



# SHIRE OF NAREMBEEN

Agenda for the Special Council Meeting

5 November 2018

**Our Mission:** A rural community working together to create a great place to live, attain a safe, healthy and creative environment, which achieves sustainable and innovative development and economic opportunities.



*Our Values: Respect, Inclusiveness, Fairness & Equity, Communication*

## Meeting Guests

Alan Boynton, Project Manager Explaurum Operations Pty Ltd



## NOTICE OF MEETING

To the President & Councillors,

In accordance with the provisions of Section 5.5 of the Local Government Act, you are hereby notified that the Special Meeting of Council has been convened for:

**Date:** 5<sup>th</sup> November 2018

**At:** Shire of Narembeen Council Chambers  
1 Longhurst Street, Narembeen

**Commencing:** 1.00pm

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**Chris Jackson**  
**Chief Executive Officer**  
Date: **30<sup>th</sup> October 2018**

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## DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Narembeen for any act, omission or statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Shire of Narembeen disclaims any liability for any loss whatsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council/Committee meetings or discussions. Any person or legal entity who acts or fails to act in reliance upon any statement does so at that person's and or legal entity's own risk.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for license, any statement or limitation or approval made by a member or officer of the Shire of Narembeen during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Narembeen. The Shire of Narembeen warns that anyone who has an application lodged with the Shire of Narembeen must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application and any conditions attaching to the decision made by the Shire of Narembeen in respect of the application.



## DECLARATION OF INTEREST FORM

**TO: CHIEF EXECUTIVE OFFICER**

AS REQUIRED BY SECTION 5.65 OF THE LOCAL GOVERNMENT ACT 1995,

I \_\_\_\_\_ HEREBY DISCLOSE MY INTEREST IN THE FOLLOWING MATTERS OF THE AGENDA PAPERS FOR THE COUNCIL COMMITTEE MEETING DATED \_\_\_\_\_

### FINANCIAL INTEREST

AGENDA ITEM No.	SUBJECT	NATURE OF INTEREST	MINUTE No.

### CLOSELY ASSOCIATED PERSON AND IMPARTIALITY INTEREST

AGENDA ITEM No.	SUBJECT	NATURE OF INTEREST	MINUTE No.

### PROXIMITY INTEREST

AGENDA ITEM No.	SUBJECT	NATURE OF INTEREST	MINUTE No.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

#### NOTES:

1. For the purposes of the financial interest provisions you will be treated as having a financial interest in a matter if either you, or a person with whom you are closely associated, have a direct or indirect financial interest or a proximity interest in the matter.  
**NB: It is important to note that under the Act you are deemed to have a financial interest in a matter if a person with whom your are closely associated has a financial interest or a proximity interest. It is not necessary that there be a financial effect on you.**
2. This notice must be given to the Chief Executive Officer prior to the meeting.
3. It is the responsibility of the individual Councillor or Committee Member to disclose a financial interest. If in doubt, seek appropriate advice.
4. A person who has disclosed an interest must not preside at the part of the meeting relating to the matter, or participate in, be present during any discussion or decision-making procedure relating to the matter unless allowed to do so under Section 5.68 or 5.69 of the Local Government Act 1995.

#### OFFICE USE ONLY:

1. PARTICULARS OF DECLARATION GIVEN TO MEETING
2. PARTICULARS RECORDED IN MINUTES
3. PARTICULARS RECORDED IN REGISTER

CHIEF EXECUTIVE OFFICER: \_\_\_\_\_ DATED: \_\_\_\_\_

# AGENDA

Shire of Narembeen Special Council Meeting  
Monday 5<sup>th</sup> November 2018, commencing at 1.00 pm.

