



CONFIRMED

MINUTES

Special Council Meeting

11 June 2024

4:00pm

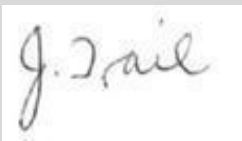
Council Chambers, Bayley Street, Coolgardie

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.

A rectangular box containing a handwritten signature in cursive script that reads "J. Trail".

**JAMES TRAIL
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



James Trail
Chief Executive Officer

DISCLAIMER

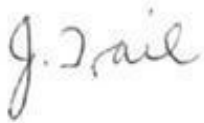
INFORMATION FOR PUBLIC ATTENDING COUNCIL MEETINGS

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.



James Trail
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.

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**MINUTES OF SHIRE OF COOLGARDIE
SPECIAL COUNCIL MEETING
HELD AT THE COUNCIL CHAMBERS, BAYLEY STREET, COOLGARDIE
ON TUESDAY, 11 JUNE 2024 AT 4:00PM**

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Shire President, Malcolm Cullen, opened the meeting at 4:02pm and welcomed his fellow Councillors, staff and members of the public, and thanked them for their attendance.

1.1 WELCOME TO COUNTRY ANNOUNCEMENT

“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 invites 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

PRESENT:

Cr Malcolm Cullen (Shire President), Cr Tracey Rathbone (Deputy President), Cr Sherryl Botting, Cr Kathie Lindup, Cr Rose Mitchell, Cr Daphne Simmons, Cr Corey Matthews

IN ATTENDANCE:

James Trail (Chief Executive Officer), Rebecca Horan (Director of Governance and Administration), Laura Dwyer (Director of Community and Development), Sheree Forward (Administration Officer)

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

MEMBERS OF THE PUBLIC

Jan McLeod

4 DECLARATIONS OF INTEREST

Nil

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 Candidate for Election, Code of Conduct for Employees

5 PUBLIC QUESTION TIME

CASAIR - 13C Mustang Road, Jandakot, WA, 6164

- 1. Please confirm that any lease of the Kambalda Aerodrome by the Shire and any lessee guarantee that other businesses will not be impacted throughout the term of the lease?**

The Shire is yet to confirm any lease proposal for the Kambalda Airport. The Business Plan seeks community and stakeholder comment on the proposed lease of the facility to Mineral Resources for 21 years. A key term of the proposed lease is the continued use/access of the facility by 3rd party users.

- 2. Please confirm that if there is to be a redevelopment of the Kambalda Aerodrome, that any redevelopment plans are consulted with and agreed to by the current users of the Aerodrome prior to any redevelopment commencing?**

The lease proposal includes an intent to spend \$30M on facilities at the Kambalda Airport over the next five years on runway and terminal upgrades. Appropriate consultation will be undertaken with stakeholders both prior to and during any upgrade works.

- 3. Please confirm that any plans for the redevelopment of the Kambalda Aerodrome will be published inclusive of the works plans and the impact statement on current business activities?**

Yes. Upgrade works at the Airport will require planning, building and other approvals. Community consultation is component of some of these approval processes. The Shire's intent is to have minimal disruption to existing users during upgrades.

- 4. Please confirm that if there is to be a period of unavailability of the Kambalda Aerodrome due to redevelopment, that the Shire of Coolgardie provide an alternative facility for the current users of the Kambalda Aerodrome for the period of unavailability, or alternatively compensate the businesses who are inconvenienced by any redevelopment? (It is unlikely that Kalgoorlie can accommodate this amount of aircraft traffic for other than adhoc weather events).**

The intent of the Shire is to maintain use of Kambalda Airport at all times where practicable.

- 5. Please confirm that The Shire of Coolgardie will tender the lease of the Kambalda Aerodrome, and provide timeline information as to when will the tender process commence and what that process will entail?**

The Business Plan highlights that the Shire is considering a proposal to lease the Airport to Mineral Resources under a private treaty arrangement. If this proposal proceeds, there will be no tender process.

- 6. Please confirm that The Shire of Coolgardie has given due consideration to the potential impact of leasing a key Shire asset to one business who will not have any interest on how that lease impacts on other businesses utilising that asset?**

The Business Plan highlights that the Shire is considering an unsolicited proposal to lease the Kambalda Airport. Through the six-week community consultation period the Shire is seeking community and business feedback on the proposal so that all issues/concerns can be considered prior to Council determining whether to proceed with the lease.

