



**City of
Kalgoorlie
Boulder**

AGENDA

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

commencing at 7:00 PM

on

25 MARCH 2024

at the

Kalgoorlie Town Hall

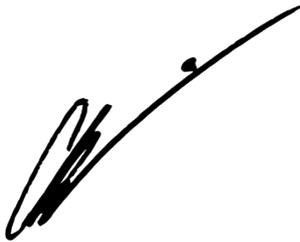
15 March 2024



NOTICE OF MEETING

An Ordinary Council Meeting of the City of Kalgoorlie-Boulder will be held in the **Kalgoorlie Town Hall** on **25 March 2024** commencing at **7:00PM**.

Regards

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

ANDREW BRIEN

Chief Executive Officer

Council Chamber Seating Plan

Governance and IT



Deputy Mayor Kirsty Dellar **Mayor** Glenn Wilson **CEO** Andrew Brien



Councillor
Deborah Botica



Councillor
Carla Viskovich



Councillor
Terrence Winner



Councillor
Nardia Turner



Councillor
Wayne Johnson



Councillor
Kyran O'Donnell



Councillor
Linden Brownley

Press

Public Gallery

Directors

Nature of Council’s Role in Decision-Making

<p>Advocacy:</p>	<p>When Council advocates on its own behalf or on behalf of its community to another level of government/body/agency.</p>
<p>Executive Strategic:</p>	<p>The substantial direction setting and oversight role of the Council, e.g. adopting plans and reports, accepting tenders, directing operations, setting and amending budgets.</p>
<p>Legislative:</p>	<p>Includes adopting local law, town planning schemes and policies.</p>
<p>Review:</p>	<p>When Council reviews decisions made by officers.</p>
<p>Quasi-Judicial:</p>	<p>When Council determines an application/matter that directly affects a person’s rights and interests. The Judicial character arises from the obligations to abide by the principles of natural justice.</p> <p>Examples of Quasi-Judicial authority include town planning applications, building licenses, applications for other permits/licenses (e.g. under Health Act, Dog Act or Local Laws) and other decisions that may be appealable to the State Administrative Tribunal.</p>

Table of Contents

1	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	8
2	OPENING PRAYER.....	8
3	DISCLAIMER READING	8
4	RECORD OF ATTENDANCE	8
	4.1 ATTENDANCE	8
	4.2 APOLOGIES.....	8
	4.3 LEAVE OF ABSENCE (PREVIOUSLY APPROVED).....	9
5	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE.....	9
6	PUBLIC ACCESS AND PUBLIC QUESTION TIME	9
	6.1 PUBLIC ACCESS.....	9
	6.2 PUBLIC QUESTION TIME	9
7	PETITIONS / DEPUTATIONS / PRESENTATIONS	9
8	NOTATIONS OF INTEREST	9
	8.1 INTEREST AFFECTING IMPARTIALITY CITY OF KALGOORLIE- BOULDER CODE OF CONDUCT	9
	8.2 FINANCIAL INTEREST LOCAL GOVERNMENT ACT SECTION 5.60A.....	9
	8.3 PROXIMITY INTEREST LOCAL GOVERNMENT ACT SECTION 5.60B.....	9
9	APPLICATIONS FOR LEAVE OF ABSENCE	9
	9.1 APPLICATIONS FOR LEAVE OF ABSENCE	9
10	ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSIONS	9
	10.1 MAYOR ANNOUNCEMENTS	9
	10.2 PROCEDURAL MOTION TO SUSPEND SECTION 9.1 STANDING ORDERS LOCAL LAW 2013.....	9
11	CONFIRMATION OF MINUTES	10
12	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	10

13 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION	10
14 REPORTS OF COMMITTEES	10
14.1 AUDIT AND RISK COMMITTEE MINUTES - 16 NOVEMBER 2023	10
14.1.1 Risk Review	10
14.1.2 Terms of Reference	15
14.1.3 Annual Financial Report 2022-2023	17
14.2 AUDIT AND RISK COMMITTEE MINUTES - 15 MARCH 2024.....	21
14.2.1 Overdue Debtors Report as at 31 January 2024	21
14.2.2 Purchasing Policy Exemptions July to December 2023.....	25
14.2.3 Annual Work Plan 2024	29
14.2.4 Airport Compliance	31
14.2.5 Internal Audit.....	34
14.2.6 Compliance Audit Return	39
14.2.7 Risk Update	42
14.2.8 Tenders Awarded under Delegation July to December 2023	44
14.2.9 Audit Recommendations Progress	48
14.3 YOUTH COUNCIL MINUTES - 20 FEBRUARY 2024	50
14.3.2 Youth Mayor and Deputy Youth Mayor Elections	50
15 REPORTS OF OFFICERS.....	53
15.1 CHIEF EXECUTIVE OFFICER.....	53
15.1.1 Accounts Payable Report - February 2024.....	53
15.1.2 Statement of Financial Activity January 2024	55
15.1.3 Code of Conduct for Council Members, Committees and Candidates	58
15.1.4 WAEC election report (2023 local government election)	61
15.1.5 Australian Local Government Association Congress Motion	63

15.1.6 Expression of Interest for independent member of Audit and Risk Committee.....	66
15.2 DEVELOPMENT AND GROWTH.....	70
15.2.1 Use of Reserve 42837 for Parking Associated with Full Circle Therapies	70
15.2.2 Hireable E-scooter Trial Outcome.....	74
15.2.3 Local Emergency Management Committee	80
15.2.4 Responce to Motion - Workforce Accomodation.....	84
15.2.5 Renewal of Lease O928757 Over Lot 441 Kitchener Road.....	87
15.3 COMMUNITY DEVELOPMENT	91
15.3.1 CNLP Application - Usher Park- Lights Upgrade	91
15.3.2 Child Safe Awareness Policy	94
15.4 ENGINEERING.....	96
15.4.1 Kalgoorlie CBD and Boulder CBD Footpath Programme	96
15.4.2 Climate Change Declaration	102
15.4.3 Proposed Partial Road Closure - Davyhurst-Ora Banda Road.....	105
16 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN	109
17 CONFIDENTIAL ITEMS.....	109
17.1 MT DANCE HIRE AGREEMENT.....	109
17.2 101 BROOKMAN STREET EOI	110
18 DATE OF NEXT MEETING.....	111
19 CLOSURE.....	111

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

2 OPENING PRAYER

Details of who will conduct the opening prayer will be provided in due course.

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 the City's Public Participation in Council Meeting Policy, which can be viewed on Council's website

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

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

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

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

4 RECORD OF ATTENDANCE

4.1 Attendance

In Attendance:

Members of Staff:

Visitors:

Press:

4.2 Apologies

Apologies – Elected Members:

Apologies - Members of Staff:

4.3 Leave of Absence (Previously Approved)

Leave of Absence:

Nil

5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

6 PUBLIC ACCESS AND PUBLIC QUESTION TIME

6.1 Public Access

6.2 Public Question Time

7 PETITIONS / DEPUTATIONS / PRESENTATIONS

8 NOTATIONS OF INTEREST

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

8.2 Financial Interest Local Government Act Section 5.60A

8.3 Proximity Interest Local Government Act Section 5.60B

9 APPLICATIONS FOR LEAVE OF ABSENCE

9.1 Applications for Leave of Absence

10 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSIONS

10.1 Mayor Announcements

10.2 Procedural Motion to Suspend Section 9.1 Standing Orders Local Law 2013

RECOMMENDED PROCEDURAL MOTION

That section 9.1 of the *Standing Orders Local Law 2013*, which requires members of Council to rise to speak, be suspended.

11 CONFIRMATION OF MINUTES

That the minutes of the following meeting's be confirmed as a true record of the meeting's:

- Ordinary Council Meeting held on 20 November 2023
- Special Audit and Risk Committee meeting held on 22 January 2024
- Special Council Meeting held on 22 January 2024
- Annual Electors Meeting held on 12 February 2024
- Special Council Meeting held on 12 February 2024
- Ordinary Meeting of Council held on 26 February 2024

12 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

13 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

14 REPORTS OF COMMITTEES

14.1 Audit and Risk Committee Minutes - 16 November 2023

14.1.1 Risk 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
Nature of Council's Role in Decision-Making:	Executive Strategic
Attachments:	Nil

SUMMARY STATEMENT

Council is asked to note the updates set out in this report in respect of the current status of the City's risk review systems and operational and strategic risk registers.

REPORT

Risk register

The City's risk register is currently held in a software database. Some risks are "strategic" which are of particular concern to Council given its responsibility for the strategic management of the City of Kalgoorlie-Boulder. Other risks are "operational" which relate to internal or organisational matters that are not generally the subject of Committee or Council oversight.

Risk review

On a quarterly basis, the CEO, Directors and Executive Managers and their teams conduct independent reviews of both operational and strategic risks relating to their directorate or departments. This review follows a comprehensive workshop review that was undertaken by the Executive Leadership Team in November 2022 and a desktop review in March 2023.

At the June 2023 Audit and Risk Committee (ARC), officers reported that each of the Goldfields Oasis and Kalgoorlie-Boulder Airport maintain risk registers outside of the City's software platform. On 2 June 2023, the ARC recommended to Council that it endorse the addition of two new risks to the strategic risk register:

- a. "Failure to Maintain Goldfields Oasis risk register" (273753); and
- b. "Failure to Maintain Kalgoorlie-Boulder Airport risk register" (273754).

During that 2 June 2023 ARC meeting, it was discussed that the Executive Leadership Team (ELT) would undertake an annual review of these two external risk registers. On 3 November 2023, the ELT met with the Airport Manager and Goldfields Oasis Manager to review these respective risk registers. The outcomes of set out below:

Kalgoorlie-Boulder Airport

The Airport Manager reported to the ELT that he is concerned about several risk issues at the Airport, which include:

1. Low-medium rated non-compliance on identified operational matters;
2. Inexperienced ground staff with insufficient knowledge of the standard for risk compliance; and
3. Resourcing challenges including difficulty recruiting senior officers with aviation experience staff or staff with sufficient skillset to be developed.

The Airport Manager further reported to ELT that since commencing in his role in early 2023, he has been, in relation to risk management:

1. Focussed on maturing non-compliance risks to resolve these as quickly as possible;
2. Utilised the Coordinator Airport Compliance to oversee risk training, tracking and scheduling for remediation; and
3. Regularly maintains a Non Compliance Matrix which sets out areas of non-compliance as well as actions required to achieve compliance and related deadlines.

The Airport Manager indicated that he is concerned with the non-compliances, many of which have been long term issues for the City and not reported by previous airport staff to the ELT. To manage the financial, legislative and reputational risks and liability of the City (and individual staff members) associated with non-compliance related risks, the controls in place include:

1. Regular and transparent communication with all aviation regulatory authorities in relation to compliance issues;
2. Maintenance of the Non-Compliance Matrix to ensure accurate identification of risks and controls and to establish a source document from which to manage, escalate and progress risks and controls;
3. Development of a structured calendar of staff training, embedding partnerships with specialist aviation organisations (RAMS); and
4. Development of Airport Mini Masterplan and Masterplan which includes a robust review of all operational and strategic risks.

The CEO recommends that a comprehensive report regarding areas of significant non-compliance and related strategic and operational risk, as well as copies of the Risk Register and Non Compliance Matrix, be provided to the Audit and Risk Committee at its next meeting to provide a clearer and more detailed understanding of this.

Goldfields Oasis

The risks managed through the Goldfields Oasis are largely operational rather than strategic risk and so it is not proposed to provide a detailed report of these to the ARC. However, the process followed by the Oasis is aligned with the team approach being developed for the administration teams, as set out below:

1. The risk register is accessible to all Oasis staff in a shared location;
2. The risk register is reviewed annually;
3. The Oasis staff conduct an annual review of the risk register, and staff members feed new risks and controls, and updates to existing ones, into their risk register by referencing the past year's incidents (logged through the City's incident reporting platform) as well as sharing other knowledge and ideas;
4. The Oasis team identify and assess risks and controls during their toolbox meetings which fosters an environment where staff are constantly thinking about risk and what can be done to mitigate risk. This standing meeting agenda item also provides opportunity and empowers all staff to contribute to risk and control assessment.

Ongoing risk management

As has previously been reported to the Committee, the City has been continuing work to improve systems in relation to risk review, including:

1. Involvement of more staff in the process of reviewing risks and controls with a view to seeking more diverse feedback in relation to the register and increasing the number of officers considering risk and controls in respect of their day-to-day activities. This is the first step towards embedding a more risk-focussed approach across the organisation;
2. Changes are being made to the templates used for Council reporting which will incorporate a risk assessment in respect of options being presented, and in particular the recommendation being made to Council. The incorporation of this content in Council reporting will require a risk assessment to be undertaken prior to report writing, by those officers writing reports and by the executive leadership team while finalising the agenda. These changes will also improve the quality of reporting to Council and better inform Councillors in relation to the City's risks; and
3. Redevelopment of the City's Risk Management Framework and management guidelines.

A persistent challenge to embedding better risk identification and management practices throughout the organisation has been the use of an unsuitable software program as the risk-management platform. This software has not been accessible enough for staff to access and review the risk register or controls and is difficult in respect of editing, tracking changes and reporting. The City is looking at alternative software options to improve the accessibility of risk content to all staff.

Community engagement consultation

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

Budget implications

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

Statutory implications

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

Policy implications

Risk review is undertaken by City officers in accordance with the City's Risk Management Framework and Risk Management Policy. There are no policy implications resulting from the recommendations of this 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.

OFFICER RECOMMENDATION

That the Committee:

1. Receive and note the updates set out in this report;
2. Request the CEO provide a detailed report on non-compliance, strategic risks and significant operational risks at the Kalgoorlie-Boulder Airport to be presented at the next Audit and Risk Committee meeting; and
3. Request the CEO provides up-to-date copies of the City's strategic risk register, along with any recommended changes, at the next Audit and Risk Committee meeting.

ALTERNATE MOTION / COMMITTEE RESOLUTION

Moved By: Deputy Mayor Kirsty Dellar

Seconded By: Cr Nardia Turner

That the Committee recommends Council:

1. Receive and note the updates set out in this report;
2. Request the CEO provide a detailed report on non-compliance, strategic risks and significant operational risks at the Kalgoorlie-Boulder Airport to be presented at the next Audit and Risk Committee meeting; and
3. Request the CEO provides up-to-date copies of the City's strategic risk register, along with any recommended changes, at the next Audit and Risk Committee meeting

CARRIED
(4 / 0)

For: Mayor Glenn Wilson, Deputy Mayor Kirsty Dellar, Cr Nardia Turner and Cr Wayne Johnson
Against: Nil

Cr Terrence Winner disconnected from the meeting at 10:34 am prior to the vote being taken.

14.1.2 Terms of Reference

Responsible Officer:	Frances Liston Executive Manager Governance and Risk Services
Responsible Business Unit:	Office of the CEO Governance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council’s Role in Decision-Making:	Executive Strategic
Attachments:	1. Audit and Risk Terms of Reference - Nov 2023 [7.1.2.1 - 4 pages]

SUMMARY STATEMENT

The Committee is asked to endorse the Terms of Reference attached to this report.

REPORT

The Terms of Reference require the Audit and Risk Committee to undertake a review of the Terms of Reference at least one a year, and prior to each local government election. The Terms of Reference were reviewed by the Audit and Risk Committee in March 2023. The City’s Terms of Reference are consistent with the Department of Local Government, Sport and Cultural Industries Guidelines.

In September 2023, prior to the local government election, the Terms of Reference were also reviewed by the Governance and Policy Committee with the Officer report at that time recommending review to ensure compliance with section 5.12 of the Local Government Act in relation to the appointment of a presiding member. City officers have reviewed these Terms of Reference and confirm that under the heading “Meetings”, paragraph 1 correctly provides:

“The Audit and Risk Committee must elect a presiding member and deputy presiding member in accordance with section 5.12 and Schedule 2.3 of the Local Government Act. “

This means that the Committee must elect from its members the presiding member and deputy (rather than that be determined by Council resolution).

The Terms of Reference provide that membership of the Committee be comprised of at least three elected members and not more than two independent external members. An Expression of Interest was advertised by the City, closing 20 October 2023, and no submissions were received from interested independent members. The City will re-advertise this Expression of Interest in coming weeks.

Community engagement consultation

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

Budget implications

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

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 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.

OFFICER/ COMMITTEE RECOMMENDATION

Moved By: Deputy Mayor Kirsty Dellar

Seconded By: Cr Wayne Johnson

That the Committee:

1. recommend Council adopt the Terms of Reference for the Audit and Risk Committee in the form attached to this report; and
2. note the update in relation to the appointment of an independent member to the Committee.
3. The CEO be requested to re-advertise the Expression of Interest for independent member/s of the Audit and Risk Committee

**CARRIED
(4 / 0)**

For: Mayor Glenn Wilson, Deputy Mayor Kirsty Dellar, Cr Nardia Turner
and Cr Wayne Johnson

Against: Nil

14.1.3 Annual Financial Report 2022-2023

Responsible Officer:	Xandra Curnock Executive Manager Finance
Responsible Business Unit:	Finance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council's Role in Decision-Making:	Legislative
Attachments:	<ol style="list-style-type: none"> 1. CKB OAG Audit Opinion 2023 [7.1.3.1 - 2 pages] 2. CKB Financial Statements 2023 [7.1.3.2 - 54 pages] 3. CONFIDENTIAL REDACTED - CKB Audit Findings Report - 30 June 2023 [7.1.3.3 - 32 pages] 4. CONFIDENTIAL REDACTED - Final Management Letter - 30 June 2023 [7.1.3.4 - 7 pages]

SUMMARY STATEMENT

In accordance with s6.4 of the Local Government Act 1995 (the Act), the 2022-2023 Annual Financial was prepared and submitted to the Office of the Auditor General (OAG) to conduct the annual audit in September 2023.

