory Launch
9 November 2022 Lotterywest Christmas Street Party and Sunset at Soundshell meeting
11 November 2022 Remembrance Day Kalgoorlie
17 November 2022 WDTT Sundowner Speech
18 November 2022 White Ribbon March

11 CONFIRMATION OF MINUTES

Moved By: Cr Deborah Botica
Seconded By: Cr Kirsty Dellar

That the minutes of the Ordinary Meeting of Council held on 24 October 2022 be confirmed as a true record of that meeting.

**CARRIED
(12 / 0)**

12 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

13 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

14 REPORTS OF COMMITTEES

14.1 Governance and Policy Committee Minutes - 17 October 2022

14.1.1 Review process for Council policies

Responsible Officer:	Andrew Brien Chief Executive Officer Frances Liston Executive Manager Governance and Risk Services
Responsible Business Unit:	Office of the CEO Governance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Attachments:	1. Policy register [14.1.1.1 - 6 pages]

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved By: Deputy Mayor Glenn Wilson

Seconded By: Cr Kirsty Dellar

That Council:

1. Endorse the internal review process for Council policies;
2. Note that a final prioritised list of policies for review will be provided to the next meeting of the Committee.

CARRIED
(12 / 0)

For: Cr Deborah Botica, Deputy Mayor Glenn Wilson, Mayor John Bowler, Cr Michael McKay, Cr Mandy Reidy, Cr David Grills, Cr Terrence Winner, Cr John Matthew, Cr Kirsty Dellar, Cr Amy Astill, Cr Kim Eckert and Cr Suzie Williams

Against: Nil

Executive Summary

Council policies should be reviewed at least every two years biennially and it has been identified that review of a number of policies is outstanding.

Directors and Executive Managers are undertaking a review of the current policies in order to prioritise policies for review.

The attachment to this report shows the list of current Council policies and preliminary director and executive manager prioritisation ratings although at the date of this report this register has not been completed.

Community Engagement Consultation

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

Community Strategic Plan Links

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

EMPOWERED: We continue to believe in the principles of representational democracy and are enabled to make decisions about our lives.

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

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

The following process for review of Council policies has been developed by the Chief Executive Officer and Executive Manager Governance and Risk Services (EMGRS):

Create of up-to-date register of Council policies.	Completed
Review of register by Directors and Executive Managers to allocate: <ol style="list-style-type: none"> 1. levels for priority (1, 2, 3) for review of policies by their respective department; 2. responsibility of preliminary review of each policy to a particular responsible officer 	In progress
EMGRS to keep Sky Trust up to date	In progress
EMGRS to update templates for uniformity in content, format and presentation across all Council policies.	In progress
EMGRS to assist allocated responsible officers to complete review of policies, starting with Priority 1 policies.	Not yet started
Upon responsible officers completing their review of relevant policies, those reviewed policies will be reviewed by the Executive Leadership Team.	Not yet started

<p>Upon the Executive Leadership Team reviewing the reviewed policies, EMGRS will prepare a report to the Committee to present updated policies to the Committee for review.</p>	<p>Not yet started</p>
<p>The Committee will recommend:</p> <ol style="list-style-type: none"> 1. Changes to policies; 2. Adoption by Council of policies. 	<p>Not yet started</p>
<p>Following adoption by Council, EMGRS to update Sky Trust, ECM, website and register (and other relevant platforms)</p>	<p>Not yet started</p>

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.

14.1.2 Governance Framework

Responsible Officer:	Andrew Brien Chief Executive Officer Frances Liston Executive Manager Governance and Risk Services
Responsible Business Unit:	Office of the CEO Governance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Attachments:	1. Governance Framework [14.1.2.1 - 68 pages]

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved By: Cr Terrence Winner
Seconded By: Cr John Matthew

That Council note that the Draft Governance Framework was presented to Council on 24 October 2022 with the recommendation that this be adopted by Council.

**CARRIED
(12 / 0)**

For: Cr Deborah Botica, Deputy Mayor Glenn Wilson, Mayor John Bowler, Cr Michael McKay, Cr Mandy Reidy, Cr David Grills, Cr Terrence Winner, Cr John Matthew, Cr Kirsty Dellar, Cr Amy Astill, Cr Kim Eckert and Cr Suzie Williams

Against: Nil

Executive Summary

In response to direction from the Department of Local Government, Sports and Cultural Industries, the Governance Framework has been developed by the CEO and Executive Manager of Governance and Risk Services, in consultation with directors, executive managers and elected members.

The Governance Framework sets out:

- guidelines and standards expected of elected members and employees;
- the various roles across the City and their relationships; and
- the many legal, ethical and financial responsibilities of elected members and employees.

Community Engagement Consultation

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

Community Strategic Plan Links

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

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

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

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

The Department of Local Government, Sport and Cultural Industries provided direction to the CEO that the City needs to develop a Governance Framework to underpin and support its governance practices.

Good governance is critical if the community is to have confidence in the Council and the City administration. Accordingly, the Governance Framework has been developed to set out guidelines and standards expected of Elected Members and employees to achieve good governance through concepts such as compliance, community participation, ethical conduct, transparency, accountability and ongoing performance management. It also sets out the roles of Council members, management and employees of the City of Kalgoorlie-Boulder and their relationships, along with financial, legal and ethical responsibilities that impact individuals and the organisation.

The City of Kalgoorlie-Boulder's good governance is achieved through various strategies which are explored in this Governance Framework, including as follows:

- Ensuring individual and organisational compliance with the Local Government Act, supporting regulations and additional relevant legislative instruments;
- Ensuring individual and organisational compliance with applicable Codes of Conduct, policies, procedures and management practices;
- Developing and publishing policies and procedures to ensure consistency and fairness in all decisions as well as transparency and accountability in respect of such decisions (both internally and to the members of the public);
- Implementing effective risk management processes, including ongoing identification, assessment, review and management of operational and strategic risks;
- Ensuring clear role definition and clarity for Council members and employees;

- Acting efficiently and effectively in its decision-making processes including:
 - obtaining, collating and reporting accurate, comprehensive and relevant information to Council;
 - ensuring Council members have a sound understanding of matters prior to making critical decisions;
- Ensuring ethical behaviour of Council members and employees, characterised by honesty and integrity;
- Seeking community participation (through open elections, open Council meetings and question time processes as well as consultation processes);
- Effectively managing staff and resources to ensure efficiency and effectiveness in implementing Council resolutions; and
- Creating a positive culture to promote open communication, teamwork and accountability.

In employing these strategies, the City of Kalgoorlie-Boulder endeavours to comply with the Local Government Act to achieve:

- Better decision-making;
- Greater community participation;
- Greater accountability; and
- More efficient and effective operations.

The draft of the Governance Framework was provided to all elected members for comments and was further considered at the Councillor workshop held on 10 October 2022. Final suggested amendments were provided to the Chief Executive Officer and the Executive Manager Governance and Risk Services for inclusion in the final draft which is presented as an attachment to this report.

Statutory Implications

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

Policy Implications

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

14.1.3 Elected member requests

Responsible Officer:	Andrew Brien Chief Executive Officer Frances Liston Executive Manager Governance and Risk Services
Responsible Business Unit:	Office of the CEO Governance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Attachments:	1. CONFIDENTIAL - Elected member request register [14.1.3.1 - 8 pages]

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION

Moved By: Cr Deborah Botica

Seconded By: Cr Kirsty Dellar

That Council note the Register of Elected Member Requests.

CARRIED
(12 / 0)

For: Cr Deborah Botica, Deputy Mayor Glenn Wilson, Mayor John Bowler, Cr Michael McKay, Cr Mandy Reidy, Cr David Grills, Cr Terrence Winner, Cr John Matthew, Cr Kirsty Dellar, Cr Amy Astill, Cr Kim Eckert and Cr Suzie Williams

Against: Nil

Executive Summary

From time to time, the City receives requests from Elected Members. These requests are saved, registered and forwarded to relevant officers for actioning.

Community Engagement Consultation

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

Community Strategic Plan Links

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

EMPOWERED: We continue to believe in the principles of representational democracy and are enabled to make decisions about our lives.