Karora Resources

1. Impact to Karora's existing flight schedules and landing slots/times?

The Shire has sought to ensure that access to Airport by 3rd party users is maintained throughout the proposed lease term.

2. Impacts accessing new slots/times in and out of the Kambalda Airport?

The terms of the proposed lease encourage 3rd party use/access to the facility through revenue sharing between the Shire and Mineral Resources.

3. Any additional costs or fees resulting from the leasing of the Airport to Mineral Resources (e.g. escalation rates, trigger points on PAX, flights, etc.)?

Under the proposed lease arrangement Mineral Resources would collect passenger fees in lieu of current arrangement where the Shire collects the fees. At this point in time there is no expectation that the fees to 3rd party users will be higher as a result of the proposed lease arrangement.

4. What is the plan to accommodate our current flight schedules when Mineral Resources undertake the expansion/upgrade - what is the alternative airport - Kalgoorlie?

The Shire's intent is to maintain use/access at the Kambalda Airport during proposed upgrade works wherever possible.

5. Who is responsible for any additional costs incurred during the expansion/upgrade?

The costs to upgrade the Kambalda Airport facility will be borne by Mineral Resources.

6. Impact on landing and layover for special charter flights (e.g. Board visit, etc.)?

The Shire's intent is to maintain use/access at the Kambalda Airport during proposed upgrade works wherever possible.

Wyloo Kambalda - Level 1, 8 Richardson Street, West Perth, WA, 6005

1. What steps (including, without limitation the preparation of a business plan under s.3.59 of the Local Government Act) have been taken by the Shire to determine the impact of a lease of Kambalda Airport on other interested parties who utilise that airport?

The Shire has released a Business Plan on the leasing proposal and is actively seeking feedback from the community and stakeholders on the matter. The Shire will consider all feedback and issues that are raised during the consultation period prior to determining whether to proceed with the proposed lease or not.

2. How has the Shire satisfied itself of the commercial appropriateness of a lease of Kambalda Airport to one party?

The Business Plan seeks feedback on a proposal to enter into a private treaty lease arrangement with Mineral Resources. The proposal includes provisions to ensure 3rd party access to the facility.

- 3. Has the Minister of Lands been consulted in relation to any of the proposed lease of Kambalda Airport having regard to the need for consent from the Minister to be obtained?**

The terms of the reserve vesting provided power to lease for up to 21 years with Ministerial approval. Once a final decision is made on the proposal the Shire will complete all statutory processes including seeking Ministerial consent for the lease.

Jan McLeod – Widgiemooltha

- 1. Why can't these Agenda items wait until the next Ordinary Meeting of Council Meeting 25th June which is in 2 weeks?**

It was determined a Special Meeting was required to determine the items.

- 2. What is the urgency to have a special meeting for each of the 3 agenda items?**

It was determined a meeting was required.

- 3. Item 9.1.1 Why is the Council approving the unbudgeted allocation in the 2024/2025 financial year when the 24/25 budget has yet to be approved?**

This matter was determined to be required to consider in June 2024 due to long lead time in order equipment.

- 4. Why couldn't this item be dealt with at the OCM June 25 as it is still within the 23/24 financial year?**

This matter was determined to be required to consider in June 2024 due to long lead time in order equipment.

- 5. What is the account name of account number 111007?**

Television and Broadcasting.

- 6. Why wait until now, 6 months later, for this item, when the original correspondence was sent in January regarding the tv transmission service?**

Question disregarded due to being operational. Not a question that should be asked by a member of the public.

- 7. Item 9.1.2 – Why is the front setback landscaping buffer (2m) less than the rear setback of 3 metres?**

The front setback is 6metres- the minimum landscaping along the street frontage to provide sufficient room for vehicle access and parking.

- 8. Considering the problems of the transport depot currently located within the Coolgardie townsite why is Council allowing another location when residents live in Gnarlbine Road?**

The Shire has been progressively and consistently taking actions to create opportunities for development within the townsite. The demand for these types of business activities is restricted due to limited land release zoned for these uses. The additional uses on this site include specific development conditions to manage noise and nuisance.

- 9. Will noise and emissions studies be done prior to any usage as a truck depot?**

The amendment includes additional uses and specific development conditions to manage noise, odour, dust and nuisance.

