



CITY OF KALGOORLIE-BOULDER

AGENDA

NOTICE IS HEREBY GIVEN of

ORDINARY Meeting of the Council

Date: 26 OCTOBER 2009,

Time: 7:00 PM.

at the
KALGOORLIE TOWN HALL

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

The opening prayer will be conducted by Reverend Patrick Coman of the Goldfields Alliance Church.

3 DISCLAIMER READING

The Mayor reads the disclaimer to those present.

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

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

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

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

IN ATTENDANCE

MEMBERS OF STAFF

VISITORS

PRESS

APOLOGIES - ELECTED MEMBERS

APOLOGIES - MEMBERS OF STAFF

LEAVE OF ABSENCE

5 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**6 PUBLIC QUESTION TIME**Question 1

Ms Francis Pratt of the Kalgoorlie Miner requested permission of Council to use a voice recorder at Council meetings.

The Chief Executive Officer advised that in accordance with Standing order 8.5(1) –No Person is to use any electronic, visual, or vocal recording device or instrument to record the proceedings of the Council or a committee without the written permission of the Council.

Council approval is required.

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

[Minutes October 12 2009 Council.DOC](#)

That the minutes of the **Ordinary** meeting held on 12 October 2009 be confirmed as a true record of that meeting.

[Minutes October 14 2009 Council.DOC](#)

That the minutes of the **Special** meeting held on 14 October 2009 be confirmed as a true record of that meeting.

[Minutes October 18 2009 Council.DOC](#)

That the minutes of the **Special** meeting held on 18 October 2009 be confirmed as a true record of that meeting.

12 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Cr Northcoat proposed the following motion at the Council meeting:
That Council recognizes the efforts of those raising awareness of Men's health, particularly in the areas of Prostate Cancer research and Mens Depression.

In support and recognition of "**M**ovember by Council," Council replace or add references to November agenda and minutes with **M**ovember for the month.

This amendment would apply to the Ordinary Council meetings of the 9th and the 23rd of Movember as well as committee meetings for the month.

Cr Northcoat also wishes to advise the Council that during the month of Movember Cr Northcoat will only respond to being addressed as Cr Mo Northcoat.

PROPOSED MOTION

That Council recognizes the efforts of Movember and those raising awareness of Men's health, particularly in the areas of Prostate Cancer research and Men's Depression.

In support and recognition of "Movember by Council," Council will replace or add references to November agenda and meetings with Movember for the month.

This amendment would apply to the Ordinary Council meetings of the 9th and the 23rd of Movember as well as committee meetings for the month.

13 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

14 REPORTS OF COMMITTEES

Nil

15 REPORTS OF OFFICERS

15.1 COMMUNITY AND DEVELOPMENT SERVICES

15.1.1 CSRFF APPLICATION - KALGOORLIE BOWLING CLUB

Attachments:	DSR Project Assessment Sheet - Kalgoorlie Bowling Club
Responsible Officer:	Tony Chisholm Director, Community and Development Services
Author:	Donna Wilson Community Development Officer - Sports & Recreation
Author Disclosure of Interest:	Nil

EXECUTIVE SUMMARY

The submission period for the 2010/11 Community, Sporting and Recreation Facilities Fund (CSRFF) grants program for the Department of Sport and Recreation has closed with one application submitted by the Kalgoorlie Bowling Club.

The CSRFF grants program requires the applicant to submit their application to the relevant Local Government Authority to allow applications to be prioritised.

BACKGROUND

The State Government through the Department of Sport and Recreation coordinates the CSRFF grants program, which provides financial assistance to community groups and Local Government Authorities to develop infrastructure. The grants program aims to increase participation in sport and recreation with an emphasis on physical activity.

The maximum CSRFF grant approved will be no greater than one-third of the total estimated cost of a project.

There is no obligation for the City of Kalgoorlie-Boulder to make any contribution to a community project from the Kalgoorlie-Boulder area.

As part of the funding process, all local applications are forwarded to the relevant Local Government for consideration and prioritisation. This priority listing of projects is then forwarded to the Regional Office of the Department of Sport and Recreation for regional ranking and then to the State Office for final consideration. As part of the Local Government's role, a project assessment sheet is completed, a copy of which is attached.

An application by the Kalgoorlie Bowling Club to convert 2 existing grass greens into synthetic surfaces at a total cost of \$710,437.71 was the only application submitted

for consideration in the current round of funding. The project also involves the Railway Bowling Club relocating to jointly use the Kalgoorlie Bowling Club facilities.

COMMENT

While there is no funding obligation on behalf of the City of Kalgoorlie-Boulder in relation to the CSRFF grants program it should be noted that the Kalgoorlie Bowling Club have indicated in their application that they will seek \$236,812.57 (one-third of total project funding) from the City of Kalgoorlie-Boulder, as well as \$236,812.57 from the City of Kalgoorlie-Boulder as a self supporting loan, payable over a 15 – 20 year period.

