



AGENDA

Special Council Meeting

11 June 2024

4:00pm

Council Chambers, Bayley Street, Coolgardie

SHIRE OF COOLGARDIE

NOTICE OF

Dear Elected Member

The next Special Council Meeting of the Shire of Coolgardie will be held on Tuesday 11 June 2024 commencing at 4:00pm.



LAURA DWYER
ACTING CHIEF EXECUTIVE OFFICER

SPECIAL COUNCIL MEETING**11 June 2024**

Welcome to the Special Council Meeting of the Shire of Coolgardie.

The dates, times and locations of the Ordinary Council Meetings for 2024 are listed hereunder.

<u>Day</u>	<u>Date</u>	<u>Time</u>	<u>Venue</u>
Tuesday	23 January 2024	4:30pm	Kambalda
Tuesday	27 February 2024	4.30pm	Coolgardie
Tuesday	26 March 2024	4.30pm	Kambalda
Tuesday	23 April 2024	4.30pm	Coolgardie
Tuesday	28 May 2024	4.30pm	Kambalda
Tuesday	25 June 2024	4.30pm	Coolgardie
Tuesday	23 July 2024	4.30pm	Kambalda
Tuesday	27 August 2024	4.30pm	Coolgardie
Tuesday	24 September 2024	4.30pm	Kambalda
Tuesday	22 October 2024	4.30pm	Coolgardie
Tuesday	26 November 2024	4.30pm	Kambalda
Tuesday	17 December 2024	4.30pm	Coolgardie



Laura Dwyer
Acting Chief Executive Officer

DISCLAIMER

INFORMATION FOR PUBLIC ATTENDING COUNCIL MEETINGS

PLEASE NOTE:

THE RECOMMENDATIONS CONTAINED IN THIS AGENDA ARE OFFICERS 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 COUNCILS DECISION.



Laura Dwyer
ACTING CHIEF EXECUTIVE OFFICER

COUNCIL MEETING INFORMATION NOTES

1. Your Council generally handles all business at Ordinary or Special Council Meetings.
2. From time to time Council may form a Committee to examine subjects and then report to Council.
3. Generally all meetings are open to the public; however, from time to time Council will be required to deal with personal, legal and other sensitive matters. On those occasions Council will generally close that part of the meeting to the public. Every endeavour will be made to do this as the last item of business of the meeting.
4. Public Question Time. It is a requirement of the Local Government Act 1995 to allow at least fifteen (15) minutes for public question time following the opening and announcements at the beginning of the meeting. Should there be a series of questions the period can be extended at the discretion of the Chairman.

Written notice of each question should be given to the Chief Executive Officer prior to 10:30am on the day of the meeting. A summary of each question and response is included in the Minutes.

When a question is not able to be answered at the Council Meeting a written answer will be provided after the necessary research has been carried out. Council staff will endeavour to provide the answers prior to the next meeting of Council.

5. **Councillors** may from time to time have a financial interest in a matter before Council. Councillors must declare an interest and the extent of the interest in the matter on the Agenda. However, the Councillor can request the meeting to declare the matter **trivial, insignificant or in common with a significant number of electors or ratepayers**. The Councillor must leave the meeting whilst the matter is discussed and cannot vote unless those present agree as above.

Members of staff, who have delegated authority from Council to act on certain matters, may from time to time have a financial interest in a matter on the Agenda. The member of staff must declare that interest and generally the Chairman of the meeting will advise the Officer if he/she is to leave the meeting.

6. Agendas including an Information Bulletin are delivered to Councillors within the requirements of the Local Government Act 1995, i.e. seventy-two (72) hours prior to the advertised commencement of the meeting. Whilst late items are generally not considered there is provision on the Agenda for items of an urgent nature to be considered.

Should an elector wish to have a matter placed on the Agenda the relevant information should be forwarded to the Chief Executive Officer in time to allow the matter to be fully researched by staff. An Agenda item including a recommendation will then be submitted to Council for consideration.

The Agenda closes the Monday week prior to the Council Meeting (i.e. ten (10) days prior to the meeting).

The Information Bulletin produced as part of the Agenda includes items of interest and information, which does not require a decision of Council.