- 10. What research has been done and what are the details to show that there are no mining constraints?**

The land has been dedicated to Shire freehold, the issue has been dealt with.

- 11. This site was to accommodate the rodeo grounds and Horse Arena. Where are these to be located within the site?**

Lot 2435 is freehold ownership and accordingly has no mining constraints on the site that prevent development.

- 12. Odour is stated p17, 22. What preventative measures or restrictions will be placed on any potential industries so that there is not a repeat of the smell and midgie problem that is encountered during past Total Waste Management located on the main arterial road to Kalgoorlie ie New Celebration Road – Goldfields Highway, as you enter Boulder from Kambalda?**

The amendment includes additional uses and specific development conditions to manage noise, odour, dust and nuisance.

- 13. Why is the proposed lease of Kambalda Airport to Mineral Resources a confidential item when the original lease to Karora Resources wasn't and went out for public submission?**

The proposed lease arrangement includes commercial information. If the Council elected not to proceed with further consideration of the proposal, making that information public would not have been appropriate. Now that the Council has elected to consider the proposal further, the Business Plan that includes details on the proposal has been released and public comments on the Plan are being sought.

- 14. What are the current lease arrangements of Kambalda Airport as originally it was leased to Karora Resources for \$5,000/year and \$11 head tax?**

The Shire currently manages and operates the Kambalda Airport. There is no current lease arrangement with a 3rd party for the facility.

15. What has changed so that Kambalda Airport is now classed as a Major Trading Undertaking and Major Land Transaction when previously Council stated that it didn't qualify as one?

The nature and scale of the proposed lease transaction triggers the Major Trading Undertaking and Major Land Transaction provisions of the Local Government Act.

16. When and where can the Business Plan for the Kambalda Airport be viewed?

The Business Plan will be available on the Council's website. Hard copies will be available at Council administration facilities upon request.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 CONFIRMATION OF MINUTES OF PREVIOUS MINUTES

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

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.

COUNCIL RESOLUTION #83/2024

Moved: Cr Kathie Lindup

Seconded: Cr Sherryl Botting

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.

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Kathie Lindup, Rose Mitchell, Daphne Simmons and Corey Matthews

Against: Nil

CARRIED 7/0



23 May 2024

Shire of Coolgardie
PO Box 138
Kambalda WA 6442
by email: mail@coolgardie.wa.gov.au

Dear Sir/Madam

IMPORTANT UPDATE: ABC Digital TV services on Optus D2 will discontinue on 30 June 2024 - Broadcast Sites: Broadcast Site: Council Mast, 2437 Saumarez Street off Moran Street COOLGARDIE

This letter is to advise you that there will be changes to the distribution of ABC digital TV services and these changes may impact the self-help retransmission service that the council operates, if the input to the transmitter uses the Optus D2 satellite at 160°E. If the council is using ABC services available on the Viewer Access Satellite Television (VAST), your service will not be affected. This letter updates the information we sent in January.

The attached document provides you with instructions to ensure service continuity of your retransmission service. It is critical self-help retransmission providers follow these instructions within the timeframes to ensure continuity of ABC digital TV services. **The ABC's digital TV services on Optus D2 will now discontinue on 30 June 2024.** Alternatively, self-help communities can transition to using VAST services to continue receiving ABC services.

If you have any queries relating to this change, email Optus at: vastcams@optus.com.au, where technical staff will aim to assist. Support staff will be available during business hours from January to August 2024.

Please note that the ABC is not resourced to provide assistance with this change.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Rebecca Matthews', is written over a white background.

Rebecca Matthews
Head Content Management
Australian Broadcasting Corporation
email: advice.reception@abc.net.au

ABC SYDNEY ULTIMO CENTRE | 700 HARRIS ST, ULTIMO NSW 2007 | GPO BOX 9994 SYDNEY NSW 2001 | TEL +61 2 8333 1500 | ABC.NET.AU

Satellite Service Bulletin – Self-help providers guide

1. Purpose:

The ABC Digital TV services carried on Optus D2 satellite at 160°E started transitioning to alternate satellites on 30 January 2024.

This satellite service bulletin is provided to self-help retransmitters who use the ABC Digital Television Services distribution feeds as input feeds to self-managed transmitters, to inform them of the changes to the delivery of these feeds and the actions they need to undertake to keep receiving these feeds.