City officers have previously been invited to meetings with representatives of Kalgoorlie and Boulder Bowling clubs to discuss possible co-location and to assist with identification of possible sites. The clubs had a desire to identify a new site located somewhere between Kalgoorlie and Boulder, however a suitable parcel of land has yet to be identified. Having regard for this application and recognising the further benefits of co-locating all three bowling clubs, it is recommended that City officers initiate further discussions with these clubs to explore the possibility of expanding this project to include members of all three clubs.

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.

FINANCIAL IMPLICATIONS

Whilst there is no obligation for the City of Kalgoorlie-Boulder to make a contribution towards the project it is expected that financial requests will be made to the City for \$236,812.57 as a cash contribution and \$236,812.57 from the City of Kalgoorlie-Boulder as a self supporting loan. It is expected that these applications will be considered as part of Council's 2010/11 budget deliberations

COMMUNITY CONSULTATION

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

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council in relation to the 2010/11 CSRFF submission:

- 1. Recommend to the Department of Sport and Recreation that the application from the Kalgoorlie Bowling Club for the installation of synthetic surfaces**

- be priority number one for the Community, Sporting and Recreation Facilities Fund (CSRFF).
2. Advise the Kalgoorlie Bowling Club that the City's support for the clubs CSRFF application does not include any financial contributions at this stage and that any such contribution would be subject to Councils consideration of an Annual Grant Programme application as part of the 2010/11 budget, and the capacity of the Kalgoorlie Bowling Club to repay the self supporting loan
 3. Authorise the Chief Executive Officer to initiate further discussions with the three local bowling clubs to explore the possibility of expanding this project to include members of all three clubs.

15.1.2 GOLDFIELDS WAR MUSEUM

Attachments:	Intramaps Plan Site Visit Notes 29 August 2008 DRDL Letter 25 September 2009 GMAEG Ltr 20 August 2009
Responsible Officer:	Tony Chisholm Director, Community and Development Services
Author:	Tony Chisholm Director, Community and Development Services
Proposed Meeting Date:	26-Oct-2009
Author Disclosure of Interest:	NIL

EXECUTIVE SUMMARY

This report provides an update on progress with the Goldfields War Museum relocation project and includes recommendations for moving forward with the project.

BACKGROUND

A report was presented to Council on 20 April 2008 including the findings and recommendations from a study undertaken by consultants Geoff Speirs & Peter Templeton. The consultants recommended relocating the War Museum to the former medical rooms at the Boulder town hall and upgrading the exhibits to contemporary standards including removal of some items considered not to be relevant to Kalgoorlie-Boulder military history. Council resolved to not adopt the recommendation but to refer the matter for further consideration.

Subsequent to that decision there has been further consultation with key stakeholders including those whom many of the collection's items were donated by.

On 29 August 2008 a site meeting was conducted with elected members and relevant staff in attendance. A memo sent to all attendees containing notes on the outcome of the site visit is attached. Councillors present reiterated their support for the relocation of the war museum to the vicinity of the Boulder Town Hall and recognised the operational advantages of co-location with other city services. At the time it was considered that this could best be achieved by the City acquiring the former Boulder United Friendly Society (BUFS) site which has a common boundary with the lot containing the Boulder town Hall. The vacant portion of the BUFS site was seen as presenting an opportunity for accommodating the vehicle and machinery displays.

It has taken a considerable amount of time for completion of item one from the action list resulting in a letter being received from the Department of Regional Development and Lands dated 25 September 2009, copy attached. In that letter the Department seeks a commitment from Council to accept future management of a reserve over the lot containing the former BUFS building and information relating to the City's intentions for the building, renovation proposals and future use.

COMMENT

The intention of acquiring the site of the former BUFS building was primarily to access vacant land adjoining the Boulder Town Hall property (a plan extracted from IntraMaps, showing the relevant properties is attached) to accommodate the vehicle and machinery components of the war museum collection. A use for the former BUFS building itself has not been determined. Since the time of the site inspection officers have become aware that the former BUFS building is in a very poor condition and likely to require considerable expenditure to facilitate any future use. The site is registered on the City's Municipal Heritage Inventory.

Officers have now considered the possibility of providing a covered area to house the vehicle and machinery collection, within the existing lot for the Boulder Town Hall. Whilst the existing covered area at the rear of the War Museum is about 450m² it is very generous in size and the vehicle and machinery collection is able to be contained within a much smaller area. The vacant portion of the Boulder Town Hall property can facilitate a covered area of up to about 200m² in area which is considered sufficient to be able to contain the vehicle and machinery collection.

Whilst the existing vehicle and machinery collection can be accommodated questions have previously been raised as to the relevance of some items to the purpose of the Goldfields War Museum collection. Earlier documents define the Goldfields War Museum as "displays a collection of military artefacts and souvenirs associated with Goldfields' war service". It is recommended that the relevance of these items be further investigated.

The City has also received a request from the Golden Mile Art Exhibition Group (GMAEG) for that organisation to be able to relocate to a ground level site as they currently experience difficulties operating from the first floor of the Boulder Town Hall. The most recent letter from GMAEG (20/08/2009) is attached. While the group has expressed interest in moving into the former medical rooms it is recommended that they be offered the existing war Museum site as a viable alternative, once the War Museum is relocated to the Boulder Town Hall and former medical rooms. This could be facilitated via a 5 year lease with GMAEG which is not likely to impede any possible future anchor tenant development as proposed in the Boulder Town Centre Strategy.