The OAG has completed its audit, in accordance with the terms of their engagement and the requirements of Part 7 Division 3 of the Act and prepared the Audit Report.

The attached Annual Financial Report and Audit Report will form part of the City's 2022-2023 Annual Report which is required to be accepted by Council within 2 months after the auditor's report becomes available.

REPORT

The preparation of the Annual Financial Report and submission of the City's accounts to the auditor for audit are statutory requirements of the Act.

The Annual Financial Report needs to be accepted by Council to enable the holding of the Annual General Meeting of Electors, at which the City's Annual Report will be considered.

The signed Annual Financial Report is also required to be submitted to the Department of Local Government, Sport and Cultural Industries (DLGSC).

Audit field work

Section 6.4 of the Act requires the City to prepare the annual financial report and submit the report to the auditor by 30 September. The accounts and draft annual financial report were submitted by this date.

The external audit was conducted by Grant Thornton on behalf of the OAG and they presented the Audit Planning Report to the Committee on 6 June 2023. The plan described the areas of audit focus and a proposed audit timeline including the schedule for the audit fieldwork which was to be conducted in two stages. The first being the interim audit 3 July to 7 July and then the final audit 2 to 20 October. The audit was scheduled for completion in November 2023 so it could be presented to Council at the December ordinary Council meeting.

The auditors worked remotely for the majority of the audit and attended the City offices for one week. They performed testing on all areas of the accounts, with a focus on areas they consider to be of high risk.

End of financial year position

As at 30 June 2023, the City reported a higher Rate Setting Statement Surplus than budget. The surplus is \$5,862,244 which was \$634,782 higher than the \$5,227,462 provided for in the 2023-2024 annual budget. This additional surplus will be accounted for in the amended mid-year budget to be taken to Council in March 2024.

Audit findings

The auditor identified two moderate findings and two minor findings. The moderate findings are in relation to finance users ICT access privileges and user access reviews. Further details on the findings are provided in the Management Letter and Audit Findings Report (confidential attachments).

Community engagement consultation

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

Budget implications

The audited carried forward surplus as at 1 July 2023 will be amended by \$634,782 in the mid-year budget review, to be reviewed by Council in March 2024.

Statutory implications

Section 5.53 of the *Local Government Act 1995* states:

5.53 Annual Reports

- (1) The local government is to prepare an annual report for each financial year.
- (2) The annual report is to contain:

- (f) the financial report for the financial year;

Section 6.4 of the *Local Government Act 1995* states:

6.4 Financial Report

1. A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed. The financial report is to –

- (a) be prepared and presented in the manner and form prescribed; and
- (b) contain the prescribed information.

(3) By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor –

- (a) the accounts of the local government, balanced up to the last day of the preceding financial year; and
- (b) the annual financial report of the local government for the preceding financial year.

Section 7.9 of the *Local Government Act 1995* states:

7.9 Audit to be conducted

(1) An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which the accounts and audit report relate or such later date as may be prescribed, to prepare a report thereon ...

Local Government (Financial Management) Regulations 1996.

Regulation 51(2) states:

“A copy of the annual financial report of a local government is to be submitted to the Departmental CEO within 30 days of the receipt by the local government’s CEO of the auditor’s report on that financial report.”

Local Government (Audit) Regulations 1996.

Regulation 16 a and b states:

An audit committee has the following functions – to guide and assist the local government in carrying out its functions under Part 6 and Part 7 of the Act; and its functions relating to audits and other matters related to financial management.

Policy implications

The Audit and Risk Committee Terms of Reference includes the following Roles and Functions of the Committee:

- Provide guidance and assistance to Council as to the carrying out of the functions of the City in relation to audits

- Consider and recommend adoption of the annual financial report to Council.

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.

OFFICER RECOMMENDATION

That the Committee recommends Council:

1. Adopt the 2022-2023 Annual Financial Report and accompanying Independent Auditors Report for the year ended 30 June 2023; and
2. Receives the Auditor's Management Letter in respect of the 2022-2023 financial audit for the year ended 30 June 2023.

ALTERNATE MOTION / COMMITTEE RESOLUTION

Moved By: Deputy Mayor Kirsty Dellar

Seconded By: Cr Nardia Turner

That the Committee recommends Council:

1. Note that the OAG provided additional information to members at the ARC Meeting which will require some amendments to the report prior to the adoption of the Annual Financial Report and Auditors Management letter;
2. Note that the amended matters will be considered as an item of urgent business at the Ordinary Council Meeting to be held on Monday 20 November 2023.

CARRIED
(4 / 0)

For: Mayor Glenn Wilson, Deputy Mayor Kirsty Dellar, Cr Nardia Turner and Cr Wayne Johnson

Against: Nil

14.2 Audit and Risk Committee Minutes - 15 March 2024

14.2.1 Overdue Debtors Report as at 31 January 2024

Responsible Officer:	Xandra Curnock Executive Manager Finance
Responsible Business Unit:	Finance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council’s Role in Decision-Making:	Review
Attachments:	1. CONFIDENTIAL - 90 Days Debt January 2024 [7.1.1.1 - 1 page]

SUMMARY STATEMENT

The Committee is asked to review the Overdue Debtors Report, reporting details of overdue debts as at 31 January 2024, and identifying those where the amount owing is over 90 days with total debt exceeding \$10,000.

REPORT

This report provides the Audit and Risk Committee the following information in relation to overdue debtors:

- The amount of total debt outstanding for the period aged from current to over 90 days overdue with a comparison to the same period for the previous year;
- All records of the used of delegated authority, to waive or write off debts valued at \$1,000 or above;
- A confidential report containing the individual debtor information in relation to the outstanding debts exceeding 90 days with a combined value of debt, by debtor, exceeding \$10,000; and
- The Debtor Day Ratio, being the average number of days taken for the City to receive payment from its customers for invoices issued to them.

Debts Written Off

The 30 June 2023 financial statements include a bad debt provision of \$220,882.03 based on Expected Credit Loss (ECL) calculation.

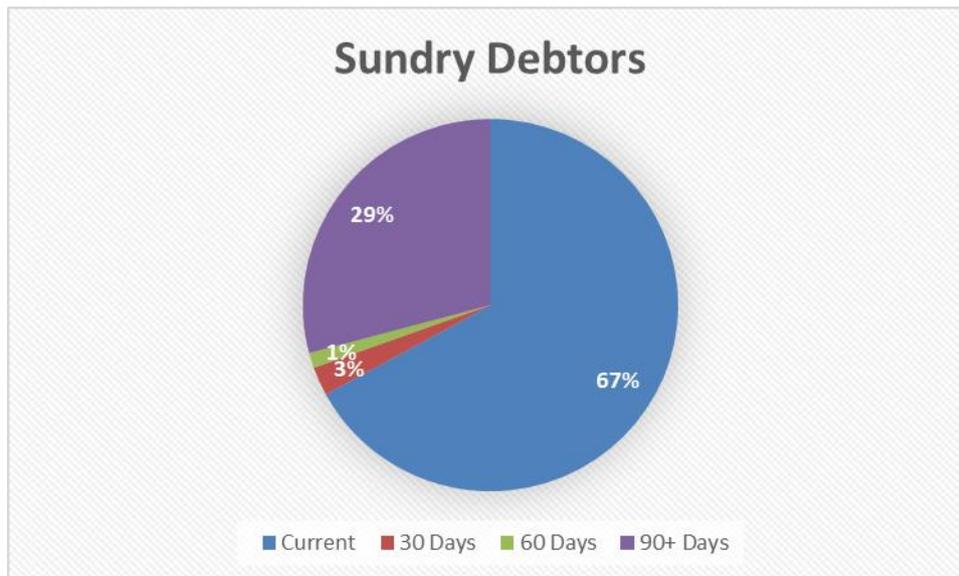
\$nil has been written off to date.

Debts Outstanding

The total debts outstanding at 31 January 2024 was \$5,828,953.64. A breakdown of aged debt for the current period compared to prior period is tabled below.

Period Ending	Current	30 Days	60 Days	90+ Days	Total
July 23 - Jan 24	68%	2%	1%	29%	100%
	\$ 3,908,547.26	\$ 142,630.87	\$ 77,335.77	\$1,700,439.74	\$ 5,828,953.64
July 22 - Jan 23	42%	24%	15%	19%	100%
	\$ 1,754,620.19	\$ 1,007,904.34	\$604,157.87	\$ 783,447.61	\$ 4,150,130.01

The graph below shows the aged debt balances as at 31 January 2024.



Compared to the amount of debt outstanding at 30 June 2023:

- The total value of debts has increased to \$5,828,954 from \$4,150,130; Total outstanding debt over 90 days has increased to \$1,700,440 at the end of 31 January 2024 from previous reporting period of \$783,448; and
- The number of overdue debtors over 90 days, and above the total debt reporting threshold of \$10,000, has increased from 11 to 21.

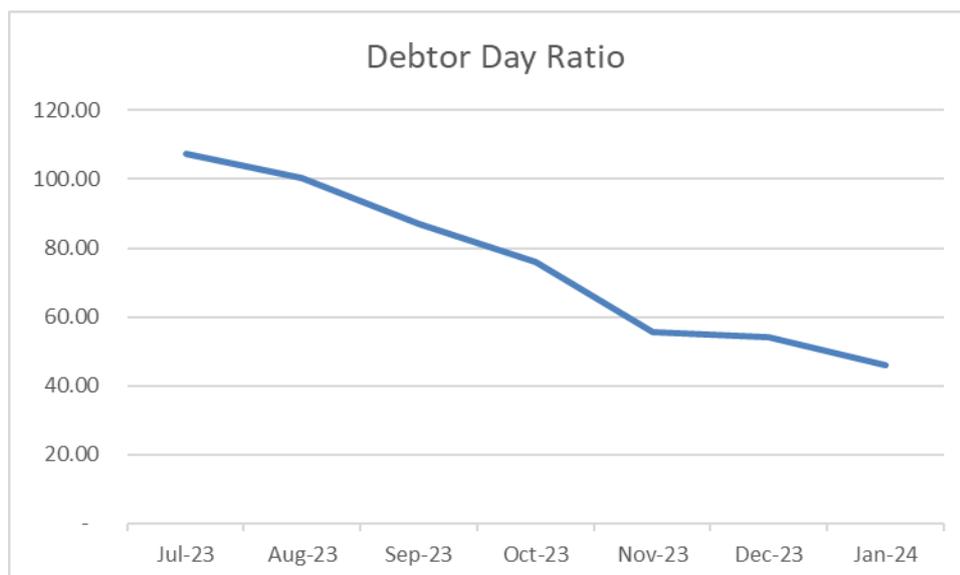
Debtor Day Ratio

The Debtor Day Ratio measures how quickly cash is being collected from debtors. The longer it takes for an organisation to collect, the greater the number of debtor days.

The calculation of the ratio considers the total amount outstanding at the end of the period divided by the total amount invoiced to that period for the financial year. This is then multiplied by the total number of days from 1 July to the end of the period.

As at 31 January 2024, the Debtor Day Ratio was 45.74 being a decrease from the prior year as at 31 January 2023 which was 59.07.

See graph below showing debtor days for the current financial year.



COMMUNITY ENGAGEMENT CONSULTATION

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

BUDGET IMPLICATIONS

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

STATUTORY IMPLICATIONS

Section 6.12 (1) (c) of the *Local Government Act 1995* provides authority for Council to write off outstanding monies.

In accordance with section 5.42 and 5.44 of the *Local Government Act 1995* the following delegated authority applies;

The CEO has delegated authority under the Chief Executive Officer Delegation Register to write-off rate debts under \$5,000 and sundry debtor’s debts under \$25,000. Any amount above this must be referred to Council for a determination.

POLICY IMPLICATIONS

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

OFFICER/ COMMITTEE RECOMMENDATION

Moved By: Deputy Mayor Kirsty Dellar

Seconded By: Cr Terrence Winner

That the Committee recommend Council receive the Overdue Debtors Report and the confidential attachment listing overdue debts exceeding 90 days that have a combined value greater than \$10,000 as at 31 January 2024.

**CARRIED
(4 / 0)**

14.2.2 Purchasing Policy Exemptions July to December 2023

Responsible Officer:	Xandra Curnock Executive Manager Finance
Responsible Business Unit:	Finance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council's Role in Decision-Making:	Review
Attachments:	Nil

SUMMARY STATEMENT

The Committee is asked to note purchases made by the City that were exempted from the requirements of the Purchasing Policy during the period 1 July 2023 to 31 December 2023.

REPORT

This report provides the Audit and Risk Committee information in relation to purchase orders that have been deemed exempt as per the City's Purchasing Policy, which outlines the requirements and decision-making process for each policy threshold.

July 2023

The total value of spending exempt from the City's Purchasing Policy was \$9,362,583 for the month of July 2023.

The value of exemptions by category is:

Exemption Category	Value
EN1. Monopoly/Oligopoly/Government department	\$167,664.29
EN2. Specialised supplier	\$29,365.30
EN3. Procurement decision made	\$8,342,643.26
EN5. Council decision	\$295,775.58
EN6. Strategic decision	\$415,138.50
EN7. Only Specialised local supplier	\$21,450.00
EN8. Sole Supplier	\$90,546.46

August 2023

The total value of spending exempt from the City's Purchasing Policy was \$3,632,849 for the month of August 2023.

The value of exemptions by category is:

Exemption Category	Value
EN1. Monopoly/Oligopoly/Government department	\$207,747.11
EN2. Specialised supplier	\$60,401.70
EN3. Procurement decision made	\$2,935,133.50
EN5. Council decision	\$34,450.00
EN6. Strategic decision	\$308,906.39
EN7. Only Specialised local supplier	\$75,210.61
EN8. Sole Supplier	\$11,000.00

September 2023

The total value of spending exempt from the City's Purchasing Policy was \$1,218,661 for the month of September 2023.

The value of exemptions by category is:

Exemption Category	Value
EN1. Monopoly/Oligopoly/Government department	\$21,604.00
EN2. Specialised supplier	\$16,476.50
EN3. Procurement decision made	\$978,946.94
EN5. Council decision	\$8,340.00
EN6. Strategic decision	\$108,229.67
EN7. Only Specialised local supplier	\$35,783.55
EN8. Sole Supplier	\$49,280.00

October 2023

The total value of spending exempt from the City's Purchasing Policy was \$3,614,803 for the month of October 2023.

The value of exemptions by category is:

Exemption Category	Value
EN1. Monopoly/Oligopoly/Government department	\$107,370.60
EN2. Specialised supplier	\$45,226.40
EN3. Procurement decision made	\$3,298,082.18
EN6. Strategic decision	\$89,342.70
EN7. Only Specialised local supplier	\$18,197.38
EN8. Sole Supplier	\$56,584.00

November 2023

The total value of spending exempt from the City's Purchasing Policy was \$2,848,328 for the month of November 2023.

The value of exemptions by category is:

Exemption Category	Value
EN1. Monopoly/Oligopoly/Government department	\$130,616.00
EN2. Specialised supplier	\$11,914.14
EN3. Procurement decision made	\$2,251,317.16
EN6. Strategic decision	\$211,990.00
EN7. Only Specialised local supplier	\$19,106.62
EN8. Sole Supplier	\$15,163.01

December 2023

The total value of spending exempt from the City's Purchasing Policy was \$1,813,310 for the month of December 2023.

The value of exemptions by category is:

Exemption Category	Value
EN2. Specialised supplier	\$68,227.50
EN3. Procurement decision made	\$1,659,432.00
EN5. Council decision	\$21,421.50
EN7. Only Specialised local supplier	\$33,410.56
EN8. Sole Supplier	\$30,818.42

COMMUNITY ENGAGEMENT CONSULTATION

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

BUDGET IMPLICATIONS

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

STATUTORY IMPLICATIONS

In accordance with Local Government (Financial Management) Regulations 1996 r5(1)(e) the CEO is to ensure efficient systems and procedures are established for proper authorisation for the incurring of liabilities and the making of payments.

POLICY IMPLICATIONS

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

OFFICER/ COMMITTEE RECOMMENDATION

Moved By: Cr Nardia Turner
Seconded By: Cr Terrence Winner

That the Committee recommend Council receive and note the contents of this report.

CARRIED
(4 / 0)

14.2.3 Annual Work Plan 2024

Responsible Officer:	Andrew Brien Chief Executive Officer Frances Liston Executive Manager Governance and Risk Services Xandra Curnock Executive Manager Finance
Responsible Business Unit:	Office of the CEO Finance Governance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council’s Role in Decision-Making:	Executive Strategic Review
Attachments:	1. Annual Work Plan 2024 [7.1.3.1 - 2 pages]

SUMMARY STATEMENT

The Committee is asked to endorse the proposed 2024 calendar year work plan for the Audit and Risk Committee.