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

Budget Implications

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

Report

From time to time, the City receives requests from Elected Members. These requests are saved, registered and forwarded to relevant officers for actioning.

The City keeps a register of the Elected Member requests and actions taken as they progressed.

This register is attached to this report for the information of Council.

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.

14.1.4 Council resolutions and action register updates

Responsible Officer:	Andrew Brien Chief Executive Officer Frances Liston Executive Manager Governance and Risk Services
Responsible Business Unit:	Office of the CEO Governance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Attachments:	1. CONFIDENTIAL - Resolution action register [14.1.4.1 - 36 pages]

COMMITTEE RECOMMENDATION/ COUNCIL RESOLUTION**Moved By: Cr John Matthew****Seconded By: Cr Amy Astill**

That Council note the Resolution Action Register.

**CARRIED
(12 / 0)**

For: Cr Deborah Botica, Deputy Mayor Glenn Wilson, Mayor John Bowler, Cr Michael McKay, Cr Mandy Reidy, Cr David Grills, Cr Terrence Winner, Cr John Matthew, Cr Kirsty Dellar, Cr Amy Astill, Cr Kim Eckert and Cr Suzie Williams

Against: Nil**Executive Summary**

From 1 July 2022, Council Resolutions and Resolutions Actions are registered in Doc Assembler to replace the previous Excel format Resolution Register maintained by administration staff.

Community Engagement Consultation

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

Community Strategic Plan Links

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

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

Budget Implications

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

Report

Prior to 1 July 2022, administration has kept a register of Council resolutions and excels in a detailed Excel spreadsheet. From 1 July 2022, Council Resolutions and Resolutions Actions have been registered in Doc Assembler to replace that spreadsheet.

All resolutions of Council from prior to 1 July 2022 are continuing to be recorded, with actions noted, in the Excel spreadsheet. This will continue until all actions have been completed and then the use of this register will cease.

All resolutions from 1 July 2022 will be managed through the Doc Assembler platform. This register is updated by the Governance Officer following Council meetings with an automated data transfer from the minutes, and Doc Assembler then provides automated updates to responsible officers who can then enter updates as progress is made. These processes simplify these record keeping requirements and significantly reduce the time spent by administration staff in maintaining these records.

A copy of the Resolution Action Register for the period 1 July 2022 - 12 October 2022, is attached to this report for the review of the Committee.

Statutory Implications

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

Policy Implications

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

15 REPORTS OF OFFICERS

15.1 Chief Executive Officer

15.1.1 Council Calendar 2023

Responsible Officer:	Andrew Brien Chief Executive Officer Frances Liston Executive Manager Governance and Risk Services
Responsible Business Unit:	Office of the CEO Governance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Attachments:	1. Council Calendar 2023 [15.1.1.1 - 1 page]

OFFICER RECOMMENDATION/COUNCIL RESOLUTION

Moved By: Cr Kirsty Dellar

Seconded By: Cr Amy Astill

That Council adopt the attached 2023 calendar for Council meetings, forums and workshops, noting the impacts of the local government elections for the scheduling of Meetings during October 2023.

CARRIED
(12 / 0)

For:

Cr Deborah Botica, Deputy Mayor Glenn Wilson, Mayor John Bowler, Cr Michael McKay, Cr Mandy Reidy, Cr David Grills, Cr Terrence Winner, Cr John Matthew, Cr Kirsty Dellar, Cr Amy Astill, Cr Kim Eckert and Cr Suzie Williams

Against: Nil

Executive Summary

To assist administrative functions, enable long-term planning and ensure the availability of Councillors to attend Council meetings, forums and workshops, it is recommended that Council adopt the attached 2023 Council calendar.

Community Engagement Consultation

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

Community Strategic Plan Links

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

EMPOWERED: We continue to believe in the principles of representational democracy and are enabled to make decisions about our lives.

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

To assist administrative functions, enable long term planning and ensure availability of Councillors to attend Council meetings, forums and workshops, it is recommended that Council adopt the attached 2023 Council calendar.

The proposed meeting dates follows the same format as in the second half of 2022, whereby:

1. Concept Forums are held on the first Monday of each month;
2. Briefing sessions/workshops are held on the second Monday of each month;
3. Agenda Briefing Forums are held on the third Monday of each month;
4. Ordinary Council meetings are held on the fourth Monday of each month; and
5. An additional briefing session/workshop may be held in any month which has a fifth Monday.

At this stage the Concept Forum and Briefing Session for January are not proposed to be held to allow for elected members to have a break over the December-January period, however in the event that Council wishes to conduct these they can be scheduled for 3 and 9 January respectively. Alternatively, Council may wish to hold an additional workshop on Monday 30 January 2023.

Given the local government elections being held in October and consistent with the current Electoral Caretaker Period Policy, it is recommended that no Concept Forums or Briefing Sessions should be held in October 2023. This would mean that a Special (post-election) meeting could be held followed by an Agenda Briefing on the Monday following the election and then an Ordinary Meeting the Monday after.

Statutory Implications

With the exception of the required advertising of the meeting schedule there are no statutory implications resulting from the recommendations of this report.

Policy Implications

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

15.1.2 Virgin Australia Write Off

Responsible Officer:	Xandra Curnock Executive Manager Finance
Responsible Business Unit:	Finance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Attachments:	Nil

OFFICER RECOMMENDATION/COUNCIL RESOLUTION**Moved By: Cr John Matthew****Seconded By: Cr Kirsty Dellar**

That Council approve the write-off of Virgin Australia Debt still held by the City, totalling \$872,752.86 which is wholly covered by a bad debt provision of \$875,000, resulting in a \$nil impact on the surplus / (deficit) for the 2023 financial year.

CARRIED
(7 / 5)

For: Deputy Mayor Glenn Wilson, Mayor John Bowler, Cr Michael McKay, Cr Mandy Reidy, Cr John Matthew, Cr Kirsty Dellar and Cr Amy Astill

Against: Cr Deborah Botica, Cr David Grills, Cr Terrence Winner, Cr Kim Eckert and Cr Suzie Williams

Executive Summary

Virgin Australia went into voluntary administration in April 2020. The City had monies owing from Virgin Australia at this date totalling \$921,777 and provided for this debt accordingly. At 30 June 2022 a bad debt provision of \$875,000 was held on the balance sheet.

Community Engagement Consultation

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

Community Strategic Plan Links

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

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

Budget Implications

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

Report

On 5 May 2020 the City was advised Deloitte had been appointed as Administrator for Virgin Australia (hereafter Virgin), who went into voluntary administration on 21 April 2020. At this date the City was owed totalled funds of \$921,777 from Virgin Australia.

From correspondence received from Deloitte, and publications, the City was led to believe it would receive a maximum payout of 13% and a minimum payout of 9% of monies owing to the City, being \$119,833 and \$82,961 respectively.

The City took a prudent approach assuming they would receive the lower percentage return of 9%, therefore a bad debt provision was implemented at 30 June 2021 totalling \$839,000 against the outstanding debt.

On 2 September 2022 the City received a letter from Deloitte advising a payment would be made equivalent to 5.4 cents in the dollar. On 15 September 2022 the City received funds totalling \$49,024.23, equivalent to 5.4 cents in the dollar. As such, a bad debt provision was recognised in the 30 June 2022 financial statements of \$875,000.

The City has been advised it will receive no further payouts from the Administrators. As such, City staff are seeking approval to write off the outstanding debt of \$872,752.86 currently sitting in the sundry debtors balance, using the bad debt provision held in the balance sheet for this specific debt of \$875,000. There will be a \$nil effect on the surplus / (deficit) for the financial year ending 30 June 2023.

Statutory Implications

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

(1) Subject to subsection (2) and any other written law, a local government may -

- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
- (b) waive or grant concessions in relation to any amount of money; or
- (c) write off any amount of money,**

which is owed to the local government

**Absolute majority required*

Policy Implications

Debt Collection Policy: CORP-F-009

- Action for the writing off of bad debts (other than rates or service charges) should only take place where all avenues for recovery have been exhausted or it becomes unviable to keep pursuing the debt.
- Bad debts over \$5,000 (other than rates or service charges) are to be brought to Council for write off on an annual basis or more often if required.