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.

FINANCIAL IMPLICATIONS

The City's 2009/10 budget includes an allocation of \$200,000 toward the War Museum relocation project. In earlier City budgets total project cost estimates in the order of \$400,000 were reported which included allowance for re-fitting the former medical rooms, modified displays and provision of a shed type building structure for housing of part of the vehicle and machinery collection. Allowing for increasing the

size of the shed to accommodate all of the vehicle and machinery collection will likely see this total project cost estimate at about \$450,000.

If the Officer's recommendation is adopted then the \$200,000 in the current budget would be put towards provision of the shed on the existing Boulder Town Hall site.

COMMUNITY CONSULTATION

Further consultation was undertaken with key stakeholders to confirm the desire to retain all items in the existing collection.

VOTING REQUIREMENTS

Simple.

OFFICER RECOMMENDATION

That Council having further considered options for the relocation of the Goldfields War Museum, agree:

1. To relocate the War Museum to the Boulder Town Hall site including the former medical rooms.
2. To review the items in the vehicle and machinery collection to determine their relevance to the purpose of the Goldfields War Museum.
3. To proceed with establishment of an appropriately secured outbuilding structure on the Boulder Town Hall property for housing the vehicle and machinery components of the collection; utilising funds allocated under COA 72014 of the 2009/10 municipal budget.
4. To consider allocation of funds in its 2010/11 budget to facilitate completion of the project, including upgrading of the exhibition to a contemporary standard, within the former medical rooms.
5. To advise the Department of Regional Development and Lands that the City has decided not to accept management of a reserve over Lot 657, the former Boulder United Friendly Society site.
6. To advise the Golden Mile Art Exhibition Group that they will be offered a 5 year lease over the existing Goldfields War Museum site once the collection has been relocated to the Boulder Town Hall property including the former medical rooms.

15.1.3 LOT 33 YARRI ROAD, PARKESTON – APPLICATION FOR PLANNING APPROVAL FOR AN EXTENSION TO NON-CONFORMING USE

File No:	YAR 01 L33
Attachments:	Location Map 1 Location Map 2 Development Plans
Responsible Officer:	Tony Chisholm Director, Community and Development Services
Author:	Haley Wilson Planning Officer
Author Disclosure of Interest:	NIL
Assessment Number:	A1806
Owners Name:	Australian Western Railroad Pty Ltd
Application Number:	P239/09
Applicants Name:	West Coast Sheds Pty Ltd

EXECUTIVE SUMMARY

Council is requested to consider an application for planning approval for the extension of a non-conforming use at Lot 33, Yarri Road, Parkeston. The proposal involves the development of a 6m by 4.5m outbuilding.

The application is recommended for conditional approval.

BACKGROUND

On 30 September 2009, an application for planning approval was lodged by West Coast Sheds Pty Ltd, for the development of a 6m by 4.5m shed at Lot 33 Yarri Road, Parkeston (refer to attached development plans). The application is to be determined by Council as officer delegation only allows for the refusal of planning applications for an extension to a non-conforming use.

Under the *City of Kalgoorlie-Boulder Town Planning Scheme No. 1*, (as amended), ('the Scheme'), a non-conforming use is defined as -

'the use of land which, though lawful immediately prior to the coming into operation of the Scheme, is not in conformity with the Scheme'.

The site is located on the southern side of Yarri Road, immediately to the north of the Trans-Australia Railway. The site is owned by Australian Western Railroad Pty Ltd and is currently leased to Cockburn Cement. It is part of the former Loongana Lime Site. Two location plans are attached.

Cockburn Cement Pty Ltd distributes cement and lime to sites throughout the Goldfields from this location. Bulk lime and cement is delivered directly to the site via railway and it is anticipated that the proposed outbuilding will store the compressors which assist in unloading the materials from the rail tankers.

Under the Scheme, the subject site is identified as 'Railway' Reserve. Clause 2.3 of the Scheme states that –

Where an application for planning approval is made with respect to land within a reserve, the Council shall have regard to the purpose intended for the reserve and the Council shall, in the case of land reserved for the purposes of a public authority, confer with that authority before making its determination.

In this case, the land is not reserved for the purposes of a particular authority, but rather for a particular purpose. As such there is no need to refer the application to the Department for Infrastructure and/or Public Transport Authority (the relevant State Government authorities with respect to rail transport).

Ordinarily, land reserved in the Scheme should be used in accordance with the purpose of the Reserve. Land within a Railway Reserve should be used whether for a railway line, shunting yard or similar, or for a use which needs to be located in close proximity to a rail terminal – such as freight storage. The proposed development is not considered to fall within the range of uses that would ordinarily be approved on land identified in the Scheme as Railway Reserve.

The City does, however, have broad discretionary powers with respect to the development of land reserved in the Scheme and the application can be considered in the context of those powers. Alternatively, the site is considered to be subject of a non-conforming use right and can be considered as an extension to that non-conforming use.