REPORT

The annual work plan has been prepared to support the Audit and Risk Committee by outlining when it will perform its key activities and to help schedule these activities across the calendar year 2024. This plan follows on from the Annual Work Plan endorsed for the 2023 calendar year, with a similar approach being taken to schedule activities in relation to:

1. Governance arrangements;
2. Risk Management updates;
3. Internal control system requirements;
4. Compliance and ethics including review of submissions to external agencies;
5. Internal audit projects; and
6. Financial reporting and external audit.

The development of the Annual Work Plan has identified additional areas for which reports should be presented to Council including in relation to procurement, sponsorship and grants and internal audit plans. These standing reports will be developed over coming months.

COMMUNITY ENGAGEMENT CONSULTATION

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

BUDGET IMPLICATIONS

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

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 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.

OFFICER/ COMMITTEE RECOMMENDATION

Moved By: Cr Terrence Winner

Seconded By: Cr Nardia Turner

That the Committee recommend that Council:

1. Endorse the Annual Work Plan 2024; and
2. Authorise the CEO to depart from the Annual Work Plan 2024 if necessary due to administrative, operational or other requirements.

CARRIED
(4 / 0)

14.2.4 Airport Compliance

Responsible Officer:	Glenda Abraham Director of Corporate and Commercial
Responsible Business Unit:	Corporate and Commercial
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council’s Role in Decision-Making:	Review
Attachments:	Nil

SUMMARY STATEMENT

The Committee is asked to note the updates set out in this report on respect of the 16 November 2023 Audit and Risk Committee report which highlighted Kalgoorlie-Boulder Airport operational risks. This report confirms the actions taken by the City and ongoing review of the airport registers.

REPORT

In December 2023 a meeting was held with the aviation regulator and Regional Airport Management Services (RAMS) to address the non-compliance status of the Kalgoorlie-Boulder Airport.

The City was transparent with all documentation, noting the work effort required to meet retrospective compliance standards. The City also confirmed the Airport had not had a full audit conducted within past 24 months and as such, the current operational risk register may be redundant.

Agreement was reached for an independent audit to be conducted by RAMS. The findings will be used as the new operational risk register. This will ensure the Airport is compliant with current Australian aviation standards and reduce work effort by the City in remediating historic non-current risk issues.

RAMS conducted the audit in December 2023. The City is still waiting on the final report, however immediate recommendations have been implemented:

- Emergency Management Training took place in December 2023;
- The previous recorded overdue medium rated risks were assessed and prioritised based on aviation standards by RAMS. These are now closed as actioned and been reported back to RAMS as part of the audit;
- The low rated overdue tasks were closed based on recommendations by RAMS that they are no longer warranted; and
- In December the City employed a RAMS supervisor on a short-term contract. Their role supports daily reporting, policy review and monitoring as part of the audit and general operations of the Airport. They are also addressing the gap in staff knowledge by performing regular training sessions.

Further actions from the independent report will be implemented once finalised, these include:

- New operational risk report and matrix based on the recommended risks and their correlated weightings from RAMS who specialise in aviation industry assessments;
- Develop and embed an operational rhythm to ensure risks are managed in a timely manner including accountability for the outcomes;
- Finalisation of the staff training programs and annual professional standard's calendar; and
- Ongoing work on the Airport Masterplan, incorporating the aviation standards and aligning to legislation.

COMMUNITY ENGAGEMENT CONSULTATION

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

BUDGET IMPLICATIONS

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

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 STRATEGIC PLAN LINKS

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

SAFE: We will be safe and free from harm and crime.

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

OFFICER/ COMMITTEE RECOMMENDATION

Moved By: Deputy Mayor Kirsty Dellar

Seconded By: Cr Nardia Turner

That the Committee recommend Council receive and note the updates contained in this report.

CARRIED
(4 / 0)

14.2.5 Internal Audit

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
Nature of Council’s Role in Decision-Making:	Executive Strategic
Attachments:	Nil

SUMMARY STATEMENT

The Committee is asked to consider and endorse the proposed revised internal audit schedule.

REPORT

At its meeting on 7 June 2023, the Audit and Risk Committee endorsed the following (subsequently endorsed by Council):

1. *Endorse the following proposed audit focus areas for the 2023-24 Internal Audit Program:*
 - a) *Trading Undertaking and Land Transaction Contract Review and Approval; and*
 - b) *Information Systems and Cyber Security;*

and
2. *Allocates \$30,000 for the purposes of appointing an external provider to deliver the Internal Audit Program in the 2023-24 Annual Budget.*

Status of 2023-24 internal audit program

Due to resourcing challenges and competing priorities, neither of the internal audit programs referred to in in paragraph 1 of the above resolution have been actioned by City officers.

Trading Undertaking and Land Transaction Contract Review and Approval

The most significant contractual arrangement that the City has entered in recent years is in relation to Lynas. Given this particular contract has been reviewed, and the circumstances surrounding entry into that are now under external legal review, it is proposed that this audit be postponed until such time as the outcomes are known. Once the report is available, it may be the case that certain aspects of that review inform part of the audit requirements.

In addition, it has been identified that contract management is a risk area for the City and City officers have identified a need for internal review of:

1. Staff resourcing;
2. Record keeping; and
3. Process and procedures,

as well as the potential need for this to be referred to an external consultant for assistance.

City officers recommend this internal audit item be postponed for further consideration at the June Audit and Risk Committee meeting.

Information systems and cyber security

The commencement of the new Director Corporate and Commercial, Glenda Abraham in late 2023 has resulted in a shift in Information Technology management at the City, including a renewed focus on:

1. Development of an IT roadmap;
2. Identification of the IT needs in the organisation and current options;
3. Staff resourcing including new creation of new roles for project management and compliance and security.

In addition, the OAG provided a Local Government Computer Controls Audit Report in 2021 which included cyber security recommendations which have been actioned in part by the City including in relation to implementation of the Essential 8 (best practice in security) as well as actions including upgrade of server and operating system overview. The OAG also include an annual review of ICT in their external finance audit.

Bearing in mind the current status of these operations in the City, it is proposed that this internal review be postponed until the 2025/26 financial year, in order for the array of current works to be progressed. This would enable the review to identify further works that are needed once the already-identified immediate priorities have been actioned.

Internal audit functions moving forward

As stated above, two significant challenges this financial year have been in relation to staff resourcing and competing priorities. The work required to complete a detailed audit, particularly with external consultants needing to be provided high levels of information and documentation, is considerable. Existing work volumes for staff, and the need to focus on other existing services and projects, needs to be factored in when planning for audit functions to be carried out. Part of this requires:

1. Clear identification of the scope and focus areas of a proposed audit; and
2. Estimation of staff resourcing needs including estimated hours, proposed duration for the review to be commenced and completed and capacity of relevant staff.

To support the improved planning suggested above, it is proposed that smaller, more specific and more regular internal audits be scheduled across each financial year. This will allow the City to assume an ongoing risk management and continuous improvement function that has not been consistent in recent years. Work is being undertaken at the moment to create internal review plans for the following work areas, in order to provide a detailed proposal to inform the Audit and Risk Committee at its June meeting:

1. Work Health and Safety (WHS) Systems;
2. Pool inspections and compliance; and
3. Asset Management Framework.

Work Health and Safety Systems

The City's insurer, the Local Government Insurance Scheme (LGIS), intends to run a complimentary assessment of the City's WHS systems at no cost to the City.

This is an area that was already earmarked for internal review, and the opportunity to engage with LGIS in relation to this is welcomed. LGIS have met with People and Culture staff members and have allocated an assessor for the City.

The review by LGIS is anticipated to take place between 12 – 15 August 2024, and will include site visits, documentation review and interviews.

Once completed the LGIS will provide the City with recommendations and can assist with the development of an action plan if required.

This review will pick up processes and systems for employees as well as contractors.

Pool compliance

Recent legislative changes combined with a number of years of staff challenges in relation to pool compliance have resulted in the City identifying pool compliance as an area for review.

More information about the proposed scope of this internal audit and timeframes for the same will be provided at the June Audit and Risk Committee meeting.

Asset Management Framework

The City has recently employed a new Coordinator Asset Management who has a wealth of knowledge and experience in this space. City officers have been working on the development of an action plan for the preparation of a new Asset Management Framework which has included prioritisation of assets, policy review and identification of system needs including an appropriate IT platform.

It is expected that this review will be more of an ongoing update to the Audit and Risk Committee as to the progress of this project, rather than an audit.

Contract management

In addition to the above projects, a fourth considerable area for review is contract management and it is anticipated that this will need to be externalised for assistance in both the review as well as identification of resolution actions.

Oversight of internal audit

As planning continues in relation to these review projects, resourcing needs will be identified. At this stage, it is anticipated that an officer dedicated to overseeing internal review projects may be needed. The internal audit projects will also be supervised by the Executive Manager Governance and Risk Services and Executive Manager People and Culture in connection with the functions of the Executive Advisory Group.

COMMUNITY ENGAGEMENT CONSULTATION

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

BUDGET IMPLICATIONS

There are no financial implications resulting from the recommendations of this report. All costs incurred in relation to the proposed functions will be borne by staff resourcing and absorbed in staff costs.

The budget allocation previously adopted by Council will not be expended in this financial year if the recommendations of this report are endorsed.

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 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.

OFFICER RECOMMENDATION

That the Committee recommend that Council endorse:

1. The proposal to delay commencement of the 2023/24 internal audit plan projects (Trading Undertaking and Land Transaction Contract Review and Approval and Information Systems and Cyber Security); and
2. The development of an internal audit project plan for 2024/25 to include WHS Systems, Pool Inspection and Compliance and Asset Management Framework;
3. Request the CEO to obtain quotes for external review of the City's contract management systems (with initial focus areas being the process for entry into contracts, record keeping, contract oversight and execution of contracts).

ALTERNATE MOTION / COUNCIL RESOLUTION

Moved By: Cr Terrence Winner
Seconded By: Deputy Mayor Kirsty Dellar

That the Committee recommend that Council endorse:

1. The proposal to delay commencement of the 2023/24 internal audit plan projects (Trading Undertaking and Land Transaction Contract Review and Approval and Information Systems and Cyber Security) noting that the CEO will report to the Audit and Risk Committee any breaches or non-compliances in relation to either of these areas; and
2. The development of an internal audit project plan for 2024/25 to include WHS Systems, Pool Inspection and Compliance and Asset Management Framework;
3. Request the CEO to obtain quotes for external review of the City's contract management systems (with initial focus areas being the process for entry into contracts, record keeping, contract oversight and execution of contracts).

CARRIED
(4 / 0)

For: Mayor Glenn Wilson, Deputy Mayor Kirsty Dellar, Cr Nardia Turner and Cr Terrence Winner

Against: Nil

14.2.6 Compliance Audit Return

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
Nature of Council’s Role in Decision-Making:	Review
Attachments:	1. 2023 Compliance Audit Return Questions [7.1.6.1 - 13 pages]

SUMMARY STATEMENT

The Committee is asked to receive and endorse the submission of the Compliance Audit Return (CAR) for the period 1 January 2023 – 31 December 2023 to the Department of Local Government, Sport and Cultural Industries and to note the actions being undertaken as described in the report.

REPORT

The purpose of the annual CAR is for individual local governments to assess their level of compliance with the *Local Government Act 1995* and associated regulations. The Chief Executive Officer and relevant City officers’ have assessed their operations in respect of statutory obligations outlined in the CAR and believe that their responses given indicate an accurate perspective of the City’s compliance to date.

The CAR focuses on the following areas of compliance:

1. Commercial Enterprises by Local Governments (5 questions);
2. Delegation of Power/Duty (13 questions);
3. Disclosure of Interest (21 questions);
4. Disposal of Property (2 questions);
5. Elections (3 questions);
6. Finance (7 questions);
7. Integrated Planning and Reporting (3 questions);
8. Local Government Employees (5 questions);
9. Official Conduct (4 questions);
10. Optional questions (9 questions); and

11. Tenders for Providing Goods and Services (22 questions).

The completed return is set out in Attachment 1, including the City's commentary and responses. The areas of non-compliance are detailed below:

s5.46(3) Admin Reg 19: Did all persons exercising a delegated power or duty under the Act keep, on all occasions, a written record in accordance with Local Government (Administration) Regulations 1996, regulation 19?

Governance officers have been communicating on a regular basis with the management team in relation to this requirement however have not yet ensured that these records are kept on all occasions. Records are able to be kept in the City's compliance platform, Attain. In addition, records are kept in a variety of other digital systems depending on the nature of the exercise and delegated authority (eg infringements, animal registrations).

Work continues in relation to ensuring staff with delegated authority have knowledge and training in relation to these requirements.

Section 5.75 Local Government Act: Was a primary return in the prescribed form lodged by all relevant persons within three months of their start day?

As has been reported to the Audit and Risk Committee previously, one officer did not complete their primary return despite notification, prompts and reminders to do so. This is reportable to the Corruption and Crime Commission.

Section 5.76 Local Government Act: Was an annual return in the prescribed form lodged by all relevant persons by 31 August 2023?

As has been reported to the Audit and Risk Committee previously, one officer did not complete their annual return despite notification, prompts and reminders to do so. This is reportable to the Corruption and Crime Commission.

Section 5.88(3) Local Government Act: When a person ceased to be a person required to lodge a return under sections 5.75 and 5.76 of the Local Government Act 1995, did the CEO remove from the register all returns relating to that person?

Systems are in place for this to be done monthly but was done irregularly due to resourcing challenges and competing priorities over periods during 2023.

s3.58(4) Local Government Act: Where the local government disposed of property under section 3.58(3) of the Local Government Act 1995, did it provide details, as prescribed by section 3.58(4) in the required local public notice for each disposal of property?

These provisions are generally complied with, with the identified exception of the disposal of the City's tram in which market value but not consideration was included in the public notice requirements.

Section 5.87C Local Government Act: Where a disclosure was made under sections 5.87A or 5.87B of the Local Government Act 1995, were the disclosures made within 10 days after receipt of the gift? Did the disclosure include the information required by section 5.87C of the Act?

Four officers lodged declarations in Attain outside of the 10-day requirement. The City has identified ongoing needs for education and training around requirements for gift declarations, with both new starter and existing staff.

s5.96A(1), (2), (3) & (4) Local Government Act: Did the CEO publish information on the local government's website in accordance with sections 5.96A(1), (2), (3), and (4) of the Local Government Act 1995?

The City's website does not include a map showing the local government district. This will be obtained and added to the website as soon as possible.

COMMUNITY ENGAGEMENT CONSULTATION

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

BUDGET IMPLICATIONS

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

STATUTORY IMPLICATIONS

This report is prepared in compliance with the Local Government (Audit) Regulations 1996.

POLICY IMPLICATIONS

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

OFFICER/ COMMITTEE RECOMMENDATION

Moved By: Cr Nardia Turner
Seconded By: Cr Terrence Winner

That the Committee recommend Council:

1. Receive and endorse the submission of the Compliance Audit Return for the period 1 January 2023 – 31 December 2023 to the Department of Local Government, Sport and Cultural Industries in accordance with the *Local Government (Audit) Regulations 1996*; and
2. Note the comments and actions being undertaken as described in the report to address issues identified in the Compliance Audit Return.

CARRIED
(4 / 0)

14.2.7 Risk Update

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
Nature of Council's Role in Decision-Making:	Executive Strategic
Attachments:	Nil

SUMMARY STATEMENT

The Committee is asked to receive an update in relation to risk management at the City.

REPORT

Over the course of 2023, the Audit and Risk Committee has received a number of updates in relation to the progress of risk management systems at the City including in respect of administrative difficulties posed by the City's risk management platform.

In late 2023, the City committed to a new software platform, Pulse, which includes a risk management module. The Governance team are currently working with Pulse to set this module up. Once established, Pulse will improve the City's risk management systems for the following reasons:

1. Better accessibility for staff to see risk register content compared to the former platform;
2. Improved record keeping;
3. Improved reminders and work flow tracking to ensure responsible officers undertake required reviews and updates; and
4. Consistency of language, descriptions and assessments.

To support this new platform, the governance team have completed first drafts of the following:

1. Updated Strategic and Operational Risk Register content for importation to Pulse;
2. New Risk Management Framework;
3. New Risk Management Strategy including risk management action plan; and
4. New Risk Management Procedure.

These documents will be reviewed by the Executive Leadership Team in coming weeks and finalised documents will be presented to the Audit and Risk Committee at

its June meeting. In addition to endorsing these documents at the June meeting, the Audit and Risk Committee will be requested to undertake initial reviews to determine Council's risk appetite and risk tolerance, which will better inform both officers and Council regarding its decision-making.

Due to the current amount of change currently underway in relation to risk management, there has not been a risk review.

COMMUNITY ENGAGEMENT CONSULTATION

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

BUDGET IMPLICATIONS

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

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 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 are utilising diverse points of view to inform decision making and actions taken for the City.

OFFICER/ COMMITTEE RECOMMENDATION

Moved By: Cr Nardia Turner
Seconded By: Cr Terrence Winner

That the Committee recommend that Council receive the updated in relation to the status of the City's risk management.