15.1.3 Wages Backpay

Responsible Officer:	Xandra Curnock Executive Manager Finance
Responsible Business Unit:	Finance
Disclosure of Interest:	Deputy Mayor Glenn Wilson declared a financial interest in item 15.1.3 as his partner is a former staff member.
Voting Requirements:	Simple
Attachments:	Nil

OFFICER RECOMMENDATION/COUNCIL RESOLUTION

Moved By: Cr Kirsty Dellar
Seconded By: Cr David Grills

That Council receives the update on backpays made to existing and previous employees in relation to the implemented wage freeze in 2017.

CARRIED
(11 / 0)

For: Cr Deborah Botica, Mayor John Bowler, Cr Michael McKay, Cr Mandy Reidy, Cr David Grills, Cr Terrence Winner, Cr John Matthew, Cr Kirsty Dellar, Cr Amy Astill, Cr Kim Eckert and Cr Suzie Williams

Against: Nil

Deputy Mayor Glenn Wilson disclosed a financial interest and left the room at 7:32 pm.

Deputy Mayor Glenn Wilson returned to the room at 7:33 pm.

Executive Summary

As previously raised with Council, the City incorrectly implemented a wage freeze in 2017, as such approximately 700 current and existing employees were owed monies totalling \$845,769.

Community Engagement Consultation

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

Community Strategic Plan Links

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

CAPABLE: We are continuing to undertake the appropriate risk management and assessment strategies.

Budget Implications

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

Report

As part of the 2022 financial year mid year budget review taken to OCM on 28 March 2022, item 15.3.2, high-level calculations estimated the employee back pay would total a maximum of \$2,000,000.

The City performed detailed calculations to determine the exact monies owed to current and previous employees. This entailed reviewing contracts, hours worked and calculating back pays owing. From the detailed calculations it was identified the City owed \$845,769 in back pays to approximately 700 employees.

Of the estimated \$2,000,000 it was calculated \$1,462,000 related to periods prior to 30 June 2021. Therefore, the City included \$1,462,000 as a prior year adjustment in the 30 June 2021 financial statements. As the detailed calculations show an amount owing of \$845,769, the 30 June 2022 financial statements include an adjustment of (\$616,231) within employment costs.

At the start of November 2022 the amount owing to ex employees stands at \$161,316 and relates to 175 employees.

City staff have written letters to those affected, called and followed up on social media. The City will continue to chase and advertise to employees requesting them to come forward to claim monies owed to them. Once all efforts have been exhausted to contact ex-employees any funds not paid will be transferred to unclaimed monies with the Department of Treasury. The City will continue to chase those affected until May 2023.

Statutory Implications

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

Policy Implications

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

15.1.4 Monthly Financial Report - September 2022

Responsible Officer:	Xandra Curnock Executive Manager Finance
Responsible Business Unit:	Finance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Attachments:	1. Monthly Financial Report - September 2022 [15.1.4.1 - 25 pages]

OFFICER RECOMMENDATION/COUNCIL RESOLUTION

Moved By: Cr Amy Astill
Seconded By: Cr Kirsty Dellar

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 30 September 2022.

CARRIED
(12 / 0)

For: Cr Deborah Botica, Deputy Mayor Glenn Wilson, Mayor John Bowler, Cr Michael McKay, Cr Mandy Reidy, Cr David Grills, Cr Terrence Winner, Cr John Matthew, Cr Kirsty Dellar, Cr Amy Astill, Cr Kim Eckert and Cr Suzie Williams

Against: Nil

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 30 September 2022.

Community Engagement Consultation

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

Community Strategic Plan Links

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

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

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

Budget Implications

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

Report

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

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

For the year to date to 30 September 2022 income is over budget by 2.39% and expenditure is under budget by (6.62%), commentary is provided at sub program level. A nil variance means that the year to date actual value is identical to the year to date budget estimate. Comments are therefore provided where the variances value is > 10% and > \$50,000 under or over budget.

INCOME CATEGORIES

Overall stated income is 2.39%, \$1,298,866 over budget. The sub programs which are outside the allowable variance is as follows.

Other General Purpose Funding

Description	YTD Budget	YTD Actual	YTD Variance
Other General Purpose Funding	\$325,828	\$413,399	\$87,571

This variance is due to Federal Assistant Grant of (\$128k) being less than budget due to timing difference, and interest on term deposit of \$213k being more than budget.

Aerodromes

Description	YTD Budget	YTD Actual	YTD Variance
Aerodromes	\$2,935,715	\$4,153,793	\$1,218,078

This variance is mainly due to a 25% increase in passenger numbers when compared with budget. By comparing with last financial year, the passenger numbers for the period ending 30/09/2022 is 92,815, compared to passenger numbers for last financial year to 30/09/2021, which were 74,331.

EXPENSE CATEGORIES

Overall stated expenditure is (6.62%), (\$1,251,394) under budget. The sub programs which are outside the allowable variance is as follows.

Rates Revenue

Description	YTD Budget	YTD Actual	YTD Variance
Rates Revenue	\$273,818	\$212,238	(\$61,580)

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

Other Governance

Description	YTD Budget	YTD Actual	YTD Variance
Other Governance	\$494,696	\$409,427	(\$85,269)

This variance is due to contractors & consultants services of (\$36k), contributions, donations & subsidies of (\$26k), and employee salaries & wages of (\$28k) being less than budget.

Other Law, Order & Public Safety

Description	YTD Budget	YTD Actual	YTD Variance
Other Law, Order & Public Safety	\$436,706	\$350,208	(\$86,498)

This variance is due to contractors & consultants services of (\$25k), Insurance of (\$13k), depreciation of (\$20k), materials purchased of (\$9k) and admin costs of (\$8k) being less than budget.

Preventive Services – Inspection/ Admin

Description	YTD Budget	YTD Actual	YTD Variance
Preventive Services – Inspection/ Admin	\$387,323	\$316,139	(\$71,184)

This variance is due to admin costs of (\$46k), and total employee costs of (\$21k) being less than budget.

Aged and Disabled – Senior Citizens Centers

Description	YTD Budget	YTD Actual	YTD Variance
Aged and Disabled – Senior Citizens Centers	\$141,712	\$86,067	(\$55,645)

This variance is due to materials purchased of (\$18k) being less than budget, and employee salaries & wages being (\$34k) under budget which is due to an increase in the use of casual employees.

Town Planning & Regional Development

Description	YTD Budget	YTD Actual	YTD Variance
Town Planning & Regional Development	\$403,563	\$334,254	(\$69,309)

This variance is due to contributions, donations & subsidies of (\$15k) being less than budget, and admin costs being (\$52k) under budget due to timing difference.

Maintenance Roads Bridges Depots

Description	YTD Budget	YTD Actual	YTD Variance
Maintenance Roads Bridges Depots	\$2,296,125	\$1,812,986	(\$483,139)

This variance is due to electricity of (\$22k), and materials purchased of (\$10k) being less than budget, and contractors & consultants services of (\$214k), total employee costs of (\$126k) and labour overheads of (\$104k) are under budget due to current vacancies.

Road Plant Purchases

Description	YTD Budget	YTD Actual	YTD Variance
Road Plant Purchases	\$113,181	\$56,514	(\$56,667)

This variance is mainly due to the timing difference of loss on sale of Assets.

Parking Facilities

Description	YTD Budget	YTD Actual	YTD Variance
Parking Facilities	\$135,813	\$64,192	(\$71,621)

This variance is due to depreciation of (\$51k), and employee salaries & wages of (\$19k) being less than budget.

Tourism & Area Promotion

Description	YTD Budget	YTD Actual	YTD Variance
Tourism & Area Promotion	\$458,675	\$382,493	(\$76,182)

This variance is due to contractors & consultants services of (\$83k) being less than budget which is due to timing of works being completed.

Building Control

Description	YTD Budget	YTD Actual	YTD Variance
Building Control	\$250,925	\$179,526	(\$71,399)

This variance is due to admin costs being (\$45k), and employee salaries & wages of (\$31k) being less than budget.

Public Works Overheads

Description	YTD Budget	YTD Actual	YTD Variance
Public Works Overheads	\$263,246	\$634,994	\$371,748

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

Business Unit Operations

Description	YTD Budget	YTD Actual	YTD Variance
Business Unit Operations	\$210,990	\$284,982	\$73,992

This is due to timing, will be corrected in Mid-year budget review.