7. Agendas for Ordinary Meetings are available in the Coolgardie and Kambalda Offices/Libraries seventy-two (72) hours prior to the meeting and the public are invited to secure a copy.
8. Agenda items submitted to Council will include a recommendation for Council consideration. Electors should not interpret and/or act on the recommendations until after they have been considered by Council. Please note the Disclaimer in the Agenda (page 3).
9. Public Question Time – Statutory Provisions – Local Government Act 1995

Time is to be allocated for questions to be raised by members of the public and responded to at:

- (a) Every ordinary meeting of a council; and
- (b) Such other meetings of councils or committees as may be prescribed

Procedures and the minimum time to be allocated for the asking of and responding to questions raised by members of the public at council or committee meetings are to be in accordance with regulations.

9A. Question Time for the Public at Certain Meetings – s5.24 (1) (b)

Local Government (Administration) Regulations 1996

Reg 5 For the purpose of section 5.24(1)(b), the meetings at which time is to be allocated for questions to be raised by members of the public and responded to are:

- (a) every special meeting of a council; and
- (b) every meeting of a committee to which the local government has delegated a power or duty.

Minimum Question Time for the Public – s5.24 (2)

- Reg 6 (1) The minimum time to be allocated for the asking of and responding to questions raised by members of the public at ordinary meetings of councils and meetings referred to in regulation 5 is fifteen (15) minutes.
- (2) Once all the questions raised by members of the public have been asked and responded to at a meeting referred to in sub regulation (1), nothing in these regulations prevents the unused part of the minimum question time period from being used for other matters.

Procedures for Question Time for the Public – s5.24 (2)

Local Government (Administration) Regulations 1996

- Reg 7 (1) Procedures for the asking of and responding to questions raised by members of the public at a meeting referred to in regulation 6 (1) are to be determined:
- (a) by the person presiding at the meeting; or
 - (b) in the case where the majority of members of the council or committee present at the meeting disagree with the person presiding, by the majority of members, having regard to the requirements of sub regulations (2) and (3).
- (2) The time allocated to the asking and responding to questions raised by members of the public at a meeting referred to in regulation 6(1) is to precede the discussion of any matter that requires a decision to be made by the council or the committee, as the case may be.
- (3) Each member of the public who wishes to ask a question at a meeting referred to in regulation 6(1) is to be given an equal and fair opportunity to ask the question and receive a response.
- (4) Nothing in sub regulation (3) requires:
- (a) A council to answer a question that does not relate to a matter affecting the local government;
 - (b) A council at a special meeting to answer a question that does not relate to the purpose of the meeting; or
 - (c) A committee to answer a question that does not relate to a function of the committee.

2. Public Inspection of Unconfirmed Minutes (Reg 13)

A copy of the unconfirmed Minutes of Ordinary and Special Meetings will be available for public inspection in the Coolgardie and Kambalda Offices/Libraries within ten (10) working days after the Meeting.

NOTE:**10.3 Unopposed Business**

- (1) Upon a motion being moved and seconded, the person presiding may ask the meeting if any member opposes it.
- (2) If no member signifies opposition to the motion the person presiding may declare the motion in sub clause (1) carried without debate and without taking a vote on it,
- (3) A motion carried under sub clause (2) is to be recorded in the minutes as a unanimous decision of the Council or committee.
- (4) If a member signifies opposition to a motion the motion is to be dealt with according to this Part.
- (5) This clause does not apply to any motion or decision to revoke or change a decision which has been made at a Council or committee meeting.

DISCLOSURE OF INTERESTS

Notes for Guidance

IMPACT OF A FINANCIAL INTEREST (s. 5.65 & s.67. Local Government Act 1995)

A member who has a **Financial Interest** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

- a. In a written notice given to the Chief Executive Officer before the Meeting or;
- b. At the meeting immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- a. Preside at the part of the Meeting relating to the matter or;
- b. Participate in, or be present during, any discussion or decision making procedure relative to the matter, unless and to the extent that, the disclosing member is allowed to do so under *Section 5.68 or Section 5.69 of the Local Government Act 1995*.

INTERESTS AFFECTING FINANCIAL INTEREST

The following notes are a basic guide for Councillors when they are considering whether they have a **Financial Interest in a matter**.