CARRIED
(4 / 0)

14.2.8 Tenders Awarded under Delegation July to December 2023

Responsible Officer:	Xandra Curnock Executive Manager Finance
Responsible Business Unit:	Finance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council’s Role in Decision-Making:	Review
Attachments:	Nil

SUMMARY STATEMENT

The Committee is asked to review the summary of tenders awarded under delegation by various Delegated Officers and Committees during the period 1 July 2023 to 31 December 2023.

REPORT

The City’s delegation register, adopted at the 30 October 2023 Ordinary Council Meeting (OCM), under section 1.1.17 shows the below table showing delegation for Tenders for Goods and Services which are exempt from usual procurement requirements.

Category	Maximum Value for individual contracts
WALGA Preferred Supplier Program [F&G.r.11(2)(b)]	\$750,000
Goods or services obtained through the Government of the State or Commonwealth or any of its agencies, or by a local government or regional local government [F&G.r.11(2)(e)]	\$750,000
Goods or services that are determined to be unique so that there is more than one supplier in accordance with delegation condition (b.) specified below [F&G.r.(2)(f)]	\$250,000
Supply of petrol, oil or any other liquid or gas used for internal combustion engines [F&G.r.11(2)(g)]	\$1,500,000

Category	Maximum Value for individual contracts
person registered on the Aboriginal Business Directory WA OR Indigenous Minority Supplier Office Limited (T/as Supply Nation) AND where satisfied that F&G.r.11(2)(h)(ii) the contract represents value for money. [F&G.r.11(2)(h)]	< \$250,000
Goods or services supplied by an Australian Disability Enterprise [F&G.r.11(2)(i)]	\$250,000

Below shows all tenders awarded by the City between 1 July 2023 and 31 December 2023 under the above mentioned delegations:

July 2023

Tender Description	Awarded By	Contractor(s)	Contract Term	Contract Value
Nil				

August 2023

Tender Description	Awarded By	Contractor(s)	Contract Term	Contract Value
Nil				

September 2023

Tender Description	Awarded By	Contractor(s)	Contract Term	Contract Value
Nil				

October 2023

Tender Description	Awarded By	Contractor(s)	Contract Term	Contract Value
RFT010-010 22/23 South Boulder WWTP Inlet Screen &	In-house CEO Delegation	Aqseptence Group Pty Ltd.	Upon Completion and Acceptance of	\$362,904.30

Dewatering System			requirement by Principal	
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November 2023

Tender Description	Awarded By	Contractor(s)	Contract Term	Contract Value
RFT009-22/23- The Upgrade of Maxwell Street, Johnston & Kingsmill Street Intersections	In-house CEO Delegation	Boord Construction (Wa) Pty Ltd.	Upon Completion and Acceptance of requirement by Principal	\$686,905.24

December 2023

Tender Description	Awarded By	Contractor(s)	Contract Term	Contract Value
Nil				

COMMUNITY ENGAGEMENT CONSULTATION

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

BUDGET IMPLICATIONS

All tenders were awarded within the 2022-23 budget approved at Council on 4 August 2022.

STATUTORY IMPLICATIONS

All tenders awarded met the requirements of Regulations 11A – 24J of the *Local Government (Functions and General) Regulations 1996* and S3.57 of the *Local Government Act 1995*.

POLICY IMPLICATIONS

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

OFFICER/ COMMITTEE RECOMMENDATION

Moved By: Cr Terrence Winner
Seconded By: Deputy Mayor Kirsty Dellar

That the Committee request Council to accept the report showing tenders awarded under delegation.

CARRIED
(4 / 0)

14.2.9 Audit Recommendations Progress

Responsible Officer:	Xandra Curnock Executive Manager Finance
Responsible Business Unit:	Finance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council’s Role in Decision-Making:	Review
Attachments:	1. Audit Findings Progress Report March 2024 [7.1.9.1 - 3 pages]

SUMMARY STATEMENT

The Committee is asked to review the progress report update in relation to the status of OAG Audit recommendations from past completed audits.

REPORT

The OAG perform annual financial and ICT audits on the City. The attached report shows the outstanding items identified by the OAG that the City are still working through, and those identified which have been closed off.

COMMUNITY ENGAGEMENT CONSULTATION

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

BUDGET IMPLICATIONS

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

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 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.

OFFICER/ COMMITTEE RECOMMENDATION

Moved By: Deputy Mayor Kirsty Dellar

Seconded By: Cr Terrence Winner

That the Committee recommends Council receives the information.

CARRIED
(4 / 0)

14.3 Youth Council Minutes - 20 February 2024

14.3.2 Youth Mayor and Deputy Youth Mayor Elections

Responsible Officer:	Mia Hicks Director of Community Development
Responsible Business Unit:	Community Development
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council's Role in Decision-Making:	Executive Strategic
Attachments:	Nil

SUMMARY STATEMENT

The Kalgoorlie-Boulder Youth Council (KBYC) are required to formally elect the positions of Youth Mayor and Deputy Youth Mayor for a one-year term. This report details the process for the KBYC to complete the election process for the two positions.

REPORT

The Kalgoorlie-Boulder Youth Council (KBYC) is required to formally elect the positions of Youth Mayor and Deputy Youth Mayor for a one-year term.

All current Youth Councillors are eligible to nominate for these positions. If no nominations are received for the positions of Youth Mayor and Deputy Youth Mayor, the positions are to remain vacant until another election is called. This process is in accordance with the KBYC Guidelines.

Election Process

The elections will encompass the appointment of the Youth Mayor and the Deputy Youth Mayor for the 2024/25 term of the Kalgoorlie-Boulder Youth Council. The Chair will welcome all nominees and announce the commencement of the following process to occur:

- 1) The Chair will announce the positions of Youth Mayor and Deputy Youth Mayor to be vacant.
- 2) The Chair will be provided with nominations for Youth Mayor by the Minute's Officer in alphabetical order. The Chair will then announce that all Youth Councillors have voting rights in the pending election.
- 3) The Chair will announce the nominations for the Youth Mayor position, one-by-one in alphabetical order. Each nominee will be offered the opportunity to make a brief presentation (5 mins max).

- 4) Following announcements and presentations of each nominee, voting cards will be distributed to all Youth Councillors. They are asked to fill in their preference and hand it back to the Minutes Officer. The Minutes Officer and another City Officer will leave the room to tally the votes.
- 5) Results of the election will be returned to the Chair, who will then announce and appoint the Youth Mayor for the 2024/25 term.
- 6) If there are multiple nominations for the position of Deputy Youth Mayor, the same process to elect the Youth Mayor will be undertaken to elect the Deputy Youth Mayor.

Once the election has concluded, the newly elected Youth Mayor will be called to chair the remainder of the meeting as per the standard formal Youth Council meeting practice.

Community Engagement Consultation

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

Budget Implications

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

Statutory Implications

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

Policy Implications

This report aligns with the City's Committee Policy, as outlined in the City of Kalgoorlie-Boulder Council Committee and Working Group Handbook.

Community Strategic Plan Links

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

SAFE: We support families and youth.

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

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

OFFICER/ COMMITTEE RECOMMENDATION

Moved By: Youth Councillor Emilee Stewart

Seconded By: Youth Councillor Elisyah Jackson

That the Committee conduct an election for the position of Youth Mayor and Deputy Youth Mayor of the Kalgoorlie-Boulder Youth Council (KBYC) for the 2024/25 term.

CARRIED
(6 / 0)

Cr Winner facilitated the election as Chair of the meeting at 4:55pm and called for nominations for the position of Youth Mayor. Nominations were received from Youth Councillor Erin Winchester and Youth Councillor Emilee Stewart.

Both nominations invited to speak on their nomination

At 4:48pm Youth Councillors completed their voting and provided the slips to City Officer Lauren Chapman-Holle who left the room with Cameron Mallory to count the Votes.

At 5:00pm City Officer and Cameron Mallory returned to the room and passed on the results to Cr Winner.

At 5:01pm Cr Winner announced that Emilee Stewart will be the new Youth Mayor for the 2023-24 year term.

At 5:01pm Cr Winner vacated the Chair and invited Youth Mayor Emilee Stewart to Chair the meeting.

At 5:02pm Youth Mayor Emilee Stewart called for nominations for the position Deputy Youth Mayor. Nominations were received from Youth Councillor Roza Nicholas, Youth Councillor Summer Nicholas, and Youth Councillor Erin Winchester.

All nominations invited to speak on their nomination.

At 5:04pm Youth Councillors completed their voting and provided the slips to City Officer Lauren Chapman-Holle who left the room with Cameron Mallory to count the votes.

At 5:06pm City Officer and Cameron Mallory returned to the room and passed on the results to Youth Mayor Emilee Stewart.

At 5:06pm Youth Mayor Emilee Stewart announced that Erin Winchester will be the new Deputy Youth Mayor for the 2023-24 year term.

15 REPORTS OF OFFICERS

15.1 Chief Executive Officer

15.1.1 Accounts Payable Report - February 2024

Responsible Officer:	Casey Radford Finance Manager
Responsible Business Unit:	Finance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council’s Role in Decision-Making:	Review
Attachments:	<ol style="list-style-type: none"> 1. Municipal Fuel Card Payments - February 2024 [15.1.1.1 - 6 pages] 2. Municipal Cheque Payments - February 2024 [15.1.1.2 - 1 page] 3. Municipal Coles Card Payments - February 2024 [15.1.1.3 - 1 page] 4. Municipal Direct Debit Payments - February 2024 [15.1.1.4 - 1 page] 5. Municipal EFT Payments - February 2024 [15.1.1.5 - 22 pages] 6. Municipal Credit Card Payments - February 2024 [15.1.1.6 - 7 pages]

SUMMARY STATEMENT

Council is asked to receive the list of payments made from the Municipal and Trust funds including a summary report of the Corporate Credit Card transactions and other purchasing cards incurred by authorised card holders.

REPORT

The Chief Executive Officer (CEO) 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 or credit card.

Attached to this report are the lists of all EFT and cheque payments made during the month of February 2024 and a list of corporate credit card transactions and fuel card transactions by card holder of the same period totalling \$9,322,836.48.

Municipal EFT	\$	8,585,034.12
Municipal Cheque	\$	327.90

Direct Debit	\$	667,640.47
Credit Cards	\$	52,405.19
Fuel Cards	\$	17,428.80
Coles Cards	\$	369.20
Grand Total	\$	9,322,836.48

COMMUNITY ENGAGEMENT CONSULTATION

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

BUDGET IMPLICATIONS

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

STATUTORY IMPLICATIONS

The accounts payable for the month of February 2024 have 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 the Purchasing Policy.

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.

OFFICER RECOMMENDATION

That Council receive the list of payments totalling \$9,322,836.48 as presented for the month of February 2024.

15.1.2 Statement of Financial Activity January 2024

Responsible Officer:	Casey Radford Finance Manager
Responsible Business Unit:	Finance
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council’s Role in Decision-Making:	Legislative
Attachments:	1. SOFA Report Jan 2024 FINAL [15.1.2.1 - 30 pages]

SUMMARY STATEMENT

Council is asked to receive the completed Statement of Financial Activity for the period ending 31 January 2024, which is prepared in accordance with regulation 34 of the *Local Government (Financial Management) Regulations 1996* (“the Regulations”).

REPORT

The Statement of Financial Activity was introduced by the Department of Local Government from 1 October 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 January 2024 income is under budget by 0.10% and expenditure is over budget by 0.12%, commentary is provided at nature and type 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.

SUMMARY OF MATERIAL VARIANCES

Expenditure from operating activities

Description	Comment	Var. \$	Var. %	Nature of Variance
Non-cash amounts excluded from operating activities	Adjustments to Revenue and Expenses for depreciation, profit and loss on sale of assets and adjustments for provisions	476,840	3.29%	Timing

Inflows from investing activities

Description	Comment	Var. \$	Var. %	Nature of Variance
Proceeds from disposal of assets	Price received for assets sold or traded.	3,822,983	0.00%	Permanent

Reserves

Description	Comment	Var. \$	Var. %	Nature of Variance
Transfer from reserves	Transfers will occur when funds invested are returned in June	8,517,000	51.28%	Timing
Transfer to reserves	Transfers to reserves are more than budget due to higher than expected interest earned.	(181,925)	(1.48%)	Timing

COMMUNITY ENGAGEMENT CONSULTATION

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

BUDGET IMPLICATIONS

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

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 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.

OFFICER RECOMMENDATION

That Council receive the Statement of Financial Activity for the period ending 31 January 2024.

15.1.3 Code of Conduct for Council Members, Committees and Candidates

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:	Absolute Majority
Nature of Council’s Role in Decision-Making:	Executive Strategic
Attachments:	1. Code of Conduct for Councillors Committee Members and Candidates [15.1.3.1 - 13 pages] 2. Elected- Member- Handbook-for-a- Respectful- Workplace [15.1.3.2 - 36 pages]

SUMMARY STATEMENT

Council is asked to endorse the Code of Conduct for Elected Members, Committee Members and Candidates (“Code of Conduct”), and re-appoint the CEO as the complaints officer for the purpose of paragraph 11(3) of the Code of Conduct and note the Elected Member Handbook for a Respectful Workplace.

REPORT

Code of Conduct

Section 5.104 of the *Local Government Act 1995* requires all local governments to adopt a Code of Conduct incorporating the model code of conduct set out in the Regulations. The Code of Conduct is to be observed by Council Members, Committee Members and Candidates.

The Code of Conduct was last reviewed by City officers in early 2023 and was adopted by Council on 23 January 2023 (having first been adopted on 27 April 2021). Attachment 1 is the current Code of Conduct.

Following the local government election, City officers have reviewed the Code of Conduct and note in the absence of any amendments to the model code, do not recommend any changes be made.

Elected Member Handbook for a Respectful Workplace

On 28 August 2023, Council adopted a number of policies contained in the Elected Member Handbook for a Respectful Workplace (“Handbook”) including in respect of:

1. Anti-Discrimination;
2. Equal Opportunity;
3. Handling of grievances, complaints, misconduct; and
4. External reporting requirements.

These policies support the operation of the Code of Conduct.

No changes are proposed to these policies and the Handbook is attached for Council's information.

COMMUNITY ENGAGEMENT CONSULTATION

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

BUDGET IMPLICATIONS

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

STATUTORY IMPLICATIONS

Section 5.104 *Local Government Act 1995* requires Council to adopt a Code of Conduct in accordance with the model code set out in the *Local Government (Model Code of Conduct) Regulations 2021*.

POLICY IMPLICATIONS

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

OFFICER RECOMMENDATION

That Council:

1. endorse the Code of Conduct for Council Members, Committee Members and Candidates adopted by Council on 23 January 2023;
2. re-appoint the Chief Executive Officer or Acting Chief Executive Officer at the relevant time to receive complaints and any withdrawals of complaints pursuant to clause 11(3) of the Code of Conduct for Council Members, Committee Members and Candidates;
3. Note the policies set out in the Elected Member Handbook for a Respectful Workplace; and
4. authorise the Chief Executive Officer to make minor administrative amendments to the Code of Conduct for Council Members, Committee Members and Candidates and the policies contained in the Elected Member Handbook for a Respectful Workplace.

15.1.4 WAEC election report (2023 local government election)

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
Nature of Council's Role in Decision-Making:	Executive Strategic
Attachments:	1. City of Kalgoorlie- Boulder - Election Report [ORDINAR Y] [15.1.4.1 - 29 pages]

SUMMARY STATEMENT

Council is asked to receive the attached Election Report published by the Western Australian Electoral Commission (WAEC).

REPORT

Local government ordinary elections were held in October 2023. The WAEC has now published its report on the outcomes for the City of Kalgoorlie-Boulder which is attached to this report.

The WAEC has indicated it will publish a combined State-Wide Election Report in the first quarter of 2024.

COMMUNITY ENGAGEMENT CONSULTATION

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

BUDGET IMPLICATIONS

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

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 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.

OFFICER RECOMMENDATION

That Council receive the City of Kalgoorlie-Boulder's Election Report from the Western Australian Electoral Commission.

15.1.5 Australian Local Government Association Congress Motion

Responsible Officer:	Andrew Brien Chief Executive Officer
Responsible Business Unit:	Office of the CEO
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council's Role in Decision-Making:	Advocacy
Attachments:	Nil

SUMMARY STATEMENT

Council is asked to consider putting forward a motion to the Australian Local Government Association Congress focused on Theme 8 – Closing the Gap and Aboriginal and Torres Strait Islander Reconciliation.

REPORT

The National General Assembly has provided the following as background for Motions for this year's congress:

- How all levels of government in Australia can build trust in each other and earn greater trust from the community;
- Practical opportunities for the Australian Government to leverage the trust that local communities have in their local council;
- Focus on practical programs that can strengthen the system of local government nationally to provide the services and infrastructure required to support and strengthen our communities; and
- New program ideas that that would help the local government sector to deliver the Australian Government's objectives.

To be eligible for inclusion in the NGA Business Papers, and subsequent debate on the floor of the NGA, motions must meet the following criteria:

1. Be relevant to the work of local government nationally.
2. Not be focused on a specific jurisdiction, location or region – unless the project or issue has national implications.
3. Be consistent with the themes of the NGA.
4. Complement or build on the policy objectives of ALGA and your state or territory local government association.
5. Be submitted by a council which is a financial member of their state or territory local government association.
6. Propose a clear action and outcome ie. call on the Australian Government to act on something.
7. Not be advanced on behalf of external third parties that may seek to use the NGA to apply pressure to Board members, or to gain national political

- exposure for positions that are not directly relevant to the work of, or in the national interests of, local government.
8. Address issues that will directly improve the capacity of local government to deliver services and infrastructure for the benefit of all Australian communities.
 9. Not seek to advance an outcome that would result in a benefit to one group of councils to the detriment of another.
 10. Be supported by sufficient evidence to support the outcome being sought and demonstrate the relevance and significance of the matter to local government nationally.