CAPITAL CATEGORIES

September 2022 year to date capital expenditure is under budget by (\$4.71m). Actual YTD expenditure is \$7.71m versus budgeted YTD spend of \$12.42m.

Main variances from Infrastructure –Roads of (\$2.22m), mainly relating to delays in R2R and RRG projects, Sewerage of (\$1.29m) relating to delays in the Water Bank project, Investment Property of (\$0.57m) due to works being delayed to later in the financial year, and Buildings of (\$0.53m) relating wholly to the Youth Hub project. Majority of works for this have been delayed to next calendar year.

Statutory Implications

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

Policy Implications

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

15.1.5 Accounts Payable Report October 2022

Responsible Officer:	Xandra Curnock Executive Manager Finance
Responsible Business Unit:	Finance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Attachments:	<ol style="list-style-type: none"> 1. Municipal EFT Payments - October 2022 [15.1.5.1 - 33 pages] 2. Municipal Cheque Payments - October 2022 [15.1.5.2 - 1 page] 3. Municipal Direct Debit Payments - October 2022 [15.1.5.3 - 1 page] 4. Municipal Credit Card Payments - October 2022 [15.1.5.4 - 11 pages]

OFFICER RECOMMENDATION/COUNCIL RESOLUTION

Moved By: Deputy Mayor Glenn Wilson
Seconded By: Cr David Grills

That Council receive the list of payments totalling \$5,967,594.99 as presented for the month of October 2022.

CARRIED
(12 / 0)

For: Cr Deborah Botica, Deputy Mayor Glenn Wilson, Mayor John Bowler, Cr Michael McKay, Cr Mandy Reidy, Cr David Grills, Cr Terrence Winner, Cr John Matthew, Cr Kirsty Dellar, Cr Amy Astill, Cr Kim Eckert and Cr Suzie Williams

Against: Nil

Executive Summary

The purpose of this report is for Council to receive the list of payments made from the Municipal and Trust funds including a summary report of the Corporate Credit Card transactions incurred by authorised card holders.

The Chief Executive Officer has been delegated the power to make payments from the Municipal and Trust funds in accordance with budget allocations. The City provides payment facilities to suppliers either by cheque, electronic funds transfer (EFT), direct debit, debit card and credit card.

Community Engagement Consultation

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

Community Strategic Plan Links

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

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

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

Budget Implications

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

Report

Attached to this report are the lists of all cheque and EFT payments made during the month of October 2022 and a list of corporate credit card transactions by card holder of the same period totalling \$5,967,594.99.

Municipal EFT	\$5,862,959.40
Municipal Cheque	\$1,425.15
Direct Debit	\$27,659.14
Credit Cards	\$75,551.30
Grand Total	\$5,967,594.99

Statutory Implications

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

Policy Implications

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

15.1.6 WALGA governance review

Responsible Officer:	Andrew Brien Chief Executive Officer Frances Liston Executive Manager Governance and Risk Services
Responsible Business Unit:	Office of the CEO Governance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Attachments:	1. 20221020 Background Paper [15.1.6.1 - 20 pages] 2. 20221020 Consultation Paper Model Options [15.1.6.2 - 22 pages]

OFFICER RECOMMENDATION/COUNCIL RESOLUTION

Moved By: Cr John Matthew
Seconded By: Cr Amy Astill

That Council:

1. Endorse Option 1 as its preferred option for WALGA’s governance model; and
2. Authorise the CEO to advise WALGA of Council’s preferred option.

CARRIED
(12 / 0)

For: Cr Deborah Botica, Deputy Mayor Glenn Wilson, Mayor John Bowler, Cr Michael McKay, Cr Mandy Reidy, Cr David Grills, Cr Terrence Winner, Cr John Matthew, Cr Kirsty Dellar, Cr Amy Astill, Cr Kim Eckert and Cr Suzie Williams

Against: Nil

Executive Summary

WALGA has advised local governments including the City of Kalgoorlie-Boulder that it is undertaking a Best Practice Governance Review to ensure its governance model is contemporary, agile and maximises engagement with members.

WALGA’s Project Steering Committee has developed a Background Paper (attached) and Consultation Paper (attached).

WALGA requests that local government members provide feedback in relation to the options presented in the Consultation Paper. WALGA requests this feedback be provided as a Council resolution by no later than 23 December 2022.

The City recommends Option 1 be endorsed by Council on the basis that:

1. 12 regional zones better allow for CKB's regional diversity to be recognized than those options with fewer, larger zones.
2. Representation of the zone which CKB falls into at the Policy Council and such representative has direct input into election of Board members and opportunity to be elected to the Board.

Community Engagement Consultation

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

Community Strategic Plan Links

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

EMPOWERED: We continue to believe in the principles of representational democracy and are enabled to make decisions about our lives.

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

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

WALGA has advised local governments including the City of Kalgoorlie-Boulder that it is undertaking a Best Practice Governance Review to ensure its governance model is contemporary, agile and maximises engagement with members.

WALGA's Project Steering Committee has developed a Background Paper (attached) and Consultation Paper (attached).

WALGA requests that local government members provide feedback in relation to the options presented in the Consultation Paper. WALGA requests this feedback be provided as a Council resolution by no later than 23 December 2022.

The options presented by WALGA and its key governance bodies (further detailed in the Consultation Paper) are summarized briefly in the table below. The Consultation Paper developed by WALGA sets out its principles of governance and how each option align to those principles.

SUMMARY OF WALGA OPTIONS	ADVANTAGES AND DISADVANTAGES FOR CKB
<i>Option 1: Two tier model, existing zones</i>	
<ul style="list-style-type: none"> • 11 member board consisting of 8 members elected from WALGA’s Policy Council (including the President) and up to 3 independent members. • Policy Council consisting of 25 members (including the President). • 5 metro zones and 12 country zones represented on the Policy Council (and a representatives will be elected by each zone to represent it on the Policy Council). 	<ul style="list-style-type: none"> + Equal metro and regional membership on board means board is not focused primarily on metro matters that may not impact the City. + Greater number of country zones recognizes regional diversity compared to a smaller number of larger country zones. - Representation from the CKB zone will be on the Policy Council but not necessarily the Board.
<i>Option 2: Board, Regional Bodies</i>	
<ul style="list-style-type: none"> • 11 member board consisting of 8 members elected from WALGA’s metro and regional bodies and up to 3 independent members, and a President elected by the board. • Regional bodies consisting of 4 metro and 4 country bodies, with the City of Kalgoorlie-Boulder to fall into a regional body (and a representative/s of that regional body will be elected to represent the zone on the Board). • Policy teams/forums/committees developed and formed to meet specific functions as determined by the Board. 	<ul style="list-style-type: none"> - Fewer, larger regional zones does not recognise the extent of regional diversity within each zone. - Only four regional bodies mean that CKB will likely be categorized as either “Mining and Pastoral” or “Regional Capitals” and therefore CKB-centric issues may receive less focus within the zone and therefore the Board. - CKB does not have its own representation at the Board - only one representative from the zone that CKB falls into will be elected to the Board which does not ensure CKB’s interests will be advocated to the Board. + Policy committee etc membership is drawn from the Board and Regional Bodies, which increases the likelihood of CKB-focused advocacy at that level.
<i>Option 3: Board, amalgamated zones</i>	
<ul style="list-style-type: none"> • 15 member Board consisting of 12 members elected from zones and up to 2 independent members, and a President elected by the Board. 	<ul style="list-style-type: none"> - Fewer, larger regional zones does not recognise the extent of regional diversity within each zone. - 6 regional zones will see CKB likely classified in the