Part 7 of the Scheme gives the City discretion to approve extensions to non-conforming uses. In particular, Clause 7.2 states –

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

CONSULTATION

No consultation was considered necessary in relation to the recommendation 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.

FINANCIAL IMPLICATIONS

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

COMMUNITY CONSULTATION

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

COMMENT

There are considered to be two key issues that need to be considered in determining the application:

1. What affect would the proposal have on the ability of the land to perform the function for which it has been reserved in the Scheme? (that is Railway).
2. Is it appropriate to permit further industrial/commercial development on a site that is not zoned for that purpose and is isolated from other industrial/commercial areas?

It is considered that the development will not have any significant impact on the ability of the land to perform its current function, or any potential, future railway related function.

The proposed outbuilding is deemed to be a minor extension to the non-conforming use, and of a scale which will not detrimentally impact the functioning of the reserve.

It would be inappropriate for uses that serve the general public to be located in this area without appropriate planning having first taken place and any further commercial/industrial development would be discouraged until such a time. Given that the proposal is for the extension of a non-conforming use which has been operating and licensed for over 12 years it is considered appropriate.

Given the above, it is recommended that the application be approved subject to conditions.

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council, approve the application for planning approval for extension to a non-conforming use at Lot 33 Yarri Road, Parkeston, lodged by West Coast Sheds Pty Ltd, subject to the following conditions –

1. **Development must substantially commence within two years from the date of this decision letter.**
2. **Development taking place in accordance with the approved plans.**

15.1.4 STRATA PLAN - LOT 2356 (10-10A) HOLMES ST

File No:	A20210
Attachments:	Form 7 Strata Plan Site Plan Floor and Elevation Plans Engineers Report
Responsible Officer:	Tony Chisholm Director, Community and Development Services
Author:	Catherine Lyons-Nash Building Officer
Author Disclosure of Interest:	Nil
Applicant's Name:	Kingston Surveys PTY LTD
Owners Name:	Leslie Keresztesi
Assessment No:	A20210
Date Plans Were Submitted:	19/06/2009

EXECUTIVE SUMMARY

An application has been received to strata Lot 2356 (10-10A) Holmes Street, Boulder. This report seeks Council approval to authorise the Chief Executive Officer to sign the Strata Title Certificate.

BACKGROUND

The development consists of two existing residences.

In accordance with the provisions of the Strata Titles Act 1985, Council approval must be sought for the application.

The applicant has submitted plans and a consulting engineer's report for the existing houses in accordance with the City's Policy on Strata Plans.

COMMENT

Where the City receives an application for Strata Title and there is no record of plans and specifications (i.e. there are no building approval records, for instance, if it is an old building), the Strata Titles Act requires applications to be presented to the Local Government for endorsement. The Strata Titles Act does not allow for this function to be delegated.

An engineer's report prepared by Rapallo Consulting & Contracting Engineers includes a number of matters requiring attention. All items that were required to be rectified have now been completed.

STRATEGIC IMPLICATIONS

There are no direct strategic implications through approving this application.

STATUTORY IMPLICATIONS

The proposed Strata Plan is in accordance with the Strata Titles Act and Regulations.

POLICY IMPLICATIONS

There are no direct policy implications through approving this application

COMMUNITY CONSULTATION

No community consultation was considered necessary in relation to recommendation of this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications through approving this application.

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council:

1. In accordance with section 23, Part 3 of the Strata Titles Act 1985, certify that the existing (Pt. 1 and Pt.2 on Strata Plan) buildings shown on Strata Plan for Lot 2356 (10-10A) Holmes Street, Boulder for Kingston Surveys have been inspected and are consistent with the submitted building plans and engineer's report,
2. Authorise the Chief Executive Officer to sign the Strata Title Certificate Form 7.

15.2 ENGINEERING SERVICES

15.2.1 CLOSURE OF SECTION ST ALBANS ROAD

File No:	0
Attachments:	Responses to advertising
Responsible Officer:	Rob Radosevich Director Engineering Services
Author:	Aidan Duckworth Engineering Technical Officer
Author Disclosure of Interest:	Nil

EXECUTIVE SUMMARY

The purpose of this item is to apply to Council for a Section 3.50 closure of St Albans Road north of the Killarney Street rail crossing.

BACKGROUND

Council, at its ordinary meeting held on 10th August 2009, resolved the following:

“That Council progress with calling for comment from public and government departments in relation to the proposed closure of the northern end of St Albans Road beyond the Killarney Street rail crossing, under Section 3.50 of The Local Government Act 1995.”

As detailed in the report to Council on the 10 August, the request for the closure was made by the City’s Ranger Services Department.

The purpose of the closure is to restrict the movement of general traffic at the rear of Kalgoorlie Golf Course, Karlkurla Park and the bushland to the north, in an attempt to prevent the use of this area as an illegal rubbish dump, and also to curb anti-social behaviour by off road vehicle riders.

COMMENT

Comment was sought from government departments and interested parties. The proposal was also advertised in the Kalgoorlie Miner on the 22 August 2009.

No comment was received from the general public or adjoining property owners. Government departments replied with all having a “no objection” opinion.