1. A Financial Interest, pursuant to s.5.60A or 5.61 of the *Local Government Act 1995*, requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measured in money terms. There are expectations in the *Local Government Act 1995* but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e sporting, social, religious etc, and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e, if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors and ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **must** be given when the matter arises in the Agenda, and immediately before the matter is discussed. *Under s.5.65 of the Local Government Act 1995* failure to notify carries a penalty of \$10,000 or imprisonment for 2 years.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The only exceptions are:
 - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) of the *Local Government Act 1995*; or
 - 6.2 Where the Minister allows the Councillor to participate under s.5.69(3) of the *Local Government Act 1995*, with or without conditions.

INTERESTS AFFECTING PROXIMITY (s.5.60b Local Government Act 1995)

1. For the purpose of this subdivision, a person has a proximity interest, pursuant to s.5.60B of the Local Government Act 1995, in a matter if the matter concerns;
 - a. a proposed change to a planning scheme affecting land that adjoins the person's land; or
 - b. a proposed change to the zoning or use of land that adjoins the person's land; or
 - c. a proposed development (as defined in Section 5.63(5)) of land that adjoins the person's land.

2. In this section, land (the proposal land) adjoins a person's land if;
 - a. The proposal land, not being a throughfare, has a common boundary with the person's land; or
 - b. The proposal land, or any part of it, is directly across a throughfare from, the person's land; or
 - c. The proposal land is that part of a thoroughfare that has a common boundary with the person's land.

3. In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.

INTERESTS AFFECTING IMPARTIALITY

Definition: an interest, pursuant to Regulation 19AA of the Local Government (Administration) Regulations 1996, means an interest that could, or could reasonably be perceived to adversely affect the impartiality of the person having the interest; and includes an interest arising from kinship, friendship or membership of an association. It is also important to be considered in relation to the Shire of Coolgardie Code of Conduct for Council Members, Committee Members, and Candidates.

A member who has an **Interest Affecting Impartiality** in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- a. In a written notice given to the Chief Executive Officer before the Meeting or;
- b. At the Meeting, immediately before the matter is discussed.

IMPACT OF AN IMPARTIALITY DISCLOSURE

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

QUESTION TIME FOR THE PUBLIC

(Please Write Clearly)

DATE: _____

NAME: _____

TELEPHONE: _____

ADDRESS: _____

QUESTION TO THE PRESIDENT:-

- **GENERAL QUESTION / QUESTION RELATED TO THE AGENDA**
(Strike out unnecessary words)

ITEM NO: _____ PAGE NO: _____

PLEASE PASS TO THE CHIEF EXECUTIVE OFFICER FOR REFERRAL TO THE PRESIDENT BY 12.30PM ON THE DAY OF THE MEETING AT THE KAMBALDA OFFICE, IRISH MULGA DRIVE, KAMBALDA OR AT THE COOLGARDIE OFFICE, BAYLEY STREET, COOLGARDIE.

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1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**1.1 ACKNOWLEDGEMENT OF COUNTRY**

“The Shire of Coolgardie acknowledges the Traditional Owners of the land, on which we meet and pay our respects to Elders past, present and emerging”

2 DECLARATION OF COUNCIL MEMBERS

The Shire President to invite Council Members to declare that they have read the agenda and supporting documents and able to make informed decision on all matters accordingly.

3 RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE**4 DECLARATIONS OF INTEREST****4.1 Declarations of Financial Interests – Local Government Act Section 5.60A****4.2 Declarations of Proximity Interests – Local Government Act Section 5.60B****4.3 Declarations of Impartiality Interests –Shire of Coolgardie Code of Conduct for Council Members, Committee Members and Candidates for Election, Code of Conduct for Employees****5 PUBLIC QUESTION TIME****6 APPLICATIONS FOR LEAVE OF ABSENCE****7 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS****8 REPORTS OF COMMITTEES**

Nil

9 REPORTS OF OFFICERS

9.1 Operation Services

9.1.1 PROCUREMENT OF CRITICAL INFRASTRUCTURE - AGING TV TRANSMISSION - COOLGARDIE

Location: Coolgardie
Applicant: N/A
Disclosure of Interest: NIL
Date: 4th June 2024
Author: Rebecca Horan, Director of Governance and Administration

SUMMARY

For Council to approve the procurement of critical infrastructure replacements for the aging TV transmission facility at Coolgardie and approve the allocation of \$103,431.90 inc GST (unbudgeted) in the 2024/2025 financial year.