<ul style="list-style-type: none"> • 12 zones consisting of 6 metro and 6 regional zones (and a representative/s of that regional body will be elected to represent the zone on the Board). • Policy teams/forums/committees developed and formed to meet specific functions as determined by the Board. 	<p>“Goldfields/Esperance” zone and therefore CKB-centric issues may receive less focus within the zone and therefore the Board.</p> <ul style="list-style-type: none"> - CKB does not have its own representation at the Board - only one representative from the zone that CKB falls into will be elected to the Board which does not ensure CKB’s interests will be advocated to the Board. - Policy committee etc membership is drawn from the Board which also does not ensure CKB representation.
<p><i>Option 4: Member elected board, regional groups</i></p>	
<ul style="list-style-type: none"> • 11 members elected via direct election, including President and up to three independent members. • Policy teams/forums/committees comprised of members of the board which have specified functions determined by the board. • Regional groups developed by members to suit needs, feed into development processes and undertake advocacy and projects as determined by each group. 	<ul style="list-style-type: none"> - Only four representatives from “country local governments” will be elected to the Board, giving no certainty that CKB or its neighbouring local governments will have representation. - CKB does not have its own representation at the Board - only one representative from the zone that CKB falls into will be elected to the Board which does not ensure CKB’s interests will be advocated to the Board. - Policy committees etc are drawn from the Board which also does not ensure CKB representation.
<p><i>Option 5: Current model</i></p>	
<ul style="list-style-type: none"> • State Council comprised of 25 members including president elected from zones • 5 metro and 12 country zones which consider the state agenda, elect State Council members and undertake regional advocacy and projects as directed by the zone. • Policy teams/forums/committees responsible for specific functions as determined by the State Council. 	<ul style="list-style-type: none"> + 12 regional zones better allow for CKB’s regional diversity to be recognized than fewer, larger zones. - Unequal representation at State Council – 12 members from 5 metro zones, and 12 members from 12 regional zones.

The City recommends Option 1 be endorsed by Council on the basis that:

3. 12 regional zones better allow for CKB's regional diversity to be recognized than those options with fewer, larger zones.
4. Representation of the zone which CKB falls into at the Policy Council and such representative has direct input into election of Board members and opportunity to be elected to the Board.

WALGA has also advised the City that it will be undertaking independent consultation to gain deeper insights from the perspective of CEOs and Elected Members. WALGA has indicated it intends to provide further information and a link to an online survey in coming weeks.

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

Policy Implications

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

15.2 Development and Growth

15.2.1 P101/22 - Internal Refurbishments - Lots 393 and 394 (No.93) Forrest Street Kalgoorlie (Inland City Hotel)

Responsible Business Unit:	Planning Development & Regulatory Services
Disclosure of Interest:	Nil
Application Number:	P101/22
Owner's Name:	Gregory and Debra Berich
Applicant's Name:	Gregory Berich
Development Value:	\$300,000
Voting Requirements:	Simple
Attachments:	<ol style="list-style-type: none"> 1. P 101-22 Development Plans - 93 Forest Street [15.2.1.1 - 11 pages] 2. Aerial Imagery Review - 93 Forrest Street KALGOORLIE [15.2.1.2 - 10 pages] 3. 103 Inland City Hotel - 93 Forrest Street [15.2.1.3 - 5 pages]

OFFICER RECOMMENDATION/COUNCIL RESOLUTION

Moved By: Cr John Matthew

Seconded By: Cr Kirsty Dellar

That Council approve the proposed internal works at Lots 393 and 394 (No. 93) Forrest Street, Kalgoorlie, subject to the following conditions;

1. This development must substantially commence within two (2) years from the date of this decision letter, unless an extension of the approval is received from the City, prior to this approval expiring.
2. The approved development must comply in all respects with the attached approved plans, as dated, marked and stamped, together with any requirements and annotations detailed thereon by the City of Kalgoorlie-Boulder. The plans approved as part of this application form part of the development approval issued.

Conditions to be met prior to a Building Permit being issued

3. Prior to a building permit being issued, hydraulic drawings detailing how the proposed development will connect to the City's sewer main must be submitted to and approved by the City.
4. Prior to a building permit being issued, sewer headworks charges are to be paid to the City in accordance with the City's Sewer Headworks Contributions Policy (DS-DS001) and current fee's and charges schedule.

Conditions to be met prior to use

5. Prior to use, this development shall be connected to the City's sewer system to the specifications of the City.

Conditions to be met on an ongoing basis

6. The stormwater shall be discharged and maintained in a manner so that there is no discharge onto the adjoining properties and is to be to the satisfaction of the City.
7. Landscaping is to be maintained on an ongoing basis to the satisfaction of the City.
8. The property owner is to ensure that any liquid industrial waste generated on site is pre-treated in an approved manner prior to discharge to the City's Sewer Reticulation System.

CARRIED
(12 / 0)

For: Cr Deborah Botica, Deputy Mayor Glenn Wilson, Mayor John Bowler, Cr Michael McKay, Cr Mandy Reidy, Cr David Grills, Cr Terrence Winner, Cr John Matthew, Cr Kirsty Dellar, Cr Amy Astill, Cr Kim Eckert and Cr Suzie Williams

Against: Nil

Executive Summary

Development approval is sought for internal alterations to the existing hotel (Inland City Hotel) at Lots 393 and 394 (No. 93) Forrest Street, Kalgoorlie. The internal alterations are not exempt under the *Planning and Development (Local Planning Schemes) Regulations (2015)* as the property is listed on the City's Local Heritage Inventory as the "Inland City Hotel" (Place No. 103).

Conditional approval for this development is recommended as the proposed development is mostly consistent with the 'Hotel' development standards of the *City of Kalgoorlie-Boulder Local Planning Scheme No.1* and *Local Planning Policy No.4 - Development Guidelines for Heritage Precincts and Places of Heritage Significance*. The proposed development is not considered to impact on the cultural heritage values of the place.

Authority/Discretion

Pursuant to clause 3.2.2.4 of City Staff Delegated Authority Register (July 2021) an application for the land use of "Hotel" may only be refused under delegated authority unless the alterations and/or expansions affects a maximum area of 10% of the existing development, or 200m² (in terms of floor space or land area in use, as appropriate), whichever is the lesser (Clause 3.2.2.8). In this instance the works proposed impact greater than 10% and 200m² of the existing use.

Planning and Development (Local Planning Schemes) Regulations 2015 (Cl. 68(2))

The council has discretion in accordance with cl. 68(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 to determine an application for development approval by:

- Granting development approval without conditions
- Granting development approval with conditions
- Refusing to grant development approval

Local Planning Scheme No. 1 (Cl. 6.9(1))

The Council has discretion in accordance with cl. 6.9 of Local Planning Scheme No. 1 to approve (with or without conditions) or refuse an application.

Background

Address:		Lots 393 and 394 (No. 93) Forrest Street, Kalgoorlie 6430
Lot Size:		1528m ²
Zoning	LPS1:	Mixed Business
	LPS2:	Town Centre
Existing Land Use:		Hotel
Proposed Land Use:		Hotel
Adjacent / Nearby Land Uses:		Residential, Commercial, Railway

Details of the Proposal

Development approval is sought for internal alterations to the existing hotel (Inland City Hotel) at Lots 393 and 394 (No. 93) Forrest Street, Kalgoorlie. Two (2) lounge/bar areas on the ground floor are proposed to be replaced by six (6) new rooms, increasing the total number of rooms from 25 to 31. No additional rooms will be created on the first floor however the internal layout is proposed to be modified to provide an ensuite bathroom for each room. This development does not propose any external works, and the existing heritage façade is not proposed to be altered.

Description of the Site



The Inland City Hotel is a prominent landmark sitting across Lots 393 and 394 Forrest Street on the corner of Forrest and Lane Streets. The Hotel is built to the building line of both streets with a wide bull nosed verandah and second storey balcony protruding beyond the lot boundaries and providing shelter for the adjacent footpaths.

The site is surrounded by a mixture of land uses which include a combination of residential and commercial land uses, as well as a railway reserve. The site is approximately 400m from the Kalgoorlie city centre and 230m from the Kalgoorlie-Boulder train station.

Site History/Previous Approvals

Previous approval P084/21 has been granted by the City for the replacement of the balcony and verandah facing Forrest Street.

The City's Local Government Heritage Inventory notes that the Inland City Hotel is of 'Some' significance (Category 3). It is recommended that this place is retained and conserved if possible, and the conservation of the significance of the place should also be encouraged.

The Hotel is deemed to have heritage significance for the following reasons;

- The two stages of construction are evidence of two boom periods in Kalgoorlie – the initial boom in the 1890s and a later boom in the 1930s;
- The place is a prominent landmark on the corner of Forrest and Lane streets; and
- The place has historic and social values for its continuity of use and association with long-term publican and local councillor, Les Bennit.