In 2021, ALGA co-signed a landmark national agreement to close the gap between Indigenous and non-Indigenous Australians. At the heart of the National Agreement on Closing the Gap Partnership are four agreed priority reform targets and 19 socio-economic targets in areas including education, employment, health and wellbeing, justice, safety, housing, land and waters, and Aboriginal and Torres Strait Islander languages.

The Indigenous Voice Co-design Final Report to the Australian Government was released in December 2021. The Local & Regional Voice will contribute to achieving the Closing the Gap outcomes by providing avenues for Indigenous voices to be heard, including to provide feedback to government on Closing the Gap.

As the level of government closest to the people, councils have an essential role supporting and helping to steer the development of policies and programs in partnership with local Indigenous peoples that address closing the gap priorities at the local and regional level.

Local government plays a positive role in reconciliation and celebrating Indigenous culture and identity, and sustainably funded could work effectively to reduce Indigenous disadvantage in all its forms.

Whilst it is recognised that local government has a role to play in implementing strategies and actions to help achieve the Closing the Gap targets, there is a need for additional direct funding from the federal government to assist in the implementation of localised actions and projects. To facilitate this it is proposed to provide the following motion for consideration by the National General Assembly:

This National General Assembly calls on the Australian Government to establish a specific funding stream to enable local governments to implement localised strategies and projects directly related to addressing the closing the gap priority areas as outlined in the National Agreement.

At the local level the City has developed and implemented projects and is working with other levels of government and the not for profit sector to deliver on ground initiatives, however funding for these programs is limited and should be increased through specific funding directed to local governments.

Additional background information will be developed and provided in support of the motion should Council be supportive. It should be noted that in the event that the motion is included in the National General Assembly agenda, a Council delegate will be required to be in attendance to move and speak to the motion.

COMMUNITY ENGAGEMENT CONSULTATION

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

BUDGET IMPLICATIONS

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

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 STRATEGIC PLAN LINKS

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

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

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

OFFICER RECOMMENDATION

That Council:

1. Request the Chief Executive Officer to provide the following motion to ALGA for inclusion in the 2024 National General Assembly agenda - his National General Assembly calls on the Australian Government to establish a specific funding stream to enable local governments to implement localised strategies and projects directly related to addressing the closing the gap priority areas as outlined in the National Agreement; and
2. Request the Chief Executive Officer to provide a supporting report aligned to the motion.

15.1.6 Expression of Interest for independent member of Audit and Risk Committee

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
Nature of Council's Role in Decision-Making:	Executive Strategic
Attachments:	<ol style="list-style-type: none"> 1. EOI information pack [15.1.6.1 - 8 pages] 2. CONFIDENTIAL - EOI Submission [15.1.6.2 - 6 pages] 3. Variation 3_2023 Independent Committee Member fees [15.1.6.3 - 2 pages]

This report was unable to be considered by the Audit and Risk Committee on 15 March 2024 due to the Mayor's disclosed financial interest precluding him from voting. Consequently, quorum could not be achieved in relation to this decision and the matter has instead been referred to Council as the appointment of an external member to the Audit and Risk Management Committee needs to be progressed.

SUMMARY STATEMENT

The Committee is asked to note and review all submissions received in response to the City's Expression of Interest (EOI) for an independent member of the Audit and Risk Committee.

REPORT

It is considered good practice for an audit and risk committee to include independent members as it is an opportunity to bring in specific financial and governance skills from outside of the City and Council and allows for independent review of these functions.

Prior to the 2023 local government election, the City had two independent members of the Audit and Risk Committee. The terms of these positions came to an end as at the election date.

An EOI was advertised by the City in October 2023 however no submissions were received.

Pursuant to the Audit and Committee's request to the CEO on 16 November 2023, the EOI was re-advertised on 24 January 2024 and closed on 9 February 2024.

The EOI requested that people interested in joining the Audit and Risk Committee have expertise in one or more of the following areas:

- Financial management and internal control;
- Business management;
- Governance;
- Corporate risk management; and/or
- Local government financial management and reporting.

Attachment 1 is a copy of the EOI information pack that was published by the City.

One submission was received in response to the EOI and that response is attached confidentially. The applicant indicates as follows:

1. A desire to use their financial and compliance experience to provide guidance to Council and give back to the community;
2. Qualifications and experience in:
 - Financial management;
 - Risk;
 - Local government financial management and reporting; and
 - Corporate management; and
3. Active involvement in community, environmental or civic activities in Kalgoorlie-Boulder.

The below table also assesses the applicant's skillset against the advertised selection criteria of the role:

<i>Expertise in financial management</i>	Yes
<i>Expertise in risk</i>	Yes
<i>Experience in local government financial management and reporting</i>	Yes
<i>Experience in public sector management</i>	No
<i>Experience in corporate management</i>	Yes
<i>Qualifications in Business</i>	No
<i>Qualifications in Commerce</i>	No
<i>Qualifications in Law</i>	No
<i>Qualifications in Risk Management</i>	No
<i>Accountant in Public Practice</i>	No
<i>Accountant in Auditing</i>	No
<i>Actively involved in community, environmental or civic activities in Kalgoorlie-Boulder</i>	Yes

<i>Free from any management, business or other relationship that could reasonably be perceived to materially interfere with my ability to act in the best interests of Council</i>	Yes
<i>Read and understood the responsibilities outlined in the Audit and Risk Terms of Reference</i>	Yes

City officers consider the applicant meets the criteria advertised in the EOI and recommend the appointment to the Audit and Risk Committee.

The Salaries and Awards Tribunal determination was amended in 2023 to include provision for independent members of Council Committee. That amendment is attached as Attachment 3. City officers propose that the maximum amount payable to independent members be paid. Currently, as a band 1 local government, the applicable amount payable by the City of Kalgoorlie-Boulder is between \$0- \$415 per meeting.

COMMUNITY ENGAGEMENT CONSULTATION

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

BUDGET IMPLICATIONS

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

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 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.

OFFICER RECOMMENDATION

That Council:

1. Endorse the appointment of the Applicant named in Attachment 2 as an independent member of the Audit and Risk Committee; and

2. Authorise the CEO to pay sitting fees to the independent member in accordance with the maximum amount payable to an independent member, as determined by the Salaries and Awards Tribunal from time to time.

15.2 Development and Growth

15.2.1 Use of Reserve 42837 for Parking Associated with Full Circle Therapies

Responsible Business Unit:	Planning Development & Regulatory Services
Disclosure of Interest:	Nil
Application number	Nil
Owner’s Name:	City of Kalgoorlie-Boulder
Applicant’s Name:	Nil
Development Value:	Nil
Voting Requirements:	Simple
Nature of Council’s Role in Decision-Making:	Legislative
Attachments:	1. Management Order - Lot 4904 Mc Kenzie & Addis Streets - Reserve 42837 - A 27358 pdf [15.2.1.1 - 19 pages]

SUMMARY STATEMENT

Council is asked to consider an additional land use for Reserve 42837 for car parking purposes in order to support a request by the Full Circle Therapies facility to use the Reserve for car parking to support the redevelopment of its facilities on Reserve R31464.

REPORT

Background

Address:	Lot 4904 Addis Street, Lamington 6430
Lot Size:	625m ²
Zoning	LPS1: Not Applicable
	LPS2: Civic and Community
Existing Land Use:	Vacant Land
Proposed Land Use:	Car Park
Adjacent / Nearby Land Uses:	Residential, Public purpose Hotel

Full Circle Therapies provides mental and allied health services to the Kalgoorlie-Boulder community. Full Circle Therapies has a 10-year lease on Reserve 31464 (Lot 1094) 21B Ward Street Lamington, with an option for a further 10-year extension.

Full Circle Therapies is planning to redevelop the site and has approached the City of Kalgoorlie-Boulder (the City) to consider the use of Reserve R42837 (Lot 4904) on Plan 191136 for car parking associated with its activities at Ward Street, Lamington. Reserve 42837 is zoned for the purpose of “Civic and Community Use” and was

vested to the City under a Management Order dated 2 July 2001 which grants the City the ‘Power to Lease’ with the consent of the Minister for Planning; Lands; Housing; Homelessness.

In order for the City to progress a proposed additional ‘car parking’ land use, the Department of Planning, Lands and Heritage has advised the following.

1. Council, by resolution, should endorse the additional land use for Reserve 42837 for “car parking”; and
2. Council should refer the endorsed request to the Department of Planning, Lands and Heritage for consideration and possible approval.

Details of the Proposal

During consultation with the City regarding the redevelopment of its facilities on Reserve R31464, Full Circle Therapies advised the City it would benefit from more car parking. Reserve 42837 has since been identified as an area of land suitable for parking. Reserve 42837 is a triangular shaped parcel of land which is gravelled and has an area of 625m². The land has been used for informal car parking in the past. Reserve 42837 fronts McKenzie Street, and has a laneway to the north-west, and a former doctor’s surgery on the north-east boundary. The proposed area is separated from the Full Circle Therapies site by a laneway.

The City’s Engineering department has indicated that if car parking is supported on the land, any development would need to ensure that the operation and management of the stormwater culvert is protected. It is considered this can be achieved should Council support the additional land use.

Description of the Site



Reserve 42837 - McKenzie Street and Addis Street, Lamington

Site History/Previous Approvals

Reserve 42837 has been used informally for car parking for many years.

Previous Relevant Decisions of Council

Nil

PUBLIC CONSULTATION

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

Consultation with Other Agencies

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

Conclusion

The addition of the land use of 'car parking' to Reserve 42837 is recommended and in line with the historical informal use of the Reserve. Reserve 42837 is cleared of vegetation apart from a single tree which will not be affected by the proposed change. The bus shelter will also not be affected.

BUDGET IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The proposal is consistent with the objectives of the City's Local Planning Strategy 2013-2023.

STATUTORY IMPLICATIONS

The actions recommended in this report are consistent with the requirements of the *Land Administration Act 1997* and the associated regulations.

A lease to Full Circle Therapies of Reserve 42837 would require the consent of the Minister, compliance with the *Local Government Act 1995*, and consideration by Council via a future report(s).

POLICY IMPLICATIONS

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

COMMUNITY STRATEGIC PLAN LINKS

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

SAFE: We support families and youth.

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

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

SUSTAINABLE: We advocate for the provision of land use.

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

OFFICER RECOMMENDATION

That Council:

1. Endorse the additional land use designation of 'car park, car parking or similar' to Reserve 42837 (Lot 4904) on Plan 191136, Addis Street, Lamington; and
2. Request the CEO writes to the Minister for Planning; Lands; Housing; Homelessness to request the additional land use designation 'car park, car parking or similar' to Reserve 42837 (Lot 4904) on Plan 191136, Addis Street, Lamington, pursuant to s42 of the *Land Administration Act (1997)* (LAA).

15.2.2 Hireable E-scooter Trial Outcome

Responsible Officer:	Alain Baldomero Manager Health and Community Safety
Responsible Business Unit:	Health and Community Safety
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council's Role in Decision-Making:	Executive Strategic
Attachments:	<ol style="list-style-type: none"> 1. CONFIDENTIAL - Attachment 1 - Beam Mobility Report (April 2023- January 2024) [15.2.2.1 - 6 pages] 2. Attachment 2 - E-Scooter 12 Month Trial Survey Results [15.2.2.2 - 22 pages] 3. CONFIDENTIAL - Attachment 3 - Beam Mobility - Revenue Sharing [15.2.2.3 - 2 pages]

SUMMARY STATEMENT

Council is asked to consider whether to issue a permit to Beam Mobility to provide hireable e-scooters in the City of Kalgoorlie-Boulder.

REPORT

Background

The City of Kalgoorlie-Boulder (the City) was approached in 2022 by two micro mobility companies – Bird Ride (Bird) and Beam Mobility (Beam) – with a request to undertake a 12-month trial of hireable, shared e-scooters within Kalgoorlie-Boulder. As the City had not previously considered public hireable e-scooters permits, a report was prepared for Council consideration.

Council considered the e-scooter trial report at the Ordinary Council meeting of 23 January 2023 and resolved to authorise the Chief Executive Officer (CEO) to issue a permit to Beam Mobility and Bird Ride to operate a 12-month trial of Hireable Electric Scooters, subject to conditions.

In February 2023 a 'Co-design Workshop' was attended by both operators in Kalgoorlie-Boulder, and feedback from the community was considered. This also included an in-person survey (at the workshop), and an online survey, from 24 February to 8 March 2023. This resulted in 81 submissions, which helped inform the permitted operating area (slow, no parking and no ride zones) of the hireable e-scooters. The trial was then commenced on 29 March 2023.

Beam launched immediately, while Bird launched in July 2023. However, in November 2023 Bird notified the City it was leaving the e-scooter industry in Australia, and subsequently stopped operating in Kalgoorlie-Boulder.

The trial has ended, and Beam has provided a complete report for the trial period, refer to 'Attachment 1 – Beam Mobility Report (April 2023- January 2024)'. The key travel and emissions savings highlights to the end of February 2024 are shown below:

- Total number of trips – 85,118
- Total distance travelled – 116,445km
- Total emissions savings – 28,330kg of carbon dioxide

Complaints lodged with the City during trial period

Over the trial period, the City received 24 formal complaints in relation to Beam and Bird e-scooters. In responding to the complaints City officers found Beam was easy to work with and quick to respond. The complaints were mainly around safety concerns such as dumped e-scooters, e-scooters obstructing footpaths and driveways, and helmet litter. Beam also introduced additional patrols and improved feedback through the Beam App to assist with issues around rider behaviour (such as no helmets, more than one person per e-scooter, intoxicated or dangerous riding, etc).

COMMUNITY CONSULTATION

In accordance with the Council resolution, at the end of the trial the City undertook a community survey to provide an opportunity for the local community to provide feedback and express their opinions. The survey was available for three weeks from 3 to 25 February 2024. Over 1,200 responses were received.

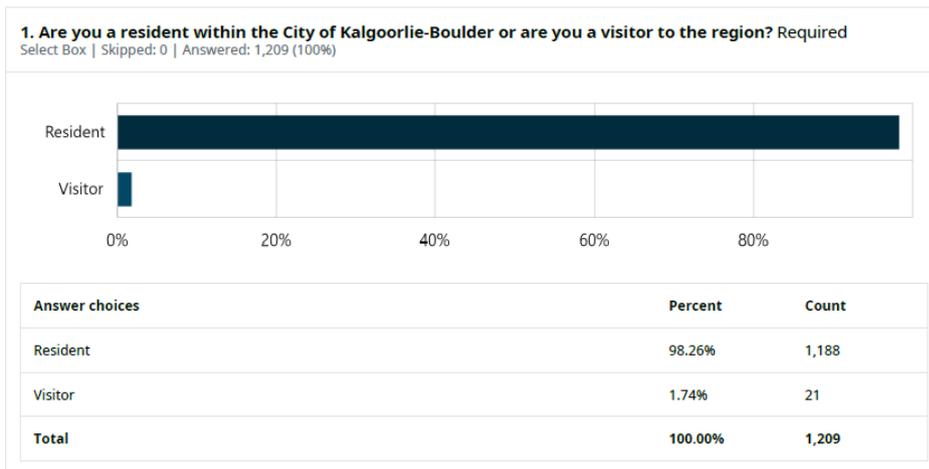
In addition, the City contacted the Kalgoorlie Health Campus for data during the trial period. There were 141 presentations associated with scooter usage during the trial period. (Note - mentions of 'kick' or 'push' scooters were excluded from the search criteria, and there is no differentiation in these numbers between scooter brands).

The City also contacted the Police, who advised there were 76 jobs placed on police systems for attendance that mentioned Beam Scooter, E-Scooter, or Electric Scooter in the Kalgoorlie-Boulder area.

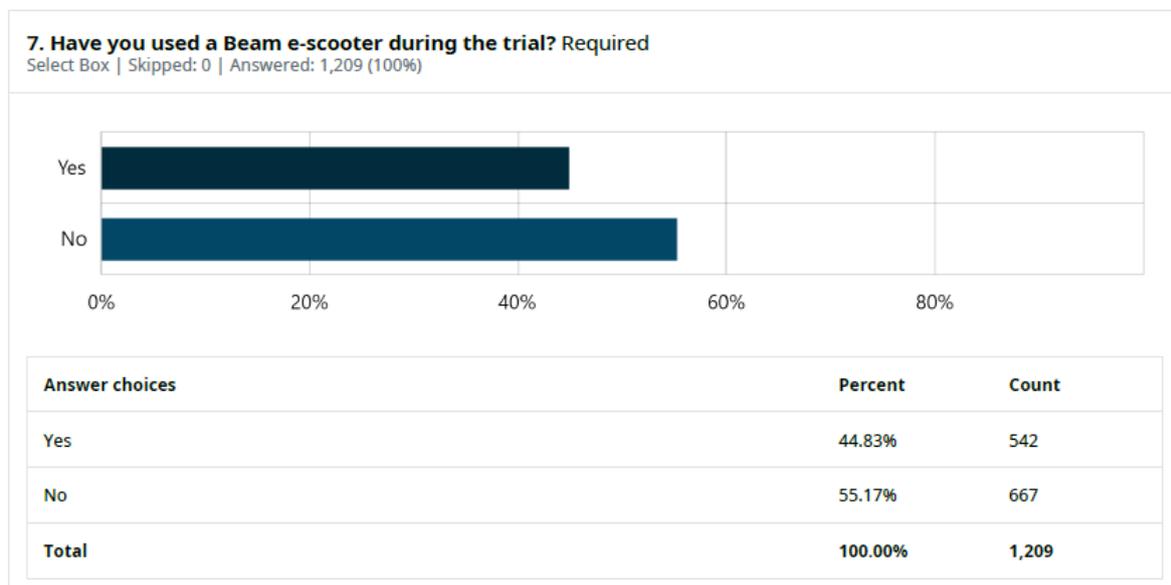
Survey Key Findings

1209 people respond to the survey, however not all respondents answered all questions. Of those who responded to the question "Do you support e-scooter hire within the City", 50% said Council should allow hire e-scooters in Kalgoorlie-Boulder. The survey results are contained in Attachment 2.