BACKGROUND

The current hardware has been in operation 24 hours a day, 365 days per year for 11 years, which exceeds the service life period of 10 years. Components of this age may begin to fail and be uneconomical to repair.

COMMENT

The ABC and SBS TV services have and will transition to the VAST satellite platform by August 30 2024.

The ABC has already moved from its original Optus D2 transponder to a temporary transponder also on D2. This will change again in June. While SBS TV will stop using Optus D2 by August 30 2024.

STRA currently have the ABC TV services reconfigured to the alternate Optus D2 transponder at Coolgardie. However, this will no-longer be an option by June 30 2024.

Coolgardie requires a new satellite signal head-end to avoid the drop-outs and faults caused by the old head-end. Also, this old head-end is not compatible with conditional access cards required for the VAST services.

It has been recommended and quoted that the head-end and at least one transmitter is upgraded.

Lead times for the replacement infrastructure is 8-12 weeks out of Europe, then the unit needs to be configured and tested locally before scheduling the installation.

A temporary source of some of the ABC and SBS DTV channels is possible to avoid complete loss of these services during the lead-time required for a complete source signal head-end replacement.

The cost of this would be: \$4,500 plus GST. Please note that this temporary solution WILL NOT provide all of the ABC and SBS channels only the parent channel of each and possible one extra sub channel.

CONSULTATION

Glenn Welsh, Satellite Television and Radio Australia

STATUTORY ENVIRONMENT

Section 6.8 – Local Government Act 1995

6.8 . Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
 - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.

* *Absolute majority required.*

- (1a) In subsection (1) —

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

- (2) Where expenditure has been incurred by a local government —
 - (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
 - (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.

POLICY IMPLICATIONS

Procurement Policy # 1.05

FINANCIAL IMPLICATIONS

\$103,431.90 (including GST) is currently unbudgeted. The recommendation proposes to allocate the expenditure \$103,431.90 (including GST) unbudgeted in the 2024/2025 financial year to account number 111007.

STRATEGIC IMPLICATIONS**Accountable and effective leaders**

Ensuring the Shire of Coolgardie is well positioned to meet future needs

Effective management of infrastructure, heritage and environment

Maintaining and renewing infrastructure and building assets

ATTACHMENTS

1. Quote - Infrastructure Upgrades - Confidential
2. Retransmission - ABC TV - Notification

VOTING REQUIREMENT

Absolute Majority

SPECIAL COUNCIL RESOLUTION AND OFFICER RECOMMENDATION

That Council:

- 1. By Simple Majority support the purchase of critical infrastructure replacements for the aging TV transmission facility at Coolgardie.**
- 2. By Absolute Majority approve the allocation \$103,431.90 (including GST) unbudgeted in the 2024/2025 financial year to account number 111007.**

9.1.2 SCHEME AMENDMENT 8 - ADDITIONAL USES - MIXED

Location: Lot 2435 Gnarlbine Road, Coolgardie
Applicant: Nil
Disclosure of Interest: Nil
Date: 04 June 2024
Author: Francesca LeFante, Town Planning Consultant

SUMMARY

For the Shire to support and initiate an amendment to Local Planning Scheme No 5 to add additional uses to Lot 2435 on Deposited Plan 107089 Gnarlbine Road for a range of transport and light industrial that provide for a wide variety of uses, and which reflect the demand and site location with development provisions to manage noise and nuisance.

The proposal is to:

1. Inserting the following additional uses under Clause 19, Table 4 – Specified additional uses for zoned land in Scheme area.
2. To be specific to Lot 2435 Gnarlbine Road, Coolgardie.
3. To provide for the additional uses of Light Industrial, Trade Display, Trade Supply and Transport depot.
4. They include specific provisions to ensure development interfaces with the existing and surrounding zones, including: -
 - a. Development is not permitted unless the local government has exercised its discretion by granting development approval.
 - b. The impacts of the development are to be contained on sites and/or suitability managed to limit impacts on the adjoining properties.
 - c. Visual impacts are to be minimised by the use of vegetation screening and tree retention.
 - d. A minimum of lot size of 5,000m² or larger.
 - e. Development to be setback: -
 - i. Three (3) metre setback to side and rear boundaries, and
 - ii. Six (6) metre setback to the street boundary.
 - f. Landscaping buffer to be provided.
 - i. Along the side a rear boundaries of a minimum width of 3 metres, and include trees to a minimum height of 2m.
 - ii. Along the street frontage of a minimum width of 2 metres.
 - g. The front setback area shall not be used for any purpose other than a means of access, daily parking, loading and unloading and landscaping.
 - h. Storage of plant and equipment, service areas for waste management and essential services to be screened from adjoining sites, public areas and street frontages.
 - i. The provisions and implementation of appropriate measures to prevent odour, dust pollution or soil erosion to the satisfaction of the local government.
 - i. Parking bays and vehicle hardstand areas shall be designed and sealed and maintained to the local government satisfaction and to minimise dust.
5. These provisions do not alter the provisions of Clause 34 – variations to site and Development Requirements.