Public Consultation

Public consultation was not considered to be necessary by City staff. The use of the site is not proposed to be changed and no external modifications are proposed to the building.

Details

Zoning and Land Use Permissibility

Lots 393 and 394 (No.93) Forrest Street, here on referred to as 'the site' are zoned "Mixed Business" under the City of Kalgoorlie-Boulder Local Planning Scheme No.1 (LPS1). The use of the site (Hotel) is listed as an "AA" use, meaning council may in its discretion approve the use after notice of the development is given to parties which may be affected by the proposal, if considered necessary. In this instance, consultation with nearby properties was not considered necessary as this application is limited to internal works which are mostly consistent with the relevant development standards.

Development Standards – Parking Adequacy

The assessment of this application is limited to the internal works component of the development. As no changes are proposed to the building footprint or any external

characteristics of the building, the only relevant development standard to consider is parking.

The existing Hotel currently contains no on-site parking, instead utilising on-street parking provided in the Forrest and Lane Street Road Reserves. No additional parking is proposed. Car parking for the site is considered as follows:

<i>Parking as determined by existing Hotel layout</i>		
Beds (1 bay per bedroom)	25	25 bays required
Bar/Public Spaces (1 bay per 5m ² bar and public area)	386.74m ²	78 bays required
Total Required		103 bays
<i>Parking based on proposed Hotel layout</i>		
Beds (1 bay per bedroom)	31	31 bays required
Bar/Public Spaces (1 bay per 5m ² bar and public area)	267m ²	54 bays required
Total Required		85 bays

Based on the above, the proposal requires 18 parking bays less than previously required. Site visits and an analysis of aerial photography from 1963 to December 2021 demonstrates an underutilisation of on-street parking in the locality (see attachments). This suggests the continued utilisation of on-street parking associated with the Hotel is unlikely to burden the locality.

Heritage Assessment

Clause 5.5 of LPS1 (*Heritage- precincts and places of cultural significance*) states that the purpose and intent of heritage provisions are:

- a. to facilitate the conservation of places of heritage value;
- b. to ensure as far as possible that development occurs with due regard to heritage values.

This proposal is considered to be consistent with the purpose of clause 5.5 for the following reasons;

- It does not propose to alter the existing façade and appearance of the existing structure (Inland City Hotel).
- The place's distinctive architectural style and its prominence on the corner of the Forrest Street and Lane Street intersection is maintained.

Clause 5.5 of LPS1 is supported by the City's *Local Planning Policy 04 – Development Guidelines for Heritage Precincts and Places of Heritage Significance (LPP04)*, which provides further guidance on the assessment of development applications with heritage components. The Policy provisions are generally limited to the external features and fixtures of heritage buildings. Given the works are internal, it is considered that the place's distinctive architectural style and contribution to the

streetscape will still be evident and able to be appreciated and therefore achieves the objectives of the policy.

The application was referred to Stephen Carrick Architects as the City's contracted Heritage Advisor. It was noted that the proposed development will support the ongoing use of the property as a Hotel to provide accommodation. In the opinion of the City's heritage advisor the overall proposal is acceptable as the proposed internal works do not negatively impact on the cultural heritage values of the place. It was considered that the place's distinctive architectural style will still be evident and its contribution to the streetscape will still be evident and able to be appreciated.

State Planning Policy 5.4 - Road and Rail Noise

The development site is situated near the existing railway line and as such is may be affected by Rail Noise. As this development proposes intensification of a sensitive use (hotel), the provisions of State Planning Policy 5.4 - Road and Rail Noise (SPP5.4) must be considered.

Clause 6.5 of SPP5.4 states that discretion may be exercised regarding the policy in consideration of reasonable and practical implementation of its provisions. This is applicable in established urban areas where development has already occurred, and where it would be difficult to strictly comply with noise targets. City staff recommend discretion be applied for this development, as it would be burdensome for the applicant to retrofit a building of heritage significance with the appropriate quiet house design package.

Conclusion

Development approval is sought for internal alterations to the existing hotel (Inland City Hotel) at Lots 393 and 394 (No. 93) Forrest Street, Kalgoorlie. This development supports the continued use of the Inland City Hotel as a hotel and will increase the provision of accommodation facilities for which there is a known shortage in Kalgoorlie-Boulder.

The architectural prominence of the building will be maintained and the development is likely to assist in the preservation of the heritage place. The proposal is not considered to prejudice the functionality of the site nor impact on the amenity or the character of the locality. It is recommended that this development application be approved subject to conditions.

Community Strategic Plan Links

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

SUSTAINABLE: We advocate for the provision of land use.

Budget Implications

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

Strategic Implications

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

Statutory Implications

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

Policy Implications

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

15.3 Engineering**15.3.1 Waste Water Treatment - Tanker Services Opening Hours**

Responsible Officer:	Kevin Ketterer Director of Engineering
Responsible Business Unit:	Engineering
Disclosure of Interest:	Nil
Voting Requirements:	Absolute Majority
Attachments:	Nil

OFFICER RECOMMENDATION/COUNCIL RESOLUTION

Moved By: Deputy Mayor Glenn Wilson

Seconded By: Cr Kirsty Dellar

That Council approve the following for the Wastewater Treatment Plant to facilitate opening hours from 0800 – 1800:

1. Amendment of the Fees and Charges for this service as follows:

Attendance Fees – All charges listed incl GST

- a) Ordinary Hours: Monday - Friday 0800 - 1800 - only Quantity Charge.
- b) After-hours additional charges:

	Days	Previous Fees	Proposed Fees
1	Monday - Friday	\$292.00	\$292.00
2	Saturday	\$292.00	\$292.00
3	Sunday	\$292.00	\$380.00
4	Public Holidays	\$385.00	\$474.00

Quantity Charge – charges per kilolitre (Kl) incl GST

	Days	Previous Fees	Proposed Fees
1	Inside CKB Limits	\$63.90	\$74.40
2	Outside CKB Limits	\$127.20	\$137.70

2. The advertising of the amended rates for a period of 14 days and to be effective from 1 January 2023.

CARRIED
(12 / 0)

For: Cr Deborah Botica, Deputy Mayor Glenn Wilson, Mayor John Bowler, Cr Michael McKay, Cr Mandy Reidy, Cr David Grills, Cr Terrence Winner, Cr John Matthew, Cr Kirsty Dellar, Cr Amy Astill, Cr Kim Eckert and Cr Suzie Williams

Against: Nil

Executive Summary

Background

The City provides a wastewater treatment service to the community of Kalgoorlie-Boulder. One of these important services is the receipt of liquid waste, sourced from residential and commercial septic tanks as well as mine ablution and mess liquid waste tanks. This waste is usually collected and pumped into tankers and transported to the City's Wastewater Treatment Plant (WWTP). Here the waste is sampled for contamination and checked for compliance with licence conditions and source.

Community Engagement Consultation

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

Community Strategic Plan Links

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

FUTURISTIC: We facilitate research into innovation and entrepreneurial activities to drive jobs, growth and economic diversification.

Budget Implications

There would be additional income generated from fees and charges for the acceptance of liquid waste and additional expenditure incurred on staff costs, with a neutral nett financial position, resulting from the adoption of the recommendations contained in this report.

Report

The opening hours where liquid waste is received at the WWTP is determined by the man-hours available to service these vehicles. With only one person on site from 0600 to 1500 each day, that time is restricted to when this person is available to service the gate. The early morning plant inspections are required to be carried out every day commencing at 0600. Onsite demands and other administration duties have therefore restricted the times available as follows:

Mon, Wed - Fri 0800 -1200 and 1300– 1500
 Tuesday 0700 – 1200

These hours have worked reasonably well in the past, and exceptions have been made for contractors to dump outside these hours, where the contractors are required to pay a higher fee which covers officer call out fee charges.

Over the past 24 months, the volumes have increased significantly with the number of tanker loads increasing along with the added impact of most tankers being full, as opposed to a large proportion being partially filled in the past.

The graphs below demonstrate the increase in volumes and number of loads.