It is critical self-help retransmission providers follow the instructions in this bulletin within the timeframes if they want to ensure continuity of ABC digital TV services. Alternatively, self-help communities can transition to using VAST services to continue receiving ABC services.

This service bulletin provides information for the self-help provider to complete the adjustments required for the changes. This self-help guide can be downloaded from <https://www.myvast.com.au/>

If you have queries relating to the satellite reception, you can email: vastcams@optus.com.au where technical staff will aim to assist. Support staff will be available during business hours from January to August 2024.

Note

Self-help communities who use ABC services on VAST as input feeds to self-managed transmitters are not required to do any changes. There are no changes to ABC television and radio services on VAST carried on the Optus 10 and Optus D3 satellites at 156°E.

2. Overview of changes to ABC Digital TV services

Changes	ABC Digital TV Service Feeds	Alternate satellite	When	Configuration Change
1	Western Australia, Northern Territory and Queensland	Eutelsat 172B	Between 30 January 2024 and 30 June 2024	Change LNB, repoint dish to 172°E and retune receiver. See Section 3
2	NSW, Victoria and South Australia	Measat at 160°E	Between 17 June 2024 and 30 June 2024	Retune receiver. See Section 4

3. Group 1 (WA, NT, QLD) Frequency change, re-point and realign from 30 January 2024 to 30 June 2024

This change will impact your service and you should implement the changes outlined below to maintain reception of the ABC DTDS before 30 June 2024.

Starting from 30 January 2024 the ABC DTDS in Western Australia, Queensland and the Northern Territory will move from the current satellite operating at 160°E to another satellite operating at 172°E. The ABC DTDS service will continue to operate on Optus D2 until 30 June 2024, during the transition period.

1. The satellite receive frequency will change. The new satellite technical parameters are:

Satellite: Eutelsat 172B		Orbital slot: 172°E		Polarity: Vertical	
Channel	Frequency MHz	FEC	Modcod	Symbol rate	ISI code
ABC WA	11,043.75	4/5	16APSK	45 MSym/s	124
ABC NT	11,043.75	4/5	16APSK	45 MSym/s	123
ABC QLD	11,043.75	4/5	16APSK	45 MSym/s	126

2. The existing LNB (Low Noise Block Downconverter) you are currently using to receive the service may not be able to operate at the new satellite receive frequency.

If your LNB cannot operate at the required frequency, your LNB will need to be replaced.

You may wish to consider using an LNB with a switchable LO (Local Oscillator) to accommodate any future changes in satellite receive frequencies.

Please refer to the Appendix "What is the L-Band Tuning Frequency?" below on information about the LNB.

The satellite location will change from 160°E to 172°E. You will therefore need to re-point and realign the receiving antenna you use to the 172°E orbital slot before 30 June 2024.

Align polarity during installation as it will be different to the current polarity.

Check List:

- Go to the web site <https://www.myvast.com.au/> and download the latest version of this Self-Help guide.
- Review your current equipment and set up that receives the ABC DTDS satellite service.
- Assess if a new LNB is required based on the changes in receive frequency advised.
- Re-point and realign the satellite antenna and change receive frequencies as required.

The Western Australia, Northern Territory and Queensland services will need to be re-pointed and realigned to the new frequency before 30 June 2024.

4. Group 2 (NSW, VIC, SA) Frequency change between 17 June 2024 and 30 June 2024

This change will impact your service and you should retune your ABC receiver between 17 June 2024 and 30 June 2024 to the new satellite technical parameters outlined below to maintain reception of the ABC digital TV services.

Starting from 17 June, the ABC DTDS in NSW, Victoria and South Australia will move from the current satellite operating at 160°E to Measat 3a satellite operating at 160°E. The ABC DTDS service will continue to operate on Optus D2 until 30 June 2024, during the transition period.

Satellite: MEASAT 3a		Orbital slot: 160°E		Polarity: Horizontal	
Channel	Frequency MHz	FEC	Modcod	Symbol rate	ISI code
ABC NSW	12,356.50	5/6	8PSK	30 MSym/s	121
ABC SA	12,436.50	4/5	16APSK	30 MSym/s	122
ABC VIC	12,436.50	4/5	16APSK	30 MSym/s	125

Note: polarisation adjustment is not required

Check List:

- Go to the web site <https://www.myvast.com.au/> and download the latest version of this Self-Help guide.
- Retune your ABC receivers between 17 June 2024 and 30 June 2024 to the satellite technical parameters listed above.