1.0 Opening & Welcome

2.0 Attendance & Apologies

Attendance

Councillors

Staff

Apologies

Approved leave of absence

3.0 Declarations of Interest

4.0 Announcements

5.0 Public Question Time & Deputations (15 min)

6.0 Agenda Items

6.1 Tampia Hill Mine – Accommodation Village – Shire Land

## 6.1 Tampia Hill Mine – Accommodation Village – Shire Land

### AGENDA ITEM: 6.1 - Tampia Hill Mine - Accommodation Village-Shire Land

<b>Subject:</b>	Tampia Hill Mine - Accommodation Village-Shire Land
<b>Applicant:</b>	Alan Boynton Explaurum Operations Pty Ltd
<b>File Ref:</b>	ADM644
<b>Disclosure of Interest (Staff):</b>	Nil
<b>Disclosure of Interest (Member):</b>	Cr Hardham, Cr Thomas, Cr Cowan, Cr Lines
<b>Author:</b>	Chris Jackson
<b>Date:</b>	26 October 2018
<b>Attachments:</b>	Location Plan & Camp Layout two options

#### SUMMARY

Prior to proceeding to a full planning application Explaurum Operations Pty Ltd have requested that Council consider approval for use of a portion of land currently owned by the Shire of Narembeen for the purpose of establishing an accommodation village that will support the proposed new Tampia Hill Mine development.

Note this item relates to Council giving some form of consent to the proposed location of the accommodation village on Shire of Narembeen land acceptable subject to agreement as to how the land would be exchanged (lease/sale) before a planning application is submitted to Council.

#### BACKGROUND

The Shire of Narembeen have been in discussions with Explaurum Limited who have been in and around Narembeen for over 6 years now about the development of a gold mine “Tampia” located approximately 12km south east of Narembeen. Much of these informal discussions have centred on the location of an accommodation village in the Narembeen townsite.

On 30 May 2018 the company listed a Feasibility Study on the ASX that confirmed that the Tampia Gold Project is confirmed as technically sound and financially robust with an initial Project life of six years with operating costs in the lowest quartile of gold projects globally [http://www.explaurum.com/irm/PDF/2004\\_0/TampiaFeasibilityStudy](http://www.explaurum.com/irm/PDF/2004_0/TampiaFeasibilityStudy) . The study also made the statement that mine personnel will be housed by the Company in Narembeen, where a 120-person permanent accommodation facility will be developed for the project. Construction personnel will be housed in a separate 100-person temporary facility also in the town precinct. Overflow and shutdown motel accommodation is available in nearby towns such as Merredin, Bruce Rock and Hyden.

#### COMMENT

Explaurum Operations Pty Ltd has recently appointed Project Manager Alan Boynton for construction of the mine and the accommodation facility. The following letter has now been received from Mr Boynton on behalf of the company.

*“On reviewing the village location, we have reviewed the possible alternatives. We have specific concerns with respect to the location previously proposed in the centre of town and also believe there are definite advantages with the location to the North (refer attached site plans), these include:*

- Based on our current assessments the camp size has increased from 140 persons to 200. Neither the 140 nor the 200-man camp would fit on the proposed sites in the town centre without us having to build 2 story units.*
- The aesthetics of building a visually acceptable camp are challenging, particularly in the confined areas in the town centre as the single persons units are in 14m long modules each*

housing 4 persons. There are limitations to improving the visual aspects and these are generally limited to vegetation screening and adding minor structures to “break up” the uniform nature of the units.

- The establishment of the camp in the very centre of town will detract from the current “Country Town” feel of Narembeen.
- Inevitably many of the camp residents will drive from Perth and thus parking would add congestion to the area, leading to objections from current residents.
- I am aware that there have been discussions with “Go Narembeen” regarding the use of accommodation for town visitors, but the nature of the accommodation which is a large single bed in the room does not lend itself to visitors. Similarly, the management of visitors would be problematic, as our work force understands the need for not disturbing both night shift workers and managing noise in the evenings as much of the work force is in bed by 9pm ready for the dayshift which starts at 6am.
- The likely duration for permitting and re-zoning of 8-14 months is outside our current timeframe as we need to have the camp operational around Q1 of 2019.
- The proposed location to the North on the corner of the Merredin Narembeen Road and Grey Road will allow a significant buffer between the camp and the town, whilst it is still close enough for the work force to access the existing facilities. Consideration by Explaurum may be given to a dedicated walk/bike path between the camp site and the town centre to facilitate use of the town facilities. With this in mind we expect the mining personnel to become members of the community. This will be less intense during construction as the work force is transient (e.g. concrete workers are only on site for that phase of the work say 3-4 months).
- A further advantage is that there are existing services adjacent to the Northern location (power, water and sewage), although we are still in dialog with the relevant authorities.
- We have developed a concept layout for the camp North of the town for your review. I will also send this to the Shire Consultant Planner Liz Bushby for her comments/input.
- Further details on landscaping, road access and carpark treatments together with other camp requirements will be development and presented as part of the planning process.