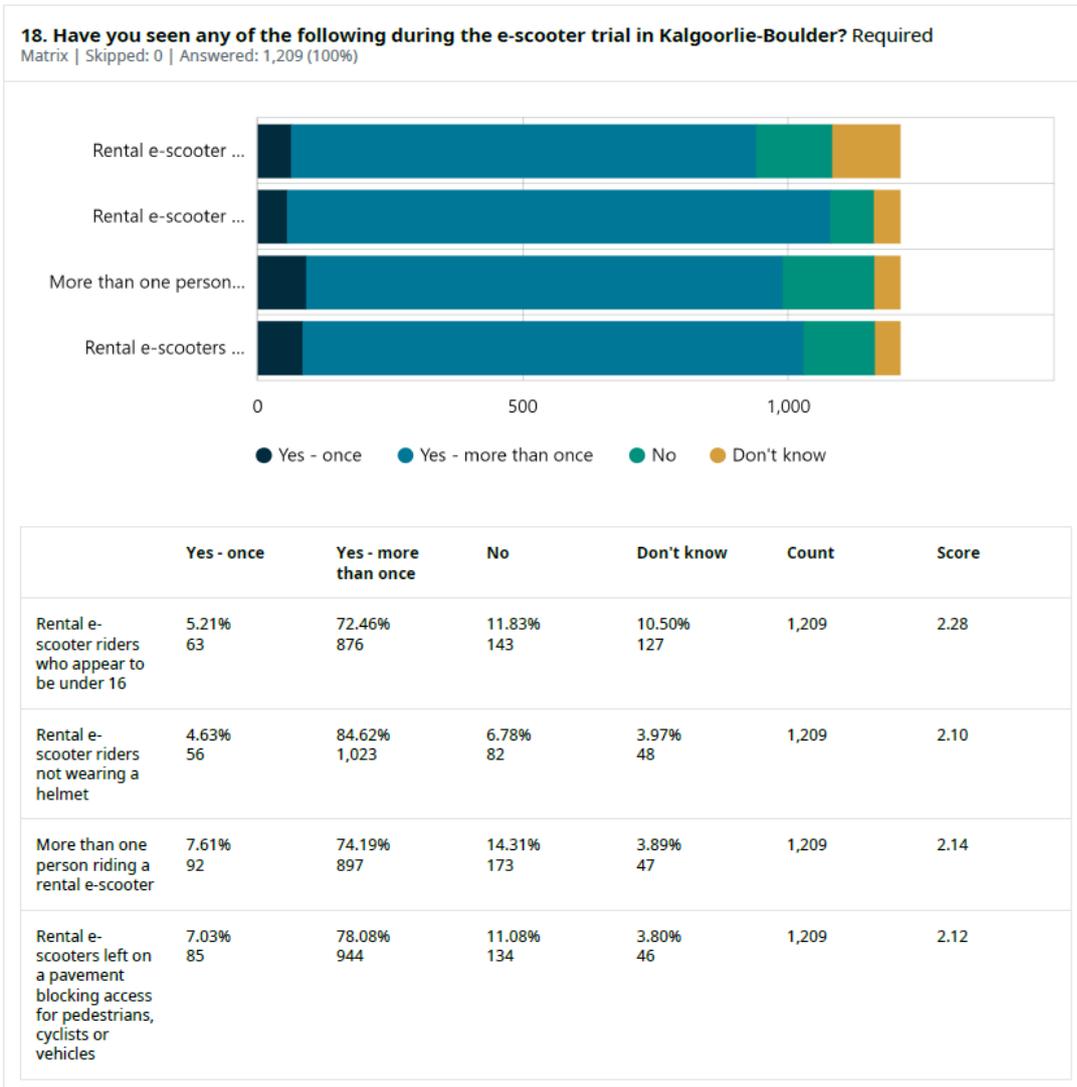
Extracts for the response to questions 1, 7 18, 19 and 20 are below and summarise key outcomes.



- Q1 - 98% of respondents were Kalgoorlie-Boulder residents.



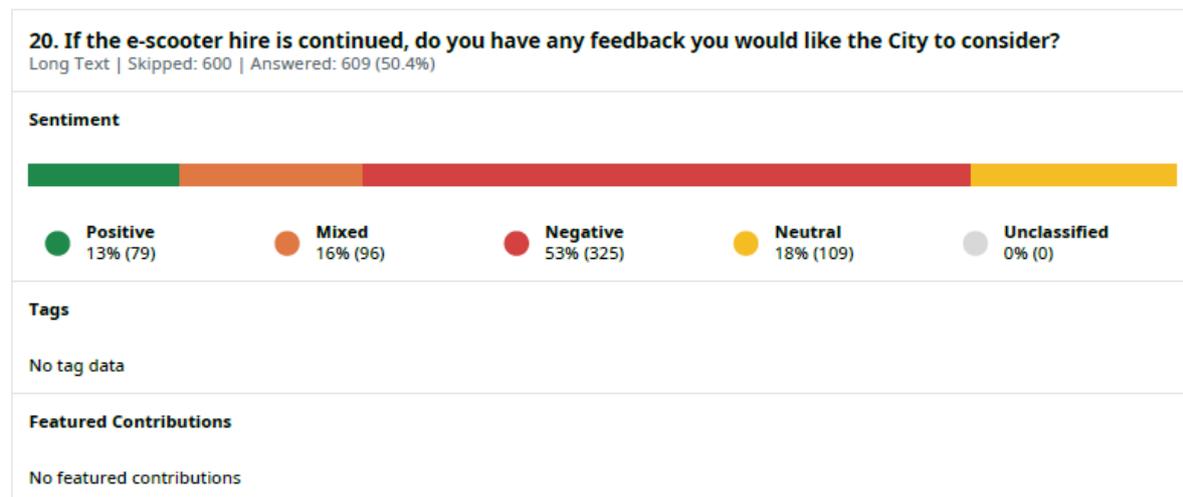
- Q7 - 45% used a Beam e-scooter



- Q18 - Over 75% have seen, more than once:
 - Underage riders (<16);
 - Riders with no helmet;
 - More than one rider on e-scooter;
 - E-scooters left blocking access.



- Q19 - 50% support e-scooter hire in Kalgoorlie-Boulder



- Q20 - Feedback was an open question which over half of respondents answered. There was 53% negative sentiment from the feedback provided.

The City notes the mixed feedback on the e-scooter trial reflected in its community survey and acknowledges the concerns of some in the community. However, based on Beam’s willingness to implement further measures to address the concerns raised by the community, City officers recommend that Beam is issued a permit to operate for another 12-month period, and that a further community survey be done at the end of that 12-month period, to help determine if the e-scooter operation continues after that.

Should a further permit be issued, the City would work with Beam on a range of safety and amenity initiatives to improve outcomes. These would include the following initiatives, on which Beam is already working:

- A new clipping system that shows whether a scooter helmet is being used;
- A review of locations of landing pads and investment to improve landing pads;
- A move to issue fines to those who leave scooters in inappropriate areas; and
- Development of software to detect multiple riders on a scooter.

BUDGET IMPLICATIONS

Should the City issue an annual permit fee the estimated income is \$3,150 (inclusive of GST) plus an estimated additional contribution of \$15,000 (from a contribution model proposed by Beam - refer to confidential Attachment 3).

STATUTORY IMPLICATIONS

The commercial operation of e-scooters must be compliant with the City's *Thoroughfares and Trading in Public Places Local Law 2000* and *Local Government Property Local Law 2010*.

The use of electric rideables, including e-scooters, is governed by the *Western Australian Road Traffic Code 2000*, and any use or activity involving e-scooters must be compliant with this legislation.

POLICY IMPLICATIONS

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

COMMUNITY STRATEGIC PLAN LINKS

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

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

SAFE: We have safe, reliable and efficient public transport and road networks.

SAFE: We support families and youth.

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

SUSTAINABLE: We are a green ecologically sustainable City for current and future generations.

CAPABLE: We promote and support local tourism opportunities including facilitating tourism infrastructure and services.

OFFICER RECOMMENDATION

That Council:

1. Authorises the CEO to issue a permit to Beam Mobility for a further 12 months to operate hireable e-scooters under the City's *Thoroughfares and Trading in Public Places Local Law 2000*, and in compliance with the City's *Local Government Property Local Law 2010*, subject to conditions;
2. Request the CEO to undertake a second community survey in the first quarter of 2025; and
3. Request the CEO provides a report to Council on the outcomes of the 2025 survey before considering any further permits for hireable e-scooters to Beam Mobility or any other operator.

15.2.3 Local Emergency Management Committee

Responsible Officer:	Alain Baldomero Manager Health and Community Safety
Responsible Business Unit:	Health and Community Safety
Disclosure of Interest:	Nil
Voting Requirements:	Absolute Majority
Nature of Council’s Role in Decision-Making:	Legislative
Attachments:	<ol style="list-style-type: none"> 1. Attachment 1 - LEMC and DEMC Issues Paper July 2023 [15.2.3.1 - 16 pages] 2. CONFIDENTIAL - Attachment 2 - CKB's LEMC Terms of Reference November 2023 [15.2.3.2 - 5 pages] 3. CONFIDENTIAL - Attachment 3 - CKB's LEMC Agenda 7 February 2024 [15.2.3.3 - 3 pages] 4. CONFIDENTIAL - Attachment 4 - CKB's LEMC Meeting Notes - 7 February 2024 [15.2.3.4 - 6 pages]

SUMMARY STATEMENT

Council is asked to endorse the future governance model for the City of Kalgoorlie-Boulder's Local Emergency Management Committee (LEMC), including noting the Terms of Reference that that the LEMC has endorsed. The LEMC also convened a meeting on 7 February 2024 and the meeting notes are attached confidentially for Council’s information.

REPORT

Background to LEMC

The LEMC plays a vital role in helping our community to be more resilient through comprehensive emergency management planning, practices and information sharing. The LEMC aims to:

1. Improve levels of awareness in the community and with stakeholders of the emergency risks and possible impacts from emergencies that might be faced;
2. Provide advice to the City on the Local Emergency Management Arrangements (LEMA);
3. Help the City and Kalgoorlie-Boulder region prepare emergency management planning and practices to a high standard. This includes ensuring strategies and plans encompass all stages of emergency management, before, during and after an emergency event;

4. Support stakeholders to work together during preparedness to provide a coordinated, inter-agency approach that enables understanding of all organisations' capabilities, limitations, and processes.

The LEMC's core function, managed by local government, is the development, review and testing of the LEMA. LEMA set out the local government's policies, strategies and priorities for emergency management.

Governance model for the LEMC

Section 38 of the *Emergency Management Act 2005* stipulates that "A local government is to establish one or more local emergency management committees for the local government's district". The governance of the LEMC has not been resolved by Council in recent years and, given the recent review of the LEMC's terms of reference as set out below, there exists the opportunity for this to now be finalised.

There is currently an LEMC and District Emergency Management Committee (DEMC) review underway. The Western Australia Local Government Association (WALGA) released an 'LEMC and DEMC Issues Paper' in July 2023 (Attachment 1). The purpose of this paper is to provide the background to the review project and to summarise the key findings relating to LEMC and DEMC governance structures and functions that emerged out of a consultation with 100 Local Governments for the LEMA Review in 2022. Some of the key LEMC improvement suggestions include:

- Providing LEMCs with additional LEMA resources and exercise examples.
- Ensuring the appropriate person is appointed as the LEMC Executive Officer.
- Establishing joint LEMCs and LEMAs with rotating Local Government chairs in areas where this is warranted.
- Reviewing the size and composition of LEMC members.
- Developing LEMA/LEMC training for the LEMC Executive Officers and Chairs.
- Reviewing and clarifying the expectations, terms of reference and role of LEMCs and their members.
- Providing more flexible meeting requirements (focus on quality over quantity) and less prescriptive agenda templates.
- Providing more funding for LEMC meeting activities and exercises.
- Compulsory online training for LEMC members about the purpose of LEMCs and their roles and responsibilities.
- Simplifying LEMA processes to make it easier for LEMC members to provide input.
- Consideration of the sensitive nature of LEMC discussions and publication of minutes/meeting notes.
- Confirmation that LEMCs are not a Committee of Council under the *Local Government Act 1995* but a statutory obligation under the *Emergency Management Act 2005*.

The LEMC review should be finalised with a clear direction from the WA State Government in 2024. Department of Fire and Emergency Services (DFES) also recommends LEMCs are not established as a Committee of Council under the *Local Government Act 1995*.

Therefore, City officers recommend that the LEMC that is already established should not be a Committee of Council under the *Local Government Act 1995*, and should operate as an external committee. As set out above, this is recommended because:

- This structure is one of the key improvements recommended from the LEMC review;
- It aligns with the DFES recommendation; and
- Means that sensitive LEMC discussions, meeting notes and agency reports will be kept confidential.

Terms of reference endorsed by LEMC

The LEMC Terms of Reference (TOR, Attachment 2) were endorsed by the LEMC on 8 November 2023. The TOR is provided for the information of Council only.

February meeting outcomes

On 7 February 2024, an LEMC meeting was attended by various agencies and organisations involved with emergency management activities, including City officers and Council representatives. Some of the key points of the meeting included:

- Kalgoorlie-Boulder and Coolgardie generator connection;
- Airport exercise recap;
- Lessons learnt from the power outage in January 2024;
- Agency updates; and
- LEMC members were invited to a tour of the explosives facility in Kalgoorlie-Boulder. This tour took place on the 20 February 2024.

Further details and information are contained in the LEMC's agenda and meeting notes (Attachment 3 and 4). Due to sensitive information they contain, the LEMC's agenda and minutes will be confidential attachments.

COMMUNITY ENGAGEMENT CONSULTATION

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

BUDGET IMPLICATIONS

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

STATUTORY IMPLICATIONS

Compliance with the *Emergency Management Act 2005* and *Local Government Act 1995*.

POLICY IMPLICATIONS

Compliance with the revised Committee Policy.

COMMUNITY STRATEGIC PLAN LINKS

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

SAFE: We will be safe and free from harm and crime.

SAFE: We support families and youth.

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

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

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

OFFICER RECOMMENDATION

That Council:

1. Endorse that the LEMC already established is not a Committee of Council under the *Local Government Act 1995*, and operates as an external committee;
2. Notes the LEMC Terms of Reference (Attachment 2); and
3. Notes the LEMC's agenda, minutes and supporting documentation (Attachment 3 and 4) from the 7 February 2024 meeting.

15.2.4 Response to Motion - Workforce Accommodation

Responsible Officer:	Alex Wiese Director Development and Growth
Responsible Business Unit:	Development and Growth
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council's Role in Decision-Making:	Review
Attachments:	Nil

SUMMARY STATEMENT

Council is provided with a report on workforce accommodation development applications and enquires in Kalgoorlie-Boulder as requested through 'Motion of Which Previous Notice Has Been Given' from the 26 February 2024 Ordinary Council Meeting.

REPORT

At the Ordinary Council Meeting of 26 February 2024 Council requested a report on workforce accommodation in the City of Kalgoorlie-Boulder as follows:

"That Council:

1. *Request the CEO to provide a report to the 26 March 2024 Ordinary Council Meeting setting out, in respect of the period 1 January 2018 to date, the number of:*
 - a. *Developments that have been approved by the City as workforce accommodation;*
 - b. *Developments for workforce accommodation approved by the City that are constructed;*
 - c. *Development applications for workforce accommodation that have been approved by the City but for which construction has not yet been commenced;*
 - d. *Development applications for workforce accommodation that have been lodged but not yet determined;*
 - e. *Development applications for workforce accommodation that were lodged but not approved;*
 - f. *Enquiries including pre-lodgment enquiries received by the City regarding proposed workforce accommodation developments.*
2. *Request the CEO to provide in the report the number of development or development applications and the number of rooms for each one."*

Background

The information below refers to accommodation classified as workforce accommodation under the City's Local Planning Scheme No. 2 for Fly-In Fly Out (FIFO) workers.

The tables below provide information on the status of the workforce applications and are classified using the following statuses; enquiry, development application lodged, development application approved, development under construction, development constructed.