Appendix - Technical Parameters of the Satellite Broadcast

What is the L-Band Tuning Frequency?

The input connection to a satellite receiver is usually L-Band (950 – 2,050 MHz).

The Low Noise Block Downconverter or LNB is in the front of the satellite antenna and converts the received signal from the satellite Ku-Band (~12,000 MHz) to the L Band range.

Depending on what LNB is fitted in your set up, the L-Band frequency will be different. The common Local Oscillator (LO) versions in Australia are as follows:

LNB LO Freq MHz	Old L-Band Freq MHz	New L-Band Freq MHz
11,300	1,169.70	1,357.50
10,700	1,769.70	1,957.50
10,600	1,869.70	2,057.50

It is possible that LNB with other LO frequencies have been installed.

Group 1 (WA, NT, QLD) providers require the LO frequencies to support 9,750 MHz (due to the operating frequencies of the satellite at 172°E and 10,600 MHz or 10,700 MHz (for potential future changes to the satellite).

You may wish to consider a switchable LNB that can accommodate future changes to the satellite service.

Group 1 (WA, NT, QLD) providers need to consider the above when re-pointing and re-tuning their receivers.

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.

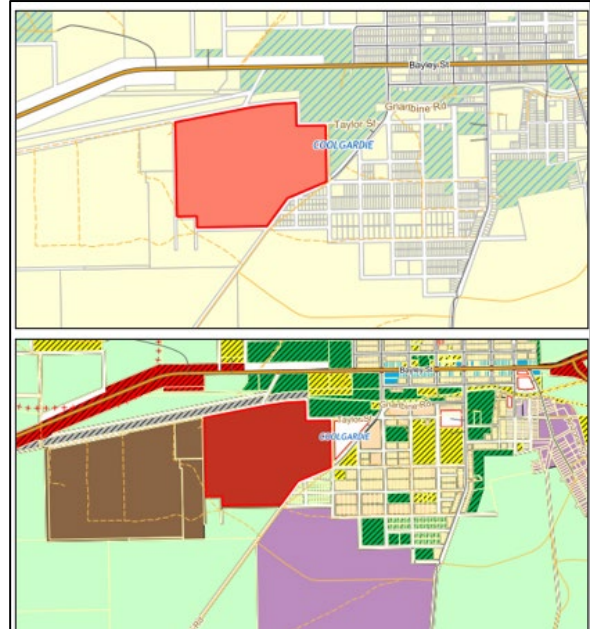
COMMENT

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

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.

COUNCIL RESOLUTION #84/2024

Moved: Cr Sherryl Botting

Seconded: Cr Tracey Rathbone

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.

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Kathie Lindup, Rose Mitchell, Daphne Simmons and Corey Matthews