*I trust this brief is useful to you in consultation with other stakeholders. Your feedback will greatly assist Explaurum as we work together towards a more formal planning application being submitted to the Shire for approval.”*

The proposed location of the accommodation village is on Avoca Farm on Certificate of Title 2046/541 being Lot 16224 on Deposited Plan 225562 and is owned freehold by the Shire of Narembeen. It is located in the north eastern corner of the property on the corner of the Merredin Narembeen Road and Grays Road as per the attached location plan.

The location has a number of advantages as:

- a) It provides an extensive area for the accommodation village, landscaping, car parking and bus parking;
- b) It allows sufficient separation to existing established residential areas so there will be no traffic or land use conflicts;
- c) It is in close proximity to Narembeen townsite. Workers will be able to utilise existing services and facilities already established in town and patronage will benefit local businesses. It is close to established infrastructure such as water and power.
- d) It is close to established infrastructure such as water and power.
- e) The Shire may be able to negotiate improvements as part of any lease such as road upgrading and foot path construction.
- f) It will maximise use of existing land that is currently underutilised.

## **CONSULTATION**

Liz Bushby Consultant Planner  
Explaurum representatives  
Civic Legal

## STATUTORY IMPLICATIONS

Local Government Act 1995

### 3.58. Disposing of property

(1) In this section —dispose includes selling, leasing, or otherwise disposing of, whether absolutely or not; property includes the whole or any part of the interest of a local government in property, but does not include money.

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

(a) the highest bidder at public auction; or

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

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

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

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

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

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

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

(a) the names of all other parties concerned; and

(b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition —

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

(ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

(5) This section does not apply to —

(a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or

(b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or

(c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or

(d) any other disposition that is excluded by regulations from the application of this section.

**Council members are reminded to be familiar with Division 6 Disclosure of Financial Interests of the Local Government Act 1995 starting at section 5.59**

**[https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc\\_37178.pdf/\\$FILE/Local%20Government%20Act%201995%20-%20%5B07-k0-00%5D.pdf?OpenElement](https://www.legislation.wa.gov.au/legislation/prod/filestore.nsf/FileURL/mrdoc_37178.pdf/$FILE/Local%20Government%20Act%201995%20-%20%5B07-k0-00%5D.pdf?OpenElement)**

Councillors can also access the DLGSC website for more information.

[https://www.dlgsc.wa.gov.au/resources/publications/Publications/Local%20Government%20Operational%20Guidelines%20Number%2020%20-%20Disclosure%20of%20Financial%20Interests%20at%20Meetings/DLGC\\_LG\\_Operational\\_Guideline\\_20.pdf](https://www.dlgsc.wa.gov.au/resources/publications/Publications/Local%20Government%20Operational%20Guidelines%20Number%2020%20-%20Disclosure%20of%20Financial%20Interests%20at%20Meetings/DLGC_LG_Operational_Guideline_20.pdf)

As four members of council have disclosed an interest in this matter and one Councillor without an interest will not be present for a quorum of 4, an application has been made to the Minister for Local Government in accordance with Section 5.69 of the Local Government Act 1995.

#### **5.69. Minister may allow members disclosing interest's to participate etc. in meetings**

(1) If a member has disclosed, under section 5.65, an interest in a matter, the council or the CEO may apply to the Minister to allow the disclosing member to participate in the part of the meeting, and any subsequent meeting, relating to the matter.

(2) An application made under subsection (1) is to include —

- (a) details of the nature of the interest disclosed and the extent of the interest; and
- (b) any other information required by the Minister for the purposes of the application.