It is envisaged that the closure, under Section 3.50 of the Local Government Act, would take the form of a fence and kerbing across the road reserve. Council officers have indicated that access is required into this area for fire fighting/prevention and maintenance to Karlkurla Park, therefore a gate and a crossover through the kerb would be required.

STATUTORY IMPLICATIONS

The recommendations of this report are made under Section 3.50 (1a) of the local Government Act 1995

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

There will be a minimal cost to Council for construction and installation of the barrier, gate and kerbing, which can be covered by the existing budget.

COMMUNITY CONSULTATION

Community consultation was under taken as described earlier in this report.

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council proceed with the physical closure of the section of St Albans Road north of Killarney Street under Section 3.50 (1a) of the Local government Act 1995.

15.2.2 DEDICATION OF DRAINAGE RESERVE IN CLEMENTS WAY

File No:	0
Attachments:	Letter Plan of Dedication
Responsible Officer:	Rob Radosevich Director Engineering Services
Author:	Aidan Duckworth Engineering Technical Officer
Author Disclosure of Interest:	Nil

EXECUTIVE SUMMARY

The purpose of this item is to gain Council support for a formal dedication and creation of a drainage reserve on Lot 4830 Clements Way Boulder.

BACKGROUND

A letter has been received from the Department of Regional Development and Lands, requesting that Council dedicate a portion of Lot 4830 Clements Way. The subject land is Unallocated Crown Land.

City officers have identified the need to establish a drainage reserve on a portion of Lot 4830.

The Department of Regional Development and Lands proposes to amalgamate the remaining portion of Lot 4830 into Lot 4535.

COMMENT

An original application was made in September 2004 to the City for the dedication and establishment of the reserve by the Department for Planning and Infrastructure, South East Region, Land Asset Management Services.

It was established at that time that the land was subject to a Native Title claim.

As shown in current application, agreement has been reached with Native Title claimants to lift their objection to the proposal.

The drainage reserve is an area of 6.24 metres wide at the western end, 62.38 metres long, and 12 metres wide at the eastern end, giving a total area of 571 square metres. This is located on southern boundary of lot 4830.

The proposed dedication is an area of 716 square metres on the eastern end of Lot 4830, which is to be used to establish a turning circle for heavy vehicles as Clements Way is a cul-de-sac, zoned for general industry.

The remaining portion of the lot, being 1687 square metres, will be amalgamated into lot 4535 at the request of the owners of that Lot.

STATUTORY IMPLICATIONS

The recommendation of this report is made pursuant to section 56 of The Land Administration Act 1997.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

The cost of advertising is provided for in the budget.

COMMUNITY CONSULTATION

Consultation with relevant stakeholders will be undertaken in accordance with statutory requirements as set out in the Land Administration Act 1997

VOTING REQUIREMENTS

Simple

OFFICERS RECOMMENDATION

That Council agree to initiate the dedication and approve the creation of a drainage reserve on Lot 4830 Clements Way Boulder.

15.2.3 PROGRESS REPORT ON BOULDER TOWN CENTRE STRATEGY

Responsible Officer:	Rob Radosevich Director Engineering Services
Author:	Edward Makotsa Major Projects Officer
Author Disclosure of Interest:	Nil

EXECUTIVE SUMMARY

The purpose of this item is to inform Council of the progress on Boulder Town Centre Strategy.

BACKGROUND

At the Ordinary meeting held on 31 March 2008 Council resolved:

“That Council –

1. Adopt the Boulder Town Centre Strategy, as attached, in final form, subject to changes as follows –

Insertion of a recommendation and appropriate explanatory text that streetscape works not be undertaken without further community consultation at detailed design stage; and

Insertion of a recommendation and appropriate explanatory text that the City, in consultation with the Eastern Goldfields Historical Society and Golden Mile Loopline Railway Society, consider the integration of the Boulder Power Station site into Loopline Park;

2. Receive the submissions;
3. Thank all parties that lodged submissions and the consultants; and
4. Direct that officer prepare an implementation plan for Council's further consideration.”

The key recommendations of the adopted Strategy were:

1. Undertake coordinated City led upgrade of verandas and facades along Burt Street;
 2. Identify, secure and develop a site to accommodate an “anchor tenant” at current site of War Museum;
 3. Release currently unused land around Loopline railway for residential and/or tourist accommodation purposes;
Streetscape works including:
 - 4.1 Widening of Burt Street median
 - 4.2 Planting of Jacaranda trees in median
 - 4.3 Removal of overhead powerlines
 - 4.4 Connection of underground power and provision of street lighting
-

- 4.5 Develop more “raised table” pedestrian crossings of Burt Street
- 4.6 Reduce posted speed limit in Burt Street to 40kph; and
- 5. Engage a town centres manager/coordinator to drive implementation for the recommendations.

It is proposed that the following works be completed during this financial year subject to community consultation and council approval using \$1.28m budgeted under COA 55034 which includes \$500,000.00 received from the Royalties for Regions (R4R) program.

- The removal of the centre power poles and the installation of new street lighting;
- The connection of the Burt St businesses from Brookman St to Hamilton St to underground power;
- Install 2m wide median island;
- Install raised pedestrian crossings;
- Landscaping; and
- Install garland style Christmas decorations.