BACKGROUND

Shire representatives have been pursuing land zoning options that support the growth of the townsite and provide flexibility to accommodate a range of uses indicated a preference to rezone various sites to facilitate a

greater range of use consistent with the Shire townsite growth focus, which maximises development opportunities on suitable land within and near the townsites.

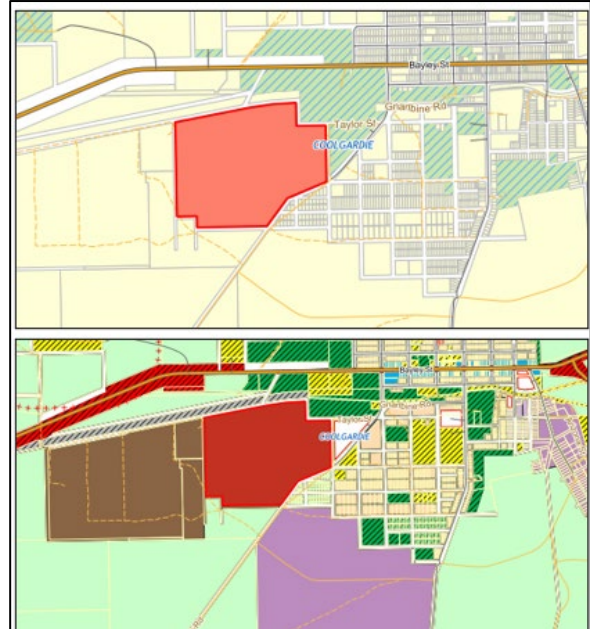
COMMENT

The townsite of Coolgardie has limited opportunity for new land releases given the significant mining activities in the area which limit new land releases. The Shire has been taking steps, over a number of years to pursue and facilitate a mix of uses and development that support townsite growth opportunities.

The site is the largest underdeveloped freehold site within Coolgardie townsite capable of development mix of uses. The site is located on the western edge of the Coolgardie Townsite, with a lot size of 80 ha, and surrounded by predominantly undeveloped land.

The land tenure is freehold and is currently capability of development subject to scheme and associated provisions. Whilst there are other industrial zoned land within the Coolgardie, these are not capable of development due to tenure status and associated statutory processes which are on-going with lengthy timeframes.

The Shire is regularly receiving interest for development of transport and trade supply and display, which typically require larger lots and vehicular access. Due to the above tenure constraints, Coolgardie townsite is lacking in suitable sites for this type of use.



The opportunity to increase flexibility within the Scheme has been discussed with Department of Planning, Lands and Heritage (DPLH) officers, during these discussions it was identified that where proposed uses are consistent with the Local Planning Strategy the Shire could pursue modifications to the use class table through a scheme amendment.

The Shire has been progressively and consistently taking actions to create opportunities for development within the townsite. The objectives contained within the Scheme and Local Planning Strategies, aim to develop and enhance the amenity and economic prosperity of the Shire and facilitate development.

The Shire's Local Planning Strategy was endorsed by WAPC in October 2016. This plan provides a guide for the Council over the next 10-15 years and includes setting out the future path for growth and development. The Strategy identifies:

- Land supply as one of the major planning issues facing the Shire in facilitating employment and business development.
- The Coolgardie Townsite role as a residential and business centre servicing the important passing trade (both business and tourism).
- Coolgardie will also continue to provide for industrial activities to service the surrounding mining operations and as an alternative location to Kalgoorlie.
- Promotion and creation of new industries, businesses and jobs based on economically sustainable principles.
- Ensure that there is adequate area for commercial and mixed-use development to meet the future needs of the projected population of the key settlements.