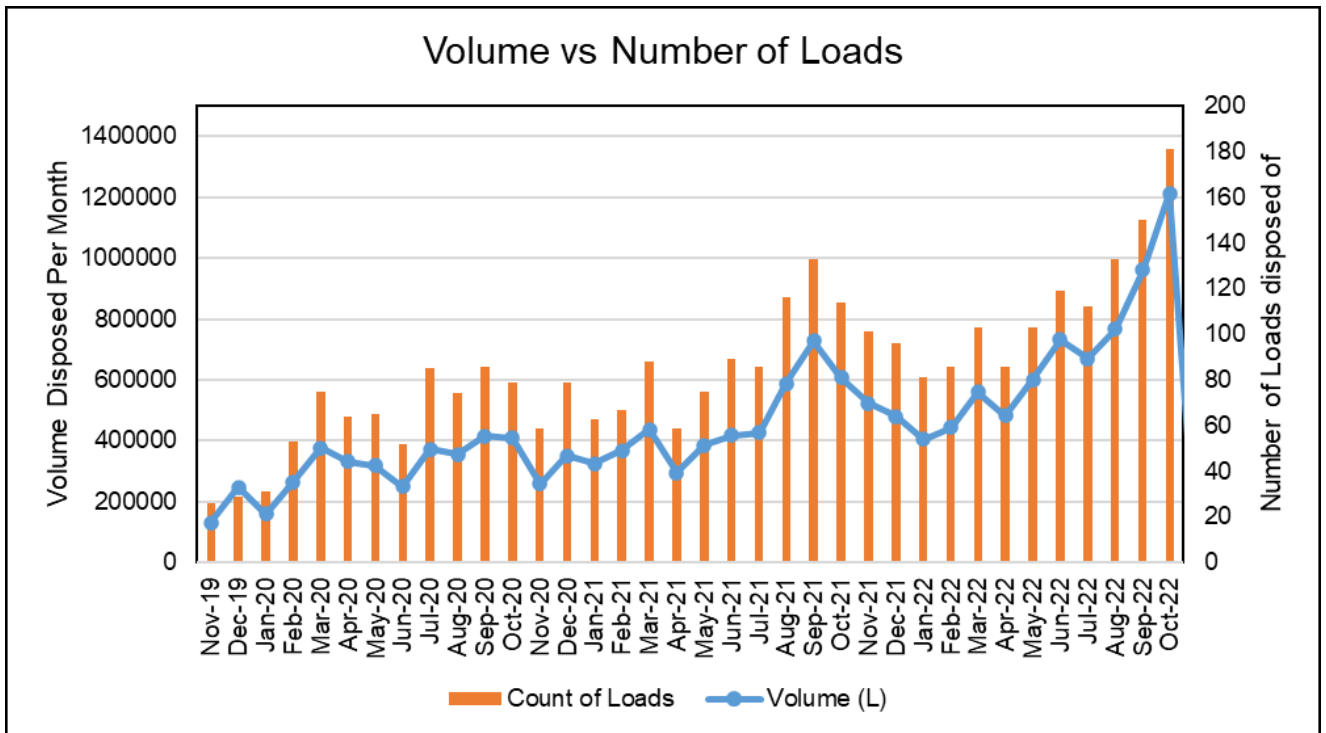


Figure 1. Volume of Septic Waste received and the number of trucks

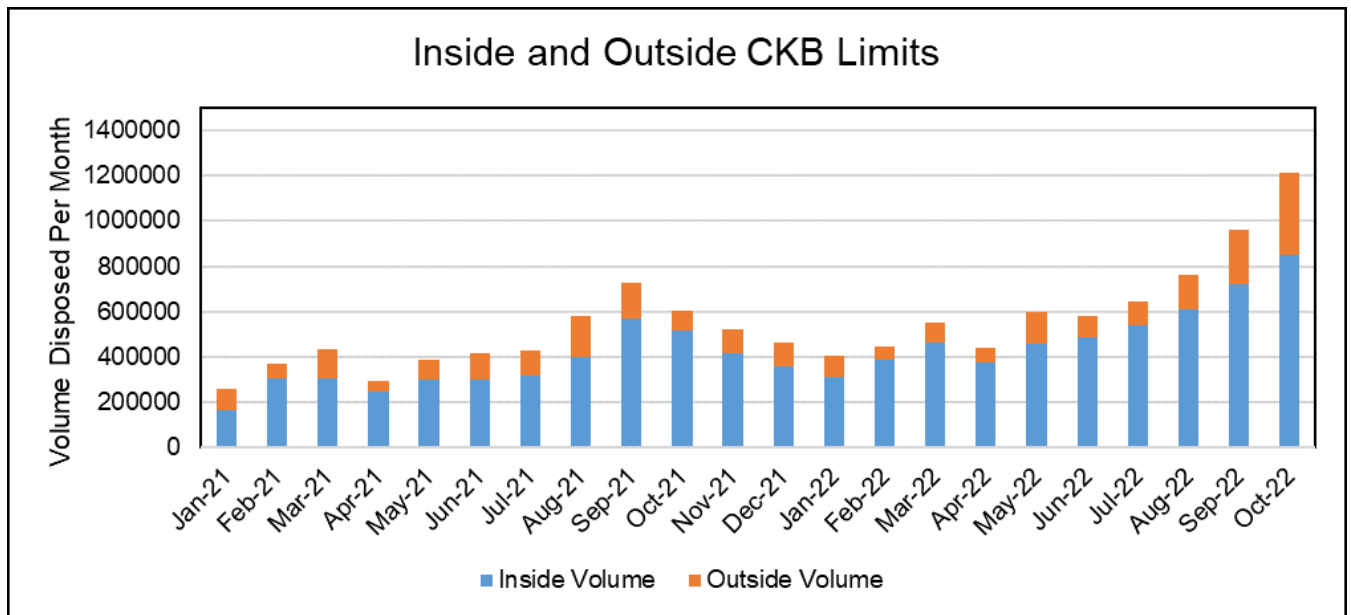


Figure 2. Volume of Septic Waste Received inside vs outside CKB limits

Figure 2 also provides information on the source of the loads, with the “orange” portion of each histogram indicating the volumes of loads from sources outside the City. It is evident that there is an increasing proportion of the volume sourced from outside the CKB Limits (municipal boundaries). These are mainly mine sites, which hopefully will be converting to treatment on site in due course.

Considerations

This function entails the following elements:

On Site Operational

- Opening the facility and completing an OHS site induction for the driver if required (not usually required as most drivers have had an induction completed).
- Checking documentation relating to the load, regulatory requirement by DWER - origin, type, controlled waste license, drivers-controlled waste license etc.
- Sampling and checking for compliance (pH, Conductivity, hydrocarbons, colour and smell).
- Completing and signing off documentation.

Administrative

- Enter details of load into the system:
 - o Carrier
 - o Source
 - o Sample test results
 - o Volume
 - o Licence details
- Create an invoice for each load.

At present, the above administrative functions are three weeks behind due to the normal operational workload, coupled with the increase in the tanker service workload.

It is therefore clear that the opening hours of the plant are not suited to the industry and an alternative is to be sought to increase the opening hours.

Options in this regard are:

Option 1

Retain the opening hours and encourage the industry to schedule their work around these hours. This is the current scenario, which has had some success in the past; but with the demand for this service, particularly from mine sites, the operators collect till later in the day, and have no dumping point after 1500. The tankers therefore stand full overnight and are required to wait until the next day's opening at 0800.

Not a recommended Option.

Option 2

Appoint a part-time lower-level technical staff member to work the gate and extend the opening hours from 1300 till 1800 every day. This person would then work a total of 25 hours per week. The service would therefore be available till 1800 every day, which would clear all tankers of their loads every evening, which would theoretically result in no demand first thing in the mornings. The current opening time of 0800 could therefore be retained. This is a feasible option but would not address the lack of capacity to perform the administrative functions associated with these services.

Not a recommended Option.

Option 3

As for Option 2, but with the employment of a full-time employee to complete the administrative requirements for this service efficiently.

This is the recommended Option.

The suggested opening hours would then be:

Mon - Fri 0800 – 1800

Any urgent weekend dumping could still be accommodated as at present – which is by arrangement with an increased fee which covers the callout costs for staff to attend site with the admin work to be completed in the following week.