COMMENT

The City has engaged an electrical contractor to inspect Burt Street businesses to gather information required to complete the tender specification for the businesses' connection to underground power.

The City also has submitted an application to and has been liaising with Western Power with regard to the removal of the existing power poles and the installation of centre street lights.

The City has the option of facilitating further community consultation through its previous convened Boulder Town Strategy Steering Group. Most of the participants on the steering group are still in the community and they include Don Burnett (CEO,CKB), Anne Petz (Councillor CKB), Russell Haigh (Councillor CKB), Robert Hicks (GEDC), Danielle van Kampen (KCGM), John Rees (Burt Street Business owner), Roger Alter (Burt Street Business owner), Beth Richardson (Boulder Local Resident- now Councillor CKB) and Kerry Everett (Boulder Local Resident). Another CKB councillor participant has since resigned as a Councillor presenting another opportunity for another current member of the City Council to participate. As there remains only one Boulder Local Resident representative there is also the opportunity to invite another participant, perhaps a property owner within Burt Street (between Hamilton and Brookman Streets). As there has been some recent interest and correspondence from Boulder Promotions & Development Association (BPDA) it is also suggested that BPDA be invited to have a representative on the steering group. The City's Director (CDS), Engineering Co-ordinator Projects, Manager Development and Co-ordinator Strategic Planning would also participate as required providing administration and technical advice.

Once reconvened and new members confirmed it is proposed that the steering group consider the recommendations in the strategy adopted by Council on 31 March 2008 and in particular review the proposed streetscape works (as outlined in item 4 of the key recommendations of the strategy) with recommendations of the steering group being updated back to Council prior to commencement of works.

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.

FINANCIAL IMPLICATIONS

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

COMMUNITY CONSULTATION

Whilst there has been considerable community consultation undertaken during the development of the strategy there is a need for further consultation, specifically in relation to the proposed streetscape works and associated design issues. The recommended process for undertaking that further consultation is outlined above and reference is included in the officer recommendation.

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council:

- 1. Receive the update on progress with Boulder Town Centre Strategy project.**
- 2. Authorise the Chief executive Officer to reconvene the Boulder Town Centre Strategy Steering Group (including additional and replacement participants as outlined in this report) to consider and make recommendations on all the proposed street works.**
- 3. Request a further report on the recommendations of the steering group with respect to the proposed streetscape works.**

15.2.4 COUNCIL REPORT RAY FINLAYSON SPORTING COMPLEX

Responsible Officer:	Rob Radosevich Director Engineering Services
Author:	Edward Makotsa Major Projects Officer
Author Disclosure of Interest:	Nil.

EXECUTIVE SUMMARY

The purpose of this item is to inform Council of the progress on the Ray Finlayson Sporting Complex.

BACKGROUND

At the Ordinary Council meeting held 25 February 2008 Council endorsed the Sports Facility report completed by Stirling Sport and Recreation Solutions and KTA Partnerships. The report identified the development of “a new Regional hallmark multi-purpose rectangular sports facility on land surrounding DR Morrison oval with provision for summer sports” as a high priority. As a result Council authorised City officers to proceed with the development of the sporting complex which has since been named the Ray Finlayson Sporting Complex (incorporating the existing D.R Morrison Oval).

This complex will be developed as a common user Hallmark Regional Sport and Recreation Facility. As such it will provide for community based as well as “elite” sport, together with a range of “recreation” amenities that will have a regional population catchment in the Goldfields area. The facility will primarily provide for the needs of rectangular sporting groups by providing hall mark rectangular sporting facilities. The project includes the relocation of the existing Goldfields Equestrian Centre onto adjoining land to the west.

Sports groups being considered for inclusion in the Ray Finlayson Sporting Complex are:

- Goldfields Soccer Association (local association for both senior and junior soccer competition)
 - Eastern Goldfields Cricket Association
 - Eastern Goldfields Little Athletics Association
 - Goldfields Titans Rugby League Club (newly formed; proposed state rugby league team)
 - Lake View Cricket Club
 - Goldfields Disabled Sports
 - Eastern Goldfields Rugby Union Association
 - Kalgoorlie Masters Football Club
 - Goldfields Football League
 - Kalgoorlie City Football Club
 - Saints Junior Football Club
 - Goldfields Equestrian Centre
 - Goldfields Football League Umpires Association
 - Friendlies Cricket Association
-

- Eastern Goldfields Badminton Association
- Eastern Goldfields Squash Racquet Association

Preliminary consultation has been completed with the associated sporting groups, however further consultation during the design process will be undertaken and this list may be subject to change. The project will also require the Equestrian Centre to be re-located and the Equestrian Club will be further consulted.

The complex is to be completed in two stages with the first stage including the construction of change rooms, oval lighting and car park upgrades at DR Morrison Oval, the relocation of the Equestrian Centre and the design of the new multi-purpose facilities. Services (power, communications, gas, water, sewage, drainage and treated waste water for watering grounds) will have to be installed to site. The design consultant will generate the specification for these services.