The Shire of Coogardie Local Planning Strategy identifies land in proximity of the town as having development potential.

Accordingly, to respond to demand for a greater range of land uses, and current land tenure constraints, the Shire is pursuing a greater range of appropriate land uses on Lot 2435 Gnarlbine Road, Coolgardie a more flexible scheme. The Shire is also pursuing opportunities to include a Mixed-Use zoning into the Scheme has part for creating a flexible planning framework to the Coolgardie Townsite, consistent with the approach taken by other regional towns.

The site creates an opportunity for additional types mixed-use, transport and low-level industrial uses that benefits town sustainability and growth, and including facilities that support the mining sector, which is significant long-term employer and ratepayer within the Shire. The demand for these types of business activities is currently restricted due to tenure and mining interest. The planning response is pursuing a more flexible mix of uses with appropriate development controls on strategically located land.

The subject site (Lot 2435 Gnarlbine Road) is sustainability located for a range of uses, given: -

- Its lot size, location and surrounding activities.
- The type of additional uses is consistent with the Shire's strategic objectives.
- The benefit to the community and sustainability of the Coolgardie townsite.

State Planning Policy 3.0 – Urban Growth and Settlement, sets out the principles and considerations which apply for urban growth and settlement in Western Australia. The Policy supports building on existing communities and seeks convenient access to employment and services. The key requirements for sustainable communities include: -

- Diversified and sustainable economic base with assured access to jobs and employment.
- Making the most efficient use of land in existing urban areas through the use of vacant and under-utilised land and building.

With regard to State Planning Policy – SPP 3.7 Planning in Bush Fire Prone Areas. Any redevelopment of the site will be subject to appropriate controls as part of the planning and building requirements.

This scheme amendment proposes to ass additional mixed uses to Lot 2435 Gnarlbine Road to: -

- Facilitate a range of suitable uses on the site including transport and light industrial uses.
- Make use of the site size and location to provide development that services the long-term benefit of the Shire.
- Facilitate greater use of an underutilised site.

The subject land is appropriately located, with no mining constraints, and predominantly vacant land surrounding the site. The closest uses are short term FIFO workforce accommodation located on small section of the site adjoining Gnarlbine Road and Parkes Street. These sites are opposite a special use workforce accommodation site. These sites support the surrounding mining operations. The proposed additional land uses and a more flexible planning approach to development in this location are considered important to the growth and sustainability of the Coolgardie townsite.

The amendment incorporates a range of uses considered to be “standard” under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015, on the basis of the following: -

- The amendment relates to a zone that is consistent with the objective in the Scheme.

- The amendment is consistent with the endorsed local planning strategy.
- The amendment will have a minimal impact on land in the scheme that is not the subject of the amendment.
- The amendment does not result in any significant environment, social, economic or governance impacts on land within the scheme area.

Process

The Regulations prescribe the manner and process to be followed when undertaking a scheme amendment.

The *Planning and Development (Local Planning Scheme) Regulations 2015* prescribes the format, content, structure and process to be followed when undertaking a scheme amendment. The key actions and timeframes are summarised below: -

Stage	Details and Actions
1	Council resolution to adopt an amendment to the Scheme (Reg 35 (2))
2	Preparation of Scheme Amendment documents in the prescribed manner
3	The amendment is forwarded to the Environmental Protection Authority for preliminary approval to advertise Amendment referred to EPA in accordance with S81 and copy to Planning - DPLH
4	Public Advertising for period 42 days by way of public notice – Reg 47
5	Report prepared for Council consideration of submission and resolve action on Scheme Amendment Reg r50 with or without modifications.
6	Forward Final Scheme Amendment document, submissions and Council decision and resolution to WAPC
7	WAPC to consider and make recommendation to Minister
8	Minister consideration and determination Where the Minister requires changes, the amendment is referred back to the City to process those changes
9	Gazettal of Scheme
10	Local Government to advertising approval of amendment

Options

The options available to the Shire in considering the proposal are: -

- Option 1: Support the Scheme Amendment.
 Option 2: Modify the details to be included in the Scheme Amendment.
 Option 3: Not support initiation of the Scheme Amendment.