Emergency work will be accommodated as at present, through the call out numbers, with costs as for pre-arranged weekend work.

Costs and Funding

The increase in costs for the recommended additional staff member would be approximately \$90,000.

Working on an anticipated normalized volume of 8,400 KI and to generate the required additional income, the required increase in the fees and charges would be \$10.50/KI. The after-hours rates would similarly be amended.

Discussions with the largest tanker operator have indicated that such an increase would be acceptable in order to provide the ability to accommodate the current serviced demands and to be able to further grow the industry.

Legislative Requirements

In accordance with section 6.16(1) of the Local Government Act 1995, the Council may impose and recover a fee or charge for any goods or services it provides or proposes to provide. Section 6.16(3)(b), fees and charges may be amended from time to time during a financial year. Absolute majority vote required.

The local government is to give local public notice of the proposed amendments, for a period not less than 7 days, pursuant to Section 6.19 of the Act.

Statutory Implications

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

Policy Implications

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

15.3.2 Road Reserve Closures - KCGM Fimiston South Project

Responsible Officer:	Kevin Ketterer Director of Engineering
Responsible Business Unit:	Engineering
Disclosure of Interest:	Councillor Amy Astill declared a direct financial interest in item 15.3.2 as she is an employee of Northern Star. Councillor Kim Eckert declared a direct financial interest in item 15.3.2 as KCGM/ Northern Star are sponsors of Kalgoorlie-Boulder Urban Landcare Group.
Voting Requirements:	Simple
Attachments:	Nil

OFFICER RECOMMENDATION/COUNCIL RESOLUTION

Moved By: Deputy Mayor Glenn Wilson
Seconded By: Cr Kirsty Dellar

That Council:

1. Support the proposed road closures as requested by KCGM, subject to the following:
 - a. All buildings in the proposed area have been removed and no areas of land are occupied;
 - b. All roads are to be physically closed with appropriate road infrastructure and signage;
 - c. All services to the area (water, sewer, telecommunications, electricity, street lighting, roads, footpaths and drainage) have either been closed and capped, removed, rendered inoperable or relocated to road reserves which are to remain open;
 - d. The submission of evidence supporting the completion of (a) – (c) above;
 - e. An undertaking by KCGM for the construction of an interceptor stormwater drain or channel directing overland stormwater flows to a to be constructed detention dam adjacent to Gribble Creek to the south of this project area, at the cost of KCGM;
 - f. Lot 4488 be rezoned as “road reserve” to accommodate the required turning circle and access to Lot 4489 and Lot 4616 .
 - g. Preparation of all the required surveys, cadastral diagrams and associated documentation required for the road closure application submission; and
 - h. KCGM undertaking to bear all costs relating to this project in writing.

2. Authorise the CEO to advertise the proposed road closures for a period of 45 days.
3. Pursuant to *Section 58 of the Land Administration Act 1997*, and subject to no responses to the advertising referred to in (2) above being received, and after confirmation that the conditions detailed in (1) above have been completed to the satisfaction of the City:
 - a. Close the portions of the road as depicted in the enclosed map; and
 - b. Authorise the Chief Executive Officer to request the Minister of Lands to close these portions of road.
4. Upon receipt of any submissions a further report will be presented to Council for consideration.

CARRIED
(10 / 0)

For: **Cr Deborah Botica, Deputy Mayor Glenn Wilson, Mayor John Bowler, Cr Michael McKay, Cr Mandy Reidy, Cr David Grills, Cr Terrence Winner, Cr John Matthew, Cr Kirsty Dellar and Cr Suzie Williams**

Against: **Nil**

Cr Amy Astill disclosed a financial interest and left the room at 7:38 pm.
Cr Kim Eckert disclosed a financial interest and left the room at 7:38 pm.
Cr Amy Astill returned to the room at 7:39 pm.
Cr Kim Eckert returned to the room at 7:39 pm.

Executive Summary

Kalgoorlie Consolidated Gold Mines (KCGM) is proposing to expand their mining activities which will retain an active mine until at least 2034. The proposal includes an expansion to the west which adjoins the Boulder light industrial area east of Lane Street. The expansion will require the construction of a noise bund to a height of 15m which is to be composed of excavated broken rock. In order to accommodate the noise bund, KCGM is required to relocate, close off or remove all services and close several roads in the affected area.

The purpose of this report is to initiate the Road Closure process, inform Council accordingly, and to recommend support for the road closures subject to advertising to the Minister of Lands once all pre-conditions have been met.

Community Engagement Consultation

Community consultation will be undertaken in accordance with the statutory requirements of Section 58 of the *Land Administration Act 1997*. This will comprise a 45-day advertising period due to the fact that the advertising will take place over the December/January period.

As the mining expansion activities are anticipated to be of interest to locals and visitors alike, KCGM will be providing a designated safe viewing area for those who wish to view the bund construction.

Community Strategic Plan Links

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

SUSTAINABLE: We support opportunities for commercial and industrial land.

Budget Implications

Costs associated with the road closures are to be borne by KCGM. There are therefore no budget implications for the City.

Report

It was recently announced that Kalgoorlie Consolidated Gold Mines (KCGM) is to proceed with the expansion of the Fimiston South (Super Pit) mine, which will extend its phase of mining until 2034. An important element of this planned expansion requires the implementation of a new noise bund, the construction of which impacts the South Boulder light industrial area east of Lane Street. The area impacted is indicated in the image below.



In order to facilitate the bund construction, the indicated road reserves are required to be formally closed. The closure of the subject roads, most of which form part of the local network and are largely unconstructed, will be advertised in accordance with the provisions of Section 58 of the *Land Administration Act 1997*.

Further to the above, it is also recommended that the following is undertaken:

1. No affected land or properties are to be occupied and all buildings are to be demolished;

2. Road closure infrastructure is to be provided. This would include the erection of appropriate signage, physical turning circles, kerbing and roadway construction. The engineering drawings and specifications to effect these requirements are to be submitted to the City for approval prior to construction. Of specific interest is the closure of Hopkins Street, where a turning circle is required. KCGM have approval to rezone the use of Lot 4488 from UCL to "road reserve" and in so doing accommodate the required turning circle as well as access to "land-locked" Lots being Lot 4489 and Lot 4616. Details are provided in the plan below



3. All services which have been installed to facilitate occupation are to be either closed and capped, removed, rendered inoperable or relocated to road reserves which are to remain open. These services include roads, local road drainage, water, sewer, gas street lighting and telecommunications. Any overhead electrical services and streetlights are to be removed;

4. There will be a requirement to provide stormwater management infrastructure across the area at the cost of KCGM. The exact requirements will be determined at a later stage in the development of the site but will include a drain

of channel to divert overland flow from flowing through the industrial area, and to provide a detention dam to the south of the site. KCGM will be required to provide an undertaking to this effect prior to the lodgment of the required road closure application documentation.

1. KCGM is to prepare all the required surveys, diagrams and associated documentation required for the road closure application submission, at their cost.
2. Evidence to demonstrate that (1) - (5) above has been achieved is to be provided by KCGM prior to the City making the formal request to the Minister for Lands to close the roads;

As indicated on the map, most of the road reserves have no infrastructure and are vacant road reserves. The bund itself is proposed to be constructed of end tipped mine excavations and will remain as a broken rock face finish that will not be vegetated. The edge of the bund closest to the industrial land will require an infrastructure corridor to provide access to the bund face and to accommodate service infrastructure, which at this stage is envisaged to comprise a power supply only. The area will be closed off with a fence which will serve to catch any errant rocks rolling off the bund, demarcate the property boundary and keep trespassers out.

Statutory Implications

The Road Closure will need to be undertaken in accordance with the provisions of the *Land Administration Act Clause 58 – Closure of Roads*. This provision focuses specifically on the permanent closure of a road.

Policy Implications

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

16 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

17 CONFIDENTIAL ITEMS

Nil

18 DATE OF NEXT MEETING

The next Ordinary Council Meeting will be held on 19 December 2022.

19 CLOSURE

There being no further business, the Mayor thanked the Councillors and Staff for their attendance and declared the meeting closed at 7:40pm.