(3) On an application under this section the Minister may allow, on any condition determined by the Minister, the disclosing member to preside at the meeting, and at any subsequent meeting, (if otherwise qualified to preside) or to participate in discussions or the decision making procedures relating to the matter if —

- (a) there would not otherwise be a sufficient number of members to deal with the matter; or
- (b) the Minister is of the opinion that it is in the interests of the electors or ratepayers to do so.

(4) A person must not contravene a condition imposed by the Minister under this section.

Penalty: \$10 000 or imprisonment for 2 years.

#### **FINANCIAL IMPLICATIONS**

Legal costs associated with preparation of lease agreement and future income from negotiated lease and other agreements.

#### **POLICY IMPLICATIONS**

Nil

#### **STRATEGIC PLAN REFERENCE**

Shire of Narembeen Strategic Community Plan 2017 - 2027

Council Priorities:

1. Growing our community and visitor population
2. Creating and capturing positive economic opportunities
3. Our partnerships and networks return us tangible financial, economic, social and environmental benefits

#### **RELATED PARTY TRANSACTIONS**

No known parties at this time

## OFFICER RECOMMENDATION

1. That Council approve of entering into discussions with Explaurum Operations Pty Ltd for possible future use of a portion of Shire of Narembeen owned land being Lot 16224 on deposited Plan 225562 (C/T 2046/541) for a 200 person accommodation village subject to:
  - a. Compliance with Section 3.58 (3) & (4) of the Local Government Act 1995 Disposing of property;
  - b. Formal planning application being submitted and approved;
  - c. Entering into a lease agreement to the satisfaction of both parties;
  - d. Conditions being applied as part of both the planning and lease agreement process that deal with important issues but not limited to design and visual amenity, landscaping, road access and carpark treatments together with other camp requirements, pedestrian and bike access from the village to Narembeen, agreed road access paths to and from the village and the mine site and matters relating to winding up of the facility following closure of the mine;
  - e. Explaurum and the Shire of Narembeen entering into discussions with Go Narembeen about the loss of viable community cropping land and agreeing upon how the community can be compensated for this loss;
2. That the Chief Executive Officer be authorised to sign the Application for Planning Approval on behalf of the Shire of Narembeen as the owner of Lot 16224 on Deposited Plan 225562 (C/T 2046/541).

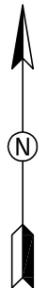
## COUNCIL RESOLUTION

**MIN**

**MOTION** - Moved Cr.

2nd Cr.