Stage two for the complex will include the construction of a multi purpose club house, facilities, playing fields, car park, and oval lighting.

The City has been successful in obtaining \$2,000,000 of funding from the Department of Infrastructure, Transport, Regional Development and Local Government under the Community Infrastructure Program for Stage One of the project with the City's contribution being \$1.0M in this financial year. It has been estimated that the entire complex will cost in the order of \$8m.

COMMENT

First payment of \$1,000,000 from the Community Infrastructure Program was received on 25 July 2009.

The City has awarded the tender for the supply and installation of oval lighting and associated works, which includes Dr Morrison Oval, to Measurement Control Engineering Pty Ltd. The tendered amount for the Dr Morrison Oval lighting was \$309,967.85 (ex. GST) and work is scheduled to commence late November 2009.

The City is currently completing the scope of work for the design of the Ray Finlayson Sporting Complex for consultants to tender on. The scope of work for the complex's design will include further consultation with sporting groups and key stakeholders, servicing requirements such as power, gas, water, telecommunications and sewer and will allow the City to commence service upgrades once completed.

The City has also been compiling an application for Community Sporting and Recreation Facilities Fund (CSRFF) to obtain additional funding for Stage 2 of the project. The CSRFF application will be lodged next year after the designs and more accurate costings are complete.

Further consultation with associated sporting groups and key stakeholders will commence shortly as part of the design process.

Officers are planning a site visit to existing and recently completed multi-use sporting facilities in the Perth metropolitan area in early November, as part of preparation for the consultant facilitated design process.

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.

FINANCIAL IMPLICATIONS

Stage one for the Ray Finlayson Sporting Complex is funded in the City's 2009/10 Budget. The total budget allocation for this stage is \$3.33m which includes \$330 000.00 for the lighting upgrade at DR Morrison Oval. The City is currently investigating sources of funding for stage two.

COMMUNITY CONSULTATION

The City will be commencing further consultations with associated sporting groups and key stakeholders shortly.

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council received the update on the Ray Finlayson Sporting Complex.

15.3 CORPORATE SERVICES

15.3.1 BUSINESS UNIT REVIEW

Attachments:	Proposed Scope of Works for the Business Unit Review (2).doc
Responsible Officer:	Braden Fisher Director Corporate Services
Author:	Braden Fisher Director Corporate Services
Author Disclosure of Interest:	Nil

EXECUTIVE SUMMARY

This report provides an update on the Business Unit Review progress and seeks Council approval to adopt the attached scope of works.

BACKGROUND

The Audit Committee at its last meeting held on 8th September 2009 resolved the following:

“That Council

- 1. Undertake business unit reviews of the Goldfields Oasis Recreation Centre, Kalgoorlie-Boulder Airport, Yarri Road Refuse Facility and the Endowment Block Business Units.*
- 2. With the assistance of Council’s current Auditors, UHY Haines Norton, prepare a scope of works to outline the review to enable expressions of interest to be advertised.*
- 3. Request a scope of works to be completed for review by the Audit Committee no later than 12th October 2009.”*

COMMENT

The proposed scope of works as compiled by City Officers in conjunction with Councils current auditors was received just prior to the 2009 Local Government Elections and as such the proposed scope has not been considered by the Audit Committee due to all committees now up for reallocation as part of the election process.

In order to keep this project moving a copy of the proposed scope incorporating estimate costings was distributed to all existing Councillors on 14th October 2009 for comment prior to this item being prepared for consideration at the next Ordinary Council Meeting.

It is recommended that Council proceed with calling for Expressions of Interest so that a short list of approved tenderers can be selected and invited to submit a tender for the completion of one or more business unit reviews.

STATUTORY IMPLICATIONS

Local Government (Functions and General) Regulations 1996 Sec 21 – Limitations may be placed on who can tender.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

Council has a budget allocation of \$100k to conduct business unit reviews for the 2009/2010 financial year.

COMMUNITY CONSULTATION

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

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council:

- 1. Authorise the CEO to call for Expressions of Interest from suitably qualified persons to conduct the City's Business Unit Reviews.**
- 2. Request the Audit Committee to review all Expressions of Interest received and recommend a short list of preferred tenderers to Council for approval.**
- 3. Request the Audit Committee to prioritise the Business Units for review and prepare a draft tender specification for Council approval.**

15.3.2 ACCOUNTS PAYABLE FOR THE MONTH OF SEPTEMBER 2009

Attachments: [Cancelled Payments September 2009](#)
[Municipal Account Cheques September2009](#)
[Trust Account Cheques September 2009](#)
[Municipal Account EFT Payments September2009](#)

Responsible Officer: **Braden Fisher**
Director Corporate Services

Author: **Jennie Parker**
Senior Creditors Officer

Author Disclosure of Interest:

EXECUTIVE SUMMARY

Attached is the schedule of Accounts Payable for the month of September 2009.

BACKGROUND

Nil

COMMENT

No comment is offered on this occasion.

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.

FINANCIAL IMPLICATIONS

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

COMMUNITY CONSULTATION

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

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council receive the schedule of Accounts Payable for the month of September 2009.