Table 1: Workforce Accommodation Developments in the City of Kalgoorlie-Boulder (01 January 2018 to 26 March 2024)

Address	No. of Persons	Status
Lot 3874 Hopkins Street, South Boulder	152 Persons	Development application approved - under construction
160 Vivian Street, South Boulder	302 Persons	Development constructed
36 Great Eastern Highway, Kalgoorlie	396 Persons	Development constructed
Lot 4565 Broadwood Street, Broadwood	198 Persons	Development application lodged. A planning scheme amendment is required for the application to be considered for approval.
45 Bates Drive & 1 Trasimeno Way	1,152 Persons	Joint Development Application Panel application submitted – however the application has been placed on hold until 30 June 2024 at the request of the applicant.
507 Hannan Street, Kalgoorlie	52 Persons	Development constructed

In addition, the City has also approved 22 Development Applications for lodging houses totalling 575 persons since 1 January 2018; two are located within caravan parks being the Discovery Parks Caravan Park and the Goldminer redevelopment.

COMMUNITY ENGAGEMENT CONSULTATION

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

BUDGET IMPLICATIONS

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

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 STRATEGIC PLAN LINKS

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

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

<h3>OFFICER RECOMMENDATION</h3>
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<p>That Council notes the report as provided.</p>

15.2.5 Renewal of Lease O928757 Over Lot 441 Kitchener Road

Responsible Officer:	Alex Wiese Director Development and Growth
Responsible Business Unit:	Planning Development & Regulatory Services
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council's Role in Decision-Making:	Executive Strategic
Attachments:	1. Lot 441 Kitchener photos [15.2.5.1 - 10 pages]

SUMMARY STATEMENT

Council is asked to consider a recommendation to not support the renewal of the Department of Planning, Lands and Heritage Lease 'O928757' over Lot 441 Kitchener Road, Mullingar and to endorse the City of Kalgoorlie-Boulder's (the City) interest in tenure over the land.

REPORT

Address:	Lot 441 Kitchener Road, Mullingar 6430
Lot Size:	17,022m ²
Zoning	LPS2: Rural Zone
Existing Land Use:	Residential
Adjacent / Nearby Land Uses:	Railway, Civic and Community, Rural, Residential.

Background

On 21 November 2023 the Department of Planning, Lands and Heritage (DPLH) requested comments from the City regarding the proposed renewal of Lease O928757 over Lot 441 Kitchener Road, Mullingar (the Site). The lease expired mid-last year and is currently in a holding over period.

In response to the request, the City's planning and environmental health officers undertook an inspection to ascertain the condition of the Site. The inspection showed evidence of poor land management practices, as well as a number of structures that are in a very poor condition, and an uninhabitable dwelling. A search of the City's systems also shows that there are no records of planning approval for some of the buildings.

In December 2023 the City's environmental health officers attempted to communicate with the lessee and to undertake a more detailed inspection of the Site, however the City did not receive a response from the lessee.

Description of the site

The Site has an area of 17,022m² and is accessed by way of Kitchener Road (an unformed road). The Site has several rundown structures for which the City has no

record of approval, including the existing residential building and outbuildings. The Site slopes generally to the west away from the highway. The ground surface has sparse vegetation of grasses, small shrubs and trees.

The Site occupies a prominent location on the northern highway entry to Kalgoorlie-Boulder and is viewed by all road travellers entering the City. The Site is considered to be not compliant with legislative requirements (including planning, health and fire legislation) and is unsightly and untidy (refer Attachment 15.2.5.1).

Image 1: Aerial picture of the site and location



Land Use Zoning

The land is identified in Local Planning Scheme No.2 as "Rural" with the following objectives:

Zone	Objectives
Rural Zone	<ul style="list-style-type: none"> • To provide for the maintenance or enhancement of specific local rural character. • To protect broadacre agricultural activities such as cropping and grazing, and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries as secondary uses in circumstances where they demonstrate compatibility with the primary use. • To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas, especially the natural valley and water course systems from damage. • To provide for the operation and development of existing, future, and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone.

	<ul style="list-style-type: none"> • To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural land use.
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Special Controls

The Site is in a bushfire prone area and Special Control Area SCA7 State Planning Policy 5.4 Road and Rail Noise. Additional planning and building requirements may apply to the development of the Site.

Officer Comment

The management and development of the Site has been assessed as being non-compliant with legislative requirements and the Site is unsightly and untidy. The City has been in communications with the lessee about these issues since 2013. As the land is held under reserve by DPLH, the City has also been in communications with DPLH officers, as they are responsible for the management of the Site. While some progress has been made, the Site remains in a non-compliant condition.

As the lease is now up for renewal and the efforts to have the Site made compliant have been unsuccessful, it is recommended the City advises DPLH it does not support the renewal of the lease.

Further, it is recommended that at the same time the City registers an interest in freehold or leasehold tenure over the Site, which if granted would allow the City to address the non-compliance. Should DPLH not renew the lease and support the City’s interest in the land, a further report will be presented to Council in accordance with the City’s Land Acquisition and Disposal Policy.

COMMUNITY ENGAGEMENT CONSULTATION

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

BUDGET IMPLICATIONS

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

STRATEGIC IMPLICATIONS

The site is strategically important with the potential to accommodate a landmark gateway development for the City.

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 STRATEGIC PLAN LINKS

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

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

OFFICER RECOMMENDATION

That Council:

1. Request the CEO writes to the Department of Planning, Lands and Heritage advising that the City does not support the renewal of Lease O928757 over Lot 441 Kitchener Road, Mullingar; and
2. Request that the CEO lodge a Crown Land Enquiry Form for freehold or leasehold tenure of Lot 441 Kitchener Road, Mullingar.

15.3 Community Development

15.3.1 CNLP Application - Usher Park- Lights Upgrade

Responsible Officer:	Mia Hicks Director of Community Development
Responsible Business Unit:	Community Development
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council’s Role in Decision-Making:	Advocacy
Attachments:	1. CONFIDENTIAL - Club Night Lights Program - February Small Grants Application - 2024-25 [15.3.1.1 - 11 pages]

SUMMARY STATEMENT

Council is asked to endorse one grant application to the Department of Local Government, Sport and Cultural Industries (DLGSCI) for the 2024/2025 Club Night Lights Program (CNLP) for the February Small Grants Round.

REPORT

In November 2023, a consultant conducted a lighting audit report of the City’s Parks, Sport Fields and Reserves. The consultant inspected 12 sites and indicated that the lighting at Usher Park West and East sporting fields were in immediate need of replacement.

The Department of Local Government, Sport, and Cultural Industries (DLGSCI) administers the Club Night Light Program (CNLP). The purpose of the fund is to provide financial assistance to community groups and local government authorities to develop floodlighting infrastructure.

The program aims to maintain or increase participation in sport and recreation with an emphasis on physical activity, through rational development of good quality, well-designed and well-utilised facilities.

The grant category for the February Small Grant is shown below:

Grant Category	Total Project Cost Range	Maximum DLGCSI Contribution	Frequency
2024/2025 February Small Grants Round	<\$500,000	Up to a maximum of 50% of the project cost, capped at \$200,000	Twice Annually (February and July)

For CNLP applications to be supported by the DLGSCI, they must firstly be endorsed by the relevant Local Government Authority.

- Ranking: The City is required by Department of Local Government, Sport & Cultural Industries to rank in priority order the applications received for each CNLP round.
- Rating: The City is required by Department of Local Government, Sport & Cultural Industries to rate each application against the categories below:
 - A - Well planned and needed by municipality
 - B - Well planned and needed by applicant
 - C - Needed by municipality, more planning required
 - D - Needed by applicant, more planning required
 - E - Idea has merit, more preliminary work needed
 - F - Not recommended

COMMUNITY ENGAGEMENT CONSULTATION

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

BUDGET IMPLICATIONS

There are no financial implications resulting from the recommendations of this report. Should the City be successful in its application, the City's contribution will be included in the 2024/25 financial year budget.

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 STRATEGIC PLAN LINKS

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

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

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

OFFICER RECOMMENDATION

That Council:

1. Rank and rate the application to the Club Night Lights Program Grant as follows:

City of Kalgoorlie-Boulder – Usher Park Lights Upgrade – East and West Lighting Replacement as: *(A Rating) Well-planned and needed by the municipality;*

and

2. Endorse the attached application to be submitted to the Department of Local Government, Sport and Cultural Industries (DLGSCI).

15.3.2 Child Safe Awareness Policy

Responsible Officer:	Mia Hicks Director of Community Development
Responsible Business Unit:	Community Development
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council's Role in Decision-Making:	Legislative
Attachments:	1. Child Safe Awareness Policy FINAL DRAFT [15.3.2.1 - 3 pages]

SUMMARY STATEMENT

Council is asked to review and endorse the Child Safe Awareness Policy.

REPORT

In December 2017, the final report of the Royal Commission into Institutional Responses to Child Sexual Abuse (the Royal Commission) made 409 recommendations aimed at preventing abuse from occurring and providing support for survivors of abuse in Australia.

The National Principles for Child Safe Organisations were developed under the guidance of Community Services Ministers across Commonwealth, State, and local governments under the *National Framework for Protecting Australia's Children 2009-2020*. The Principles respond to recommendations made by the Royal Commission and aim to provide a nationally consistent approach to creating organisational cultures that promote child safety and wellbeing across all sectors in Australia.

The National Principles build on the ten Child Safe Standards proposed by the Royal Commission with a broader scope that goes beyond child sexual abuse to cover other forms of potential harm to children and young people, and outline strategies an organisation should adopt to create a child safe culture, implement policies and processes that promote child wellbeing and work in ways that encourage the participation of children, young people and the broader community.

The Child Safe Awareness Policy is the first step in creating a child safe culture. Recommendation 6.12 of the Royal Commission states that local governments should also designate child safety officer positions from within existing staff profiles which will be implemented once the policy is adopted by Council.

Increasingly, it is a requirement for the City to demonstrate its compliance with the Commonwealth Child Safe Framework and the National Principles for Child Safe Organisations when applying for funding or delivering government funded programs.

When developing the Child Safe Awareness Policy, City officers have referred to the Department of Local Government, Sport, and Cultural Industries Child Safe Awareness Policy template for Local Governments.

COMMUNITY ENGAGEMENT CONSULTATION

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

BUDGET IMPLICATIONS

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

STATUTORY IMPLICATIONS

The City does not have any additional mandatory obligations it needs to comply with by having this policy in place.

POLICY IMPLICATIONS

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

COMMUNITY STRATEGIC PLAN LINKS

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

SAFE: We will be safe and free from harm and crime.

SAFE: We support families and youth.

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

OFFICER RECOMMENDATION

That Council adopt the Child Safe Awareness Policy.

15.4 Engineering

15.4.1 Kalgoorlie CBD and Boulder CBD Footpath Programme

Responsible Officer:	Johannes Prinsloo Manager Engineering
Responsible Business Unit:	Engineering
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council’s Role in Decision-Making:	Review
Attachments:	<ol style="list-style-type: none"> 1. Kalgoorlie CBD Scope Area [15.4.1.1 - 2 pages] 2. Footpath Replacement Projects [15.4.1.2 - 2 pages] 3. Footpath Maintenance Projects [15.4.1.3 - 2 pages] 4. Project Schedule [15.4.1.4 - 1 page]

SUMMARY STATEMENT

Council is asked to endorse the prioritised Footpath Programme for the Kalgoorlie CBD and Boulder CBD as listed in Attachments 15.4.1.1, 15.4.1.2 and 15.4.1.3.

REPORT

Background

At the Ordinary Council Meeting of 18 December 2023, Council requested the Chief Executive Officer (CEO) to undertake a reprioritisation of the footpath program by assessing the Kalgoorlie and Boulder CBD areas as a priority. The Engineering Asset team inspected the area and compiled a detailed list of replacement and maintenance projects. The City is planning and prioritising the implementation of the Kalgoorlie and Boulder CBD footpaths with some other priority footpath projects in addition to the existing footpath program.

The progress status of the existing footpath program for 2023/2024 is as follows:

Description	Status
Karlkurla Red Asphalt Footpaths	Completed
Dugan Street Footpaths	Completed at school
Aslett Drive Footpath	Completed
Multiple footpath maintenance projects	In progress
Boulder Road Footpath repairs	Completed

Roberts Street Footpath (President Street to Boulder Road and along Boulder Road to KFC cross over.)	Planned for April 2024 – May 2024
Roberts Street Footpath Upgrade close to Library	Completed
Roberts Street/Boulder Road intersection ramps upgrade	Completed
Hammond Park Footpath Works	Planned for April 2024 – May 2024
Hanbury Street Footpath	Planned for April 2024 – May 2024
Varden Street Footpath	Planned for April 2024 – May 2024
Red Asphalt SUP Memorial Drive (Start at Hawkins Street) to Eureka Street (End in Graeme Street)	Under construction
Red Asphalt SUP along Johnson Street (Start at Maxwell Street.to end Gatacre Drive)	Under construction
Red Asphalt SUP along Gatacre Drive (From Johnson Drive to Nanson Street)	Under construction
DOT (Department of Transport) grant funded Red Asphalt SUP along Maritana Street and Piccadilly Street	To commence after MRWA has completed the bridge repair project

Program Objectives

The objectives of the program are as follows:

- Pursue treatment strategies to address the maintenance backlog of footpaths that are in extremely poor condition with a high-risk rating;
- Prioritise specific footpath sections with particular emphasis on the Hannan Street and Burt Street areas;
- Prioritising the worst conditioned footpath sections;
- Prepare a productive program that accounts for the limited contractor and staff availability; and
- Improve the effectiveness of the replacement treatments from an operational and maintenance perspective.

Footpath Condition Statistics

The assessment of the footpaths in the Kalgoorlie and Boulder CBDs has been completed with the following overall findings:

- 20% need renewal/replacement;
- 25% need significant work done;
- 40% need minor work; and
- 15% in excellent condition.

The City’s Engineering department evaluated the condition and risk for injury to the public regarding trip hazards and incorrect or missing tactile markers. The evaluation aims to protect the City from potential liability. The overall risk is as follows:

- 30% need immediate attention;
- 33% need attention; and
- 37% need monitoring/minor attention.

In summary, Kalgoorlie CBD needs an estimated 8,600 m² footpaths replaced and 17,700 m² footpaths repaired. The Boulder CBD needs approximately 2,000 m² footpaths replaced and 4,000 m² footpaths repaired.

The Scope and Boundary Limits of the Program

The boundary limits of the Kalgoorlie and Boulder CBDs for the Footpath Program are as defined on the map in Attachment 15.4.1.1. Some other significant replacement footpaths are additionally listed as a priority as follows:

- **Footpath Replacement**

The scope area of the footpaths that need replacement is mapped in Attachment 15.4.1.1 and a list detailing these footpaths in Attachment 15.4.1.2. The City plans to replace existing paver footpaths earmarked for replacement with reinforced high-strength concrete. The footpath areas will also be designed to implement visually impaired infrastructure as per required standards.

- **Footpath Maintenance**

A prioritised maintenance list of footpaths is summarised in Attachment 15.4.1.3 and will be implemented as a priority in the program. The works will target pavers that risk the safe movements of pedestrians, such as broken concrete ramps and footpaths, missing or loose tactiles and utility infrastructure.

Footpath Implementation

The footpath replacement and maintenance works will be implemented by supply Contract T011-2022/2023 (Miscellaneous Concrete Works) and supply Contract T005-2023/2024 (Paver and Small Concrete Works). Some of the replacement work requires the appointment of a project manager to supervise the works.

Program Schedule

The program has been scheduled in detail with key milestone actions requiring planning and implementation in order to deliver success. A detailed schedule is attached in Attachment 15.4.1.4 with the following planned construction milestones:

Description	Commence Construction	Complete Construction
Porter Street (Stage 1) – Hannan Street to Laneway (South)	22 Apr 24	28 Jun 24
CBD Maintenance Projects	22 April 24	28 Jun 24
Other High Priority Replacement	22 Apr 24	28 Jun 24
Hannan Street (Stages 2 & 3) – Porter Street to Maritana Street	01 Jul 24	20 Sep 24
Burt Street (Hamilton Street to Brookman Street)	30 Sep 24	23 Dec 24

Currently the following actions are in progress:

- Detailed services and feature surveys;
- Planning with contractor to commence with some of the works at their next mobilisation of April 2024; and
- Appointing consultants to commence with the design.

Critical actions for the successful full implementation of the program are the appointment of a Project Manager and the approval of the draft footpath 2024/2025 CAPEX budget. The key milestones with dates are indicated in the attached project schedule (Attachment 15.4.1.4).

Footpath Cost Assessment

The City has investigated various options for renewing its existing pavements, considering their operation, maintenance, asset life, cost, and constructability. However, pavers were not considered due to the high replacement costs and operations impact on service life of the asset. Pavers also require a deeper pavement foundation that may impact more utility services to be relocated. Hannan Street exposed aggregate concrete footpath project was considered as an option.