Summary

This Scheme Amendment for the additional land uses on Lot 2435 Gnarlbine Road is considered to be aligned with the strategic planning position, growth and sustainability of the Coolgardie townsite through additional uses. The discretionary classification of the additional uses and development provisions means that the Shire, through a development application, can assess a future proposal and ensure the development is compatible and complementary to the area.

CONSULTATION

Statutory process contained in the Act, comprising 42-day public consultation period.

STATUTORY ENVIRONMENT

Planning Development (Local Planning Scheme) Regulation 2015

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Preparation and advertising of the scheme amendment.

STRATEGIC IMPLICATIONS

A thriving local economy

Encouraging and attracting new investment and advocating for local employment

Accountable and effective leaders

Ensuring a well-informed Council makes good decisions for the community

Advocating for services that support our community needs

Effective management of infrastructure, heritage and environment

Facilitating urban and rural planning and development

Supporting the development of diverse housing and land options

ATTACHMENTS

1. Location Map

VOTING REQUIREMENT

Simple Majority

SPECIAL COUNCIL RESOLUTION AND OFFICER RECOMMENDATION

That Council

- 1) **RESOLVES** pursuant to Section 75 of the Planning and Development Act 2005 to Initiate Amendment 8 to Local Planning Scheme No 5 to
- a. **Modify Clause 19 - Additional Uses Table 4, Specified additional uses for zoned land in Scheme area, as following**

No.	Description of land	Additional use	Conditions
3	Lot 2435 on DP Gnarlbine Road, Coolgardie	<ul style="list-style-type: none"> • Light industrial • Trade display • Trade supply • Transport depot 	<ol style="list-style-type: none"> 1. Development is not permitted unless the local government has exercised its discretion by granting development approval. 2. The impacts of the development are to be contained on sites and/or suitability managed to limit impacts on the adjoining properties 3. Visual impacts are to be minimised by the use of vegetation screening and tree retention. 4. A minimum lot size of 5,000m² or larger. 5. Development to be setback: - <ol style="list-style-type: none"> a. Three (3) metre setback to side and rear boundaries, and b. Six (6) metre setback to the street boundary 6. Landscaping buffer to be provided <ol style="list-style-type: none"> a. along the side and rear boundaries of a minimum width of 3 metres, and include trees to a minimum height of 2m b. along the street frontage of a minimum width of 2 metres. 7. The front setback area shall not be used for any purpose other than a means of access, daily parking, loading and unloading and landscaping. 8. Storage of plant and equipment, services areas for waste management and essential services to be screened from adjoining sites, public areas and street frontages. 9. The provision and implementation of appropriate measures to prevent odour, dust pollution or soil erosion to the satisfaction of the local Government. 10. Parking bays and vehicle hardstand areas shall be designed and sealed and maintained to the local government satisfaction and to minimise dust.

- 2) **CONSIDERS** Amendment No 8 to Local Planning Scheme No 5 to be 'standard' under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015.on the basis that: -

- a. The amendment relates to a zone that is consistent with the objectives identified in the Scheme.
 - b. The amendment will have minimal impact on land in the scheme that is not the subject of the amendment.
 - c. The amendment does not result in any significant environmental, social, economic or governance impacts on land within the scheme area.
- 3) PREPARES the Scheme Amendment report and documentation.
 - 4) REFERS the Scheme Amendment to the EPA for assessment in accordance with Section 81 of the Planning and Development Act 2005.
 - 5) AUTHORISES the public advertising of the proposal upon receipt of EPA advice regarding environmental assessment being received, and the incorporation of that advice into the public advertising.

10 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

10.1 Elected Members

10.2 Shire Officers

11 MATTERS BEHIND CLOSED DOORS**SPECIAL COUNCIL RESOLUTION AND OFFICER RECOMMENDATION**

That Council considers the confidential report(s) listed below in a meeting closed to the public in accordance with Section 5.23(2) of the Local Government Act 1995:

11.1 S.3.59 Major Trading Undertaking and Major Land Transaction: Proposed Lease of Kambalda Airport to Mineral Resources Limited

This matter is considered to be confidential under Section 5.23(2) - e(ii) of the Local Government Act, and the Council is satisfied that discussion of this matter in an open meeting would, on balance, be contrary to the public interest as it deals with a matter that if disclosed, would reveal information that has a commercial value to a person, where the information is held by, or is about, a person other than the local government.

12 CLOSURE OF MEETING