**CARRIED** /



**SITE LOCATION PLAN**

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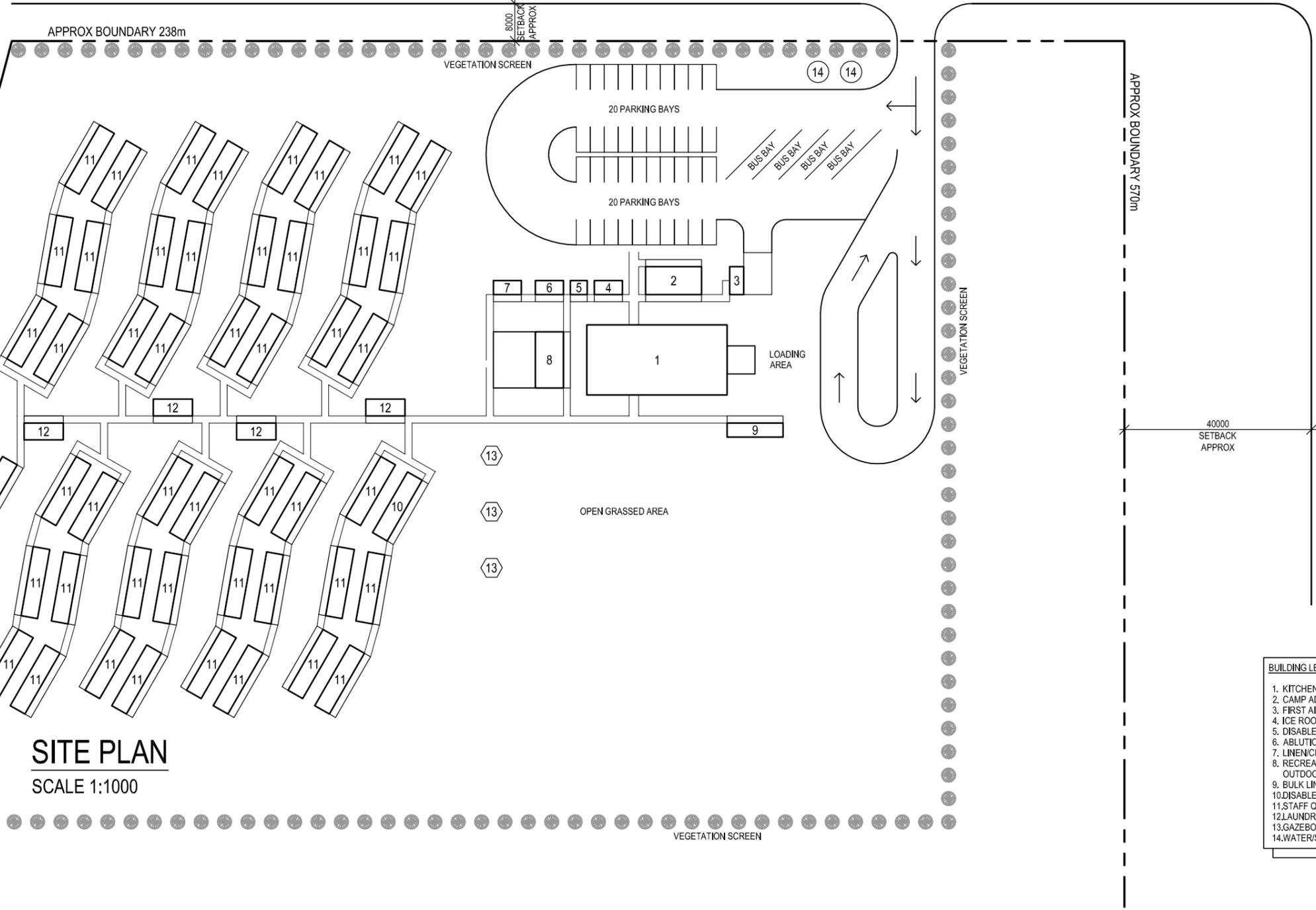


Suite 7, Level 3, 1111 Hay St, West Perth, WA 6005  
 PH: (08) 9321 3398  
 WEBSITE: www.groundedgroup.com.au

CLIENT: <b>EXPLAURUM</b>			
LOCATION: TAMPIA GOLD PROJECT - NAREMBEEN			
BUILDING: 200 MAN CAMP			
TITLE: <b>PROVISIONAL SITE LOCATION PLAN</b>			
QUOTE NUMBER	DRWG NUMBER	JOB NUMBER	REVISION
T8064	A101	10 of 14	A