Exposed aggregate concrete is produced by pouring concrete filled with coloured pebbles into the required form and shape. The concrete is left to partially cure before the pebbles are exposed at the surface by brushing the concrete pad with special machines that spray water on the surface, brush to remove the concrete between the stones and vacuum off the resulting concrete slurry. Once the required number of pebbles is exposed, the concrete is left to cure before cleaning the pebbles to shine. Lastly, a sealer is applied to the concrete. This sealer, however, does not seal the surface from grime and dirt; its job is to prevent water from seeping through the concrete. The process of producing exposed concrete finishes is wasteful and dirty. Only a tiny fraction of the aggregate that needs to be mixed into the concrete, which is expensive (and exceedingly difficult to reproduce since it is a natural stone), is exposed at the surface. Concrete is wasted by removing the top layer after casting.

The other option is high-reinforced concrete, painted with a cement resurfacing system with a protective sealer. Two samples of the paint covering have been supplied for Council to evaluate. The painting product is an Over-Crete cement resurfacing system. The spray-on exposed aggregate finish is applied on standard-type grey concrete. Assorted colours of a high erosion-resistant coating are sprayed on in droplets of varied sizes, mimicking an exposed aggregate look. This first layer is then coated with a second layer of a surface sealer, which is also highly erosion resistant. The final surface finish is slip-, water-, dirt-, and erosion resistant and the underlying concrete is protected from grime and dirt. Repairs are easily done, as the concrete can be repainted to match the existing surface. An additional benefit is that this surface finish can be applied to existing concrete cheaply to match and create a uniform look. The top coating lasts under normal foot traffic for seven years, the same period after which the penetrating sealer for exposed aggregate needs to be re-applied. The product had been implemented at Albany Fire Station, Adventure World, Crown Towers parking area and Hale School Aquatic Centre.

It takes three times the time to clean exposed aggregate from an operational and maintenance perspective compared to the spray-on coating. Thus, the labour cost is three times higher. The spray-on aggregate could be deeply cleaned by setting up the existing footpath sweepers accordingly, and it could be done in one pass with the machine. The exposed aggregate will require several passes, with the sweeper refilling/empting the tanks as an additional task.

Exposed aggregate concrete and standard concrete become stained over time. Exposed aggregate has a rough surface finish that traps dirt between the exposed pebbles.

The spray-on aggregate finish is a coating system that creates a non-slip surface finish that also covers and protects the surface from becoming stained.

The following table summarises the replacement costs of the exposed aggregate option versus the recommended option of concrete covered with a high-strength cement resurfacing paint with a sealer. The estimated Kalgoorlie CBD replacement costs for exposed aggregate is \$2.3 million versus concrete cement resurfacing paint for \$1.6 million. Total replacement projects listed are estimated at \$1.3 million for 2023/2024 and \$3.7 million for 2024/2025. The latter amounts exclude the maintenance priorities identified in Attachment 15.4.1.3 and infrastructure that requires an upgrade as recommended by the designs to be completed.

	2023/2024		2024/2025	
Row Labels	Exposed Aggregate	Concrete with Paint	Exposed Aggregate	Concrete with Paint
Boulder CBD	\$101,265	\$72,230	\$2,094,938	\$1,494,269
Hannans				\$34,631
Kalgoorlie		\$335,006	\$43,228	\$211,924
Kalgoorlie CBD	\$1,176,351	\$839,063	\$1,118,714	\$797,952
Lamington				\$282,579
Piccadilly				\$194,438
Piccadilly		\$12,746		
Somerville				\$287,750
South Boulder				\$102,931
South Kalgoorlie		\$19,239		\$246,265
Grand Total	\$1,277,616	\$1,278,285	\$3,256,879	\$3,652,739

COMMUNITY ENGAGEMENT CONSULTATION

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

BUDGET IMPLICATIONS

In the 2023/2024 budget, an additional \$2 million was approved in the Mid-Year CAPEX Budget to implement the Kalgoorlie and Boulder CBD Footpath Programme. The funding arrangement for the programme can be summarised as follows:

Item Description	Project Account	2023/2024 Budget	2023/2024 Project Budget	2024/2025 Draft Budget
CBD Footpaths	470056	\$4,515,000	\$2,000,000	\$4,000,000
Other Footpaths				\$2,000,000

In future years, various CBD footpaths will need to be repaired and replaced as a priority under the Footpath Renewal Programme.

STATUTORY IMPLICATIONS

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

COMMUNITY STRATEGIC PLAN LINKS

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

SAFE: We have safe, reliable and efficient public transport and road networks.

OFFICER RECOMMENDATION

That Council:

1. Endorses the proposed additional prioritised footpath program as listed in Attachments 15.4.1.1, 15.4.1.2 and 15.4.1.3; and
2. Approves the replacement of the existing pavers with high-strength concrete, painted with a cement resurfacing system with a protective sealer (coloring as per two samples).

15.4.2 Climate Change Declaration

Responsible Officer:	Johan Le Roux Manager Water Waste & Sustainability
Responsible Business Unit:	Engineering
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council's Role in Decision-Making:	Advocacy
Attachments:	1. City of Kalgoorlie Boulder Climate Change Declaration [15.4.2.1 - 1 page]

SUMMARY STATEMENT

Council is asked to consider the adoption of a Climate Change Declaration (refer Attachment 15.4.2.1) as supported by WALGA and the Goldfields Voluntary Regional Organisation of Councils (GVROC) Regional Climate Alliance, to demonstrate the City's commitment to combatting and adapting to the effects of climate change within the Goldfields Region.

REPORT

Background

Climate change is a key issue for local governments that has implications across almost all aspects of their operations and responsibilities.

The importance with which the local government sector regards the threat posed by climate change and need for strong action is recognised in the WALGA Climate Change Policy Statement (the Climate Change Statement), endorsed by State Council in July 2018. The Climate Change Statement is the result of extensive consultation across the local government sector, and represents the consolidated position of Western Australian local governments:

Local Government acknowledges:

- I. The science is clear: climate change is occurring and greenhouse gas emissions from human activities are the dominant cause.
- II. Climate change threatens human societies and the Earth's ecosystems.
- III. Urgent action is required to reduce emissions, and to adapt to the impacts from climate change that are now unavoidable.
- IV. A failure to adequately address this climate change emergency places an unacceptable burden on future generations.

Local Government is committed to addressing climate change.**Local Government is calling for:**

- I. Strong climate change action, leadership and coordination at all levels of government.
- II. Effective and adequately funded Commonwealth and State Government climate change policies and programs.

WALGA's Climate Change Policy Statement (2018), p3

Along with the above headline statements, the Climate Change Statement specifies the mitigation, adaptation, emergency management and resilience actions the Local Government Sector views as priorities.

Discussion

The WALGA Climate Change Declaration is a voluntary pledge that Councils can make to demonstrate their commitment to climate action through achievable, localised mitigation and adaptation initiatives. The declaration has been in existence since 2012 and to date, fifty-three local governments have signed their endorsement, representing over 85% of Western Australia's population. WALGA encourages all local governments to become signatories of the declaration, which will further support WALGA to advocate for the appropriate funding and development of legislative mechanisms to support local government climate change management.

Attachment 15.4.2.1, the Climate Change Declaration, is the first step in addressing climate change in the City and its endorsement should then connect to priorities in the Strategic Community Plan or Corporate Business Plan.

The Climate Change Declaration submitted to Council for consideration is a voluntary declaration with no immediate financial commitment but will allow the City to embed climate change planning into future considerations by actively pursuing emissions reduction and adaptation actions, including ambitious corporate and community-wide energy efficiency, renewable energy and emissions reduction strategies, along with programs and policies to encourage residents to reduce their carbon footprint.

By signing the Climate Change Declaration, WALGA is positioned to advocate for future funding and legislative development concerning climate change management within the City.

COMMUNITY ENGAGEMENT CONSULTATION

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

BUDGET IMPLICATIONS

There are no financial implications resulting from the recommendations of this report. Future climate change mitigation strategies will be considered and costed as they arise.

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 STRATEGIC PLAN LINKS

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

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

SUSTAINABLE: We are a green ecologically sustainable City for current and future generations.

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

SUSTAINABLE: We educate the community on the value and importance of natural areas and biodiversity and encourage community involvement in caring for our natural environment.

<h3>OFFICER RECOMMENDATION</h3>
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<p>That Council endorse the Climate Change Declaration in Attachment 15.4.2.1.</p>
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15.4.3 Proposed Partial Road Closure - Davyhurst-Ora Banda Road

Responsible Officer:	Lui Camporeale Director of Engineering
Responsible Business Unit:	Engineering
Disclosure of Interest:	Nil
Voting Requirements:	Simple
Nature of Council's Role in Decision-Making:	Legislative
Attachments:	<ol style="list-style-type: none"> 1. Map of Davyhurst-Ora Banda Road Proposed Partial Closure [15.4.3.1 - 1 page] 2. Public Comment - Proposed Partial Closure of Davyhurst- Ora Banda Road [15.4.3.2 - 9 pages] 3. Eastern Goldfields Historical Society Submission Letter [15.4.3.3 - 2 pages] 4. APLA Submission Letter [15.4.3.4 - 2 pages] 5. CONFIDENTIAL - Public Comment - Davyhurst-Ora Banda Roads Closure - (with addresses) [15.4.3.5 - 7 pages]

SUMMARY STATEMENT

Council is asked to note the public comments received during the advertising period for the proposed partial road closure of Davyhurst-Ora Banda Road as requested by Ora Banda Mining, represented in the map as Attachment 15.4.3.1.

REPORT***Background***

At its Ordinary Council meeting on 18 December 2023, Council approved the following:

- “1. ...
2. ...
3. ...
4. ...
5. *Authorise the Chief Executive Officer to undertake all necessary actions in accordance with the statutory requirements of Section 58 of the Land Administration Act 1997.”*

In accordance with section 58(3) of the *Land Administration Act 1997*, public notice must be given for a period of 35 days for the notice of motion and any objections made to it within that period concerning the proposals must be considered by Council.

Public Comment

Comment has been received from 32 correspondents and has been provided in Attachment 15.4.3.2. The names and addresses of correspondents have not been provided to ensure privacy. One of the submissions was in letter form by the Eastern Goldfields Historical Society and has been provided as Attachment 15.4.3.3. Another submission by letter was from the Amalgamated Prospectors and Leaseholders Association (APLA) and has been provided as Attachment 15.4.3.4.

Response to Public Comment

The correspondents' comments were unanimously against the road closure. The objections reflected the following concerns:

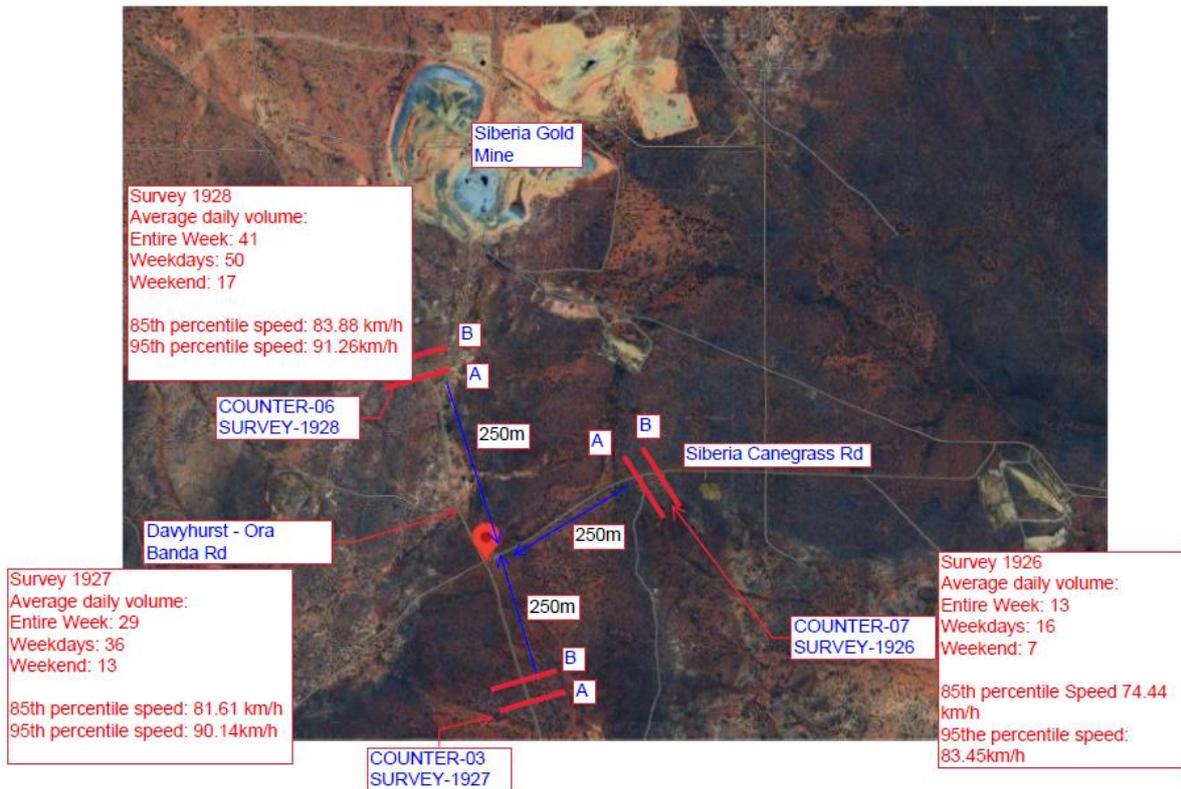
- Perception that a mining company wanting exclusive use for a five-year period for the primary purpose of profit;
- Restricted access for tenement holders, station owners, prospectors and tourists;
- The public's right for unhindered access to a public road; and
- Access to historic sites being inhibited to tourists, particularly those that are part of the Golden Quest tourism route.

The City met with six representatives from APLA and the following was noted:

- Lengthening of permits from three months to annual permits for lease holders and prospectors in the area requiring use of Davyhurst-Ora Banda Road;
- Concerns that Ora Banda Mining could exclude competitors from utilising Davyhurst-Ora Banda Road;
- The length of time required to obtain a permit that may prohibit a potential future lease holder pegging a new lease; and
- Limiting access of the holder of the Miner's Right to pass and re-pass over land, in order to gain access to Crown land for prospecting purposes.

Whilst the City is yet to finalise an agreement with Ora Banda Mining to present to Council, it is the City's opinion that the public objections relate to aspects that can be factored and allowed for in negotiations with Ora Banda Mining to accommodate the needs of the public, especially those of lease holders and prospectors.

The City conducted an audit of traffic movement with the Davyhurst-Ora Banda Road precinct and found the following vehicle movements in 3 sections of the road:



- Siberia-Canegrass Road: 13 traffic movements on average per day for the week with weekday’s averaging 16 movements per day and weekends averaging 7 movements per day;
- Lower Davyhurst-Ora Banda Road: 29 traffic movements on average per day for the week with weekday’s averaging 36 movements per day and weekends averaging 13 movements per day; and
- Upper Davyhurst-Ora Banda Road: 41 traffic movements on average per day for the week with weekday’s averaging 50 movements per day and weekends averaging 17 movements per day.

The City notes that the Davyhurst-Ora Banda Road ceases at the boundary between the City of Kalgoorlie Boulder and the Shire of Menzies. The road that abuts the Davyhurst-Ora Banda Road from the Shire of Menzies boundary is a private road and has no public road access. This in essence means the only users able to use the road once they reach the Menzies Shire boundary are authorised users.

COMMUNITY ENGAGEMENT CONSULTATION

Community consultation was undertaken in accordance with the statutory requirements of Section 58 of the *Land Administration Act 1997*, in the form of a 35-day advertising period between 20 January 2024 and 23 February 2024. Comment has been received by 32 correspondents and out of these, 100% were opposed to the road closure.

BUDGET IMPLICATIONS

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

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

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

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.

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

OFFICER RECOMMENDATION

That Council:

1. Note the public comments received during the advertising period for the proposed partial road closure of Davyhurst-Ora Banda Road as requested by Ora Banda Mining;
2. Pursuant to section 58 of the *Land Administration Act 1997* and regulation 9 of the *Land Administration Regulations 1998*, submissions relating to the proposed road closure have been considered and it is proposed that Council resolve to temporarily close the section of Ora Banda Road that is SLK 23.93 through to SLK 32.40 subject to:
 - a. Agreement being reached between the City and Ora Banda Mining in relation to the upgrading, maintenance, operation and remediation of Ora Banda Road; and
 - b. Ora Banda Mining indemnifying the City in full with respect to the section of Ora Banda Road Temporary Closure;
3. Subject to resolution 2, grant Ora Banda Mining employees and contractors access to the partially closed section of Ora Banda Road (being SLK 23.93 to SLK 32.40) following temporary closure;
4. Provide access to other parties being granted access to the temporarily closed portion of Ora Banda Road by means of a permit system administered by the City; and
5. Authorise the Chief Executive Officer to negotiate with Ora Band Mining to develop an agreement and refer that proposed agreement to Council for adoption.

16 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

17 CONFIDENTIAL ITEMS

17.1 MT Dance Hire Agreement

Responsible Officer:	Mia Hicks Director of Community Development
Responsible Business Unit:	Community Development
Disclosure of Interest:	Nil

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:

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

EXECUTIVE SUMMARY

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

17.2 101 Brookman Street EOI

Responsible Officer:	Alex Wiese Director Development and Growth
Responsible Business Unit:	Development and Growth
Disclosure of Interest:	Nil

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:

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

EXECUTIVE SUMMARY

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

18 DATE OF NEXT MEETING

The next Ordinary Council Meeting will be held on 22 April 2024.

19 CLOSURE