15.3.3 REQUEST FOR RATE WRITE OFF A323 FOUNDRY HOTEL

Attachments: [Correspondence Rod Smith](#)
Responsible Officer: Braden Fisher
Director Corporate Services
Author: Jan Bateman
Senior Rates Officer
Author Disclosure of Interest: Nil

EXECUTIVE SUMMARY

A request has been received from Mr Rod Smith, acting with power of Attorney, for the owners of the Foundry Hotel seeking a write off of rates and charges as part of a settlement to progress a pending sale. The Foundry Hotel was seized by the Director of Public Prosecutions (DPP) in 2004 and ceased to trade immediately.

BACKGROUND

The Foundry Hotel had an outstanding debt balance of \$61,417.43 at the time it was seized by the DPP and the Valuer General then subsequently re-valued the property to reflect its non trading status.

While this property was under the control of the DPP no rates were paid and interest continued to accrue on the outstanding balance of rates and charges.

After four years and two incidents of fire and related damage the DPP decided that the property was no longer worth seizing because the asset to debt ratio meant the return wasn't worth their effort in continuing to pursue possession. The property was released to the owner, who assigned power of Attorney to Mr Smith. The total outstanding balance currently stands at \$114,876.46 comprising of:

Rates	\$ 42,258.71
Rubbish	\$ 4,496.50
Sewerage	\$ 17,444.93
ESL	\$ 3,909.51
Other	\$ 259.35
Interest	\$ 44,528.66
ESL Interest	<u>\$ 1,978.80</u>
Total	\$114,876.46

COMMENT

Mr Smith recently met with City Officers to discuss settlement options and subsequently submitted a proposal on 4th September 2009 offering to pay \$62,185.10 as full and final payment within 21 days of acceptance of the offer and the removal of the existing Caveat held on the property by the City.

Rates and charges have continued to be levied in accordance with the Local Government Act 1995 and interest has continued to accrue on the outstanding

balance. The property was re-valued due to its change in trading status and this revaluation was effective from 30th June 2005.

The recommendation is proposing that Council write off penalty interest only of \$44,528.66 subject to the full payment of all other current charges including ELS interest that accrues on a daily basis. This proposal is also subject to the sale and demolition being completed as outlined in the attached proposal letter.

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.

FINANCIAL IMPLICATIONS

The financial implication resulting from the recommendations of this report is a loss of penalty interest totalling \$44,528.66 with all other outstanding rates and charges (currently \$70,347.80) payable in full.

COMMUNITY CONSULTATION

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

VOTING REQUIREMENTS

Absolute

OFFICER RECOMMENDATION

That Council;

- 1. Advise Mr Smith that the City will agree to write off penalty interest totalling \$44,528.66 upon the completion of the following conditions;**
 - a) The proposed sale of A323 to Lilypad Pty Ltd is to be completed by 31st December, 2009 incorporating the payment of all current and overdue rates and charges (currently \$70,347.80).**
 - b) The proposed demolition of the site is to be completed by 31st March 2010 and in accordance with an approved Council demolition licence.**
- 2. Authorise the CEO to remove the City's existing caveat from A323 upon receipt of the full payment of all current and overdue rates and charges (currently \$70,347.80 excluding penalty interest) in order to allow the property ownership transfer to be completed.**
- 3. In the event that either of the conditions as outlined in item 1 are not completed to the satisfaction of the CEO, the CEO is to ensure that a caveat is lodged on the property and advise the current owner of A323 that the City's offer has subsequently expired and the full amount of outstanding rates and charges including the penalty interest of**

\$44,528.66 is now due for immediate payment otherwise appropriate legal action will be undertaken to recover the debt in full.

16 QUESTIONS OF WHICH DUE NOTICE HAS BEEN GIVEN

17 INFORMATION BULLETIN

17.1 CORPORATE SERVICES

17.1.1 INFORMATION BULLETIN FOR 26 OCTOBER 2009

Attachments: [State Justice Plan 2009 to 2014](#)
[Building Statistics for September 2009](#)
[Christmas Decoration Update](#)
[Grants Approved as at October 2009](#)

Responsible Officer: Rob Radosevich
Director Engineering Services

Author: Elba Strijdom
PA to Director Engineering Services

Author Disclosure of Interest: Nil

EXECUTIVE SUMMARY

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

BACKGROUND

The City of Kalgoorlie-Boulder regularly receives and produces information for Elected Members to receive.

COMMENT

1. STATE JUSTICE PLAN 2009 TO 2014
Plan attached as attachment 1.
2. BUILDING STATISTICS FOR SEPTEMBER 2009
Monthly update on building statistics as attachment 2.
3. CHRISTMAS DECORATIONS UPDATE
An updated list showing new decorations or changes as attachment 3.
4. UPDATED GRANTS REGISTER
Listing of grants approved by the CEO and Council as attachment 4.

VOTING REQUIREMENTS

Simple

OFFICER RECOMMENDATION

That Council receive the information.

18 CONFIDENTIAL ITEMS

Nil.

19 DATE OF NEXT MEETING

The next meeting will be held on Monday 9 November 2009.

20 CLOSURE