202372



**SITE PLAN**  
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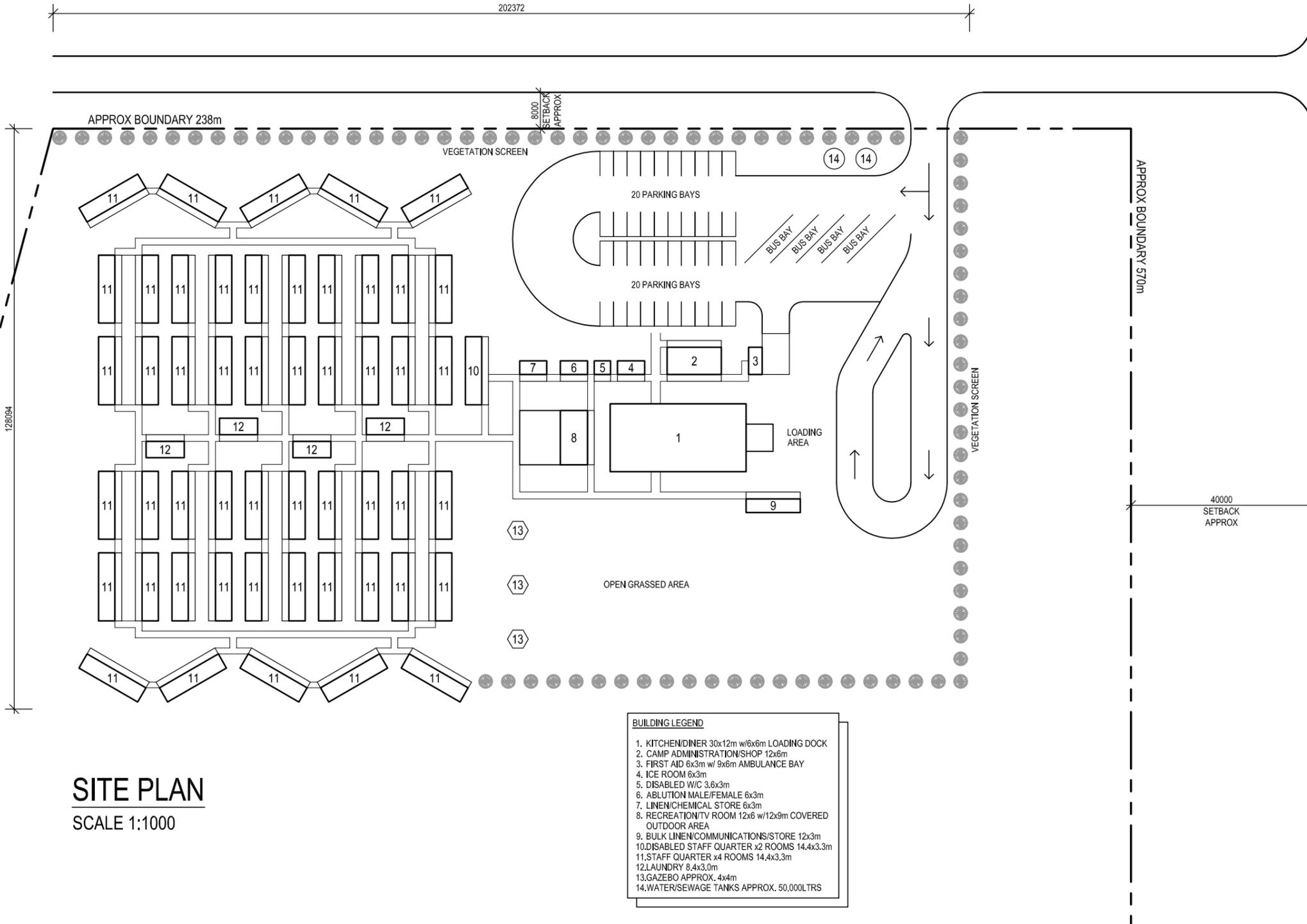
BUILDING LEGEND	
1.	KITCHEN/DINER 30x12m w/6x6m LOADING DOCK
2.	CAMP ADMINISTRATION/SHOP 12x6m
3.	FIRST AID 6x3m w/ 9x6m AMBULANCE BAY
4.	ICE ROOM 6x3m
5.	DISABLED W/C 3.6x3m
6.	ABLUTION MALE/FEMALE 6x3m
7.	LINEN/CHEMICAL STORE 6x3m
8.	RECREATION/TV ROOM 12x6 w/12x9m COVERED OUTDOOR AREA
9.	BULK LINEN/COMMUNICATIONS/STORE 12x3m
10.	DISABLED STAFF QUARTER x2 ROOMS 14.4x3.3m
11.	STAFF QUARTER x4 ROOMS 14.4x3.3m
12.	LAUNDRY 8.4x3.0m
13.	GAZEBO APPROX. 4x4m
14.	WATER/SEWAGE TANKS APPROX. 50,000LTRS

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**grounded**  
CONSTRUCTION GROUP

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T8064	A100	11 of 14	A



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T8064	A101	13 of 14	A

## 7.0 Closure

There being no further business the Chair declared the meeting closed at \_\_\_\_\_.