Against: Nil

CARRIED 7/0

Attachment 1 - Location and Zoning Map

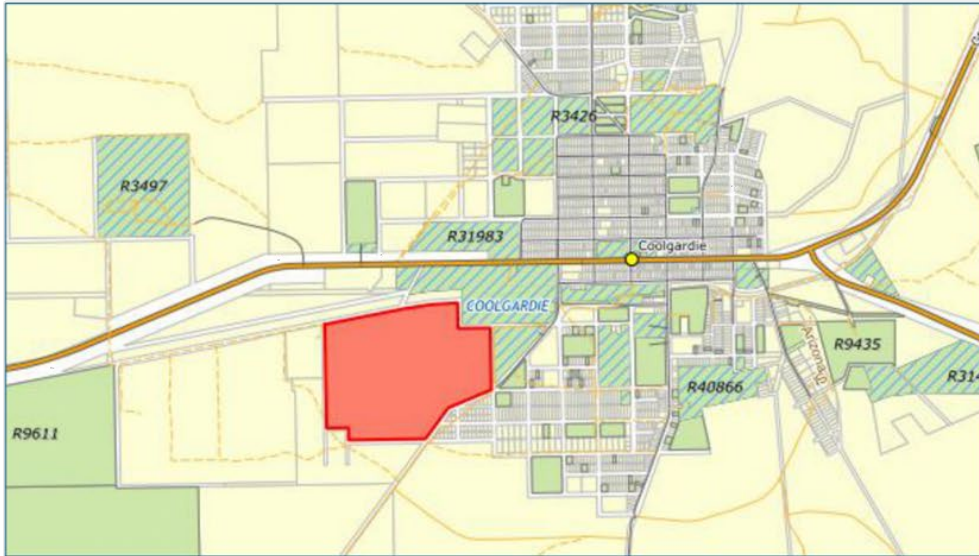


Figure 1 - Site location

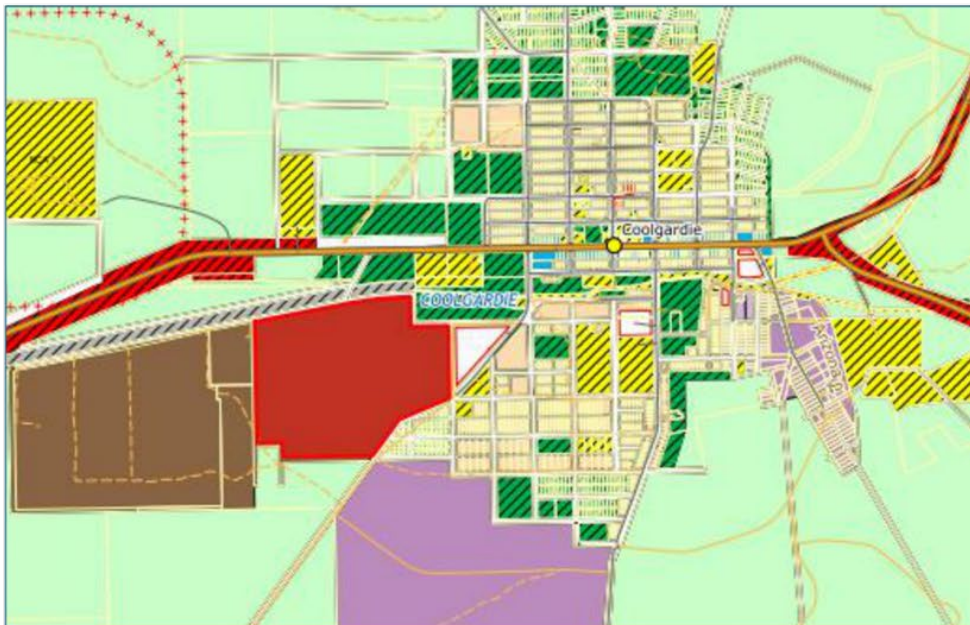


Figure 2 - Zoning Map

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**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.

COUNCIL RESOLUTION #85/2024

Moved: Cr Tracey Rathbone

Seconded: Cr Sherryl Botting

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.

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Kathie Lindup, Rose Mitchell, Daphne Simmons and Corey Matthews

Against: Nil

CARRIED 7/0

The meeting closed to the public at 4:15pm.

COUNCIL RESOLUTION #86/2024

Moved: Cr Kathie Lindup

Seconded: Cr Tracey Rathbone

A motion was moved that Council suspend standing orders.

In Favour: Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Kathie Lindup, Rose Mitchell, Daphne Simmons and Corey Matthews

Against: Nil

CARRIED 7/0

Standing orders were suspended at 4:18pm.

COUNCIL RESOLUTION #87/2024**Moved:** Cr Sherryl Botting**Seconded:** Cr Kathie Lindup**A motion was moved that Council resume standing orders.****In Favour:** Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Kathie Lindup, Rose Mitchell, Daphne Simmons and Corey Matthews**Against:** Nil**CARRIED 7/0**

Standing orders resumed at 4:46pm.

11.1 S.3.59 MAJOR TRADING UNDERTAKING AND MAJOR LAND TRANSACTION: PROPOSED LEASE OF KAMBALDA AIRPORT TO MINERAL RESOURCES LIMITED**OFFICER RECOMMENDATION**

That Council, in accordance with S3.59 of the Local Government Act, calls for public submissions on the Business Plan proposal to lease the Kambalda Airport to Mineral Resources Ltd for a period of 21 years.

COUNCIL RESOLUTION #88/2024**Moved:** Cr Kathie Lindup**Seconded:** Cr Sherryl Botting**That Council, in accordance with S3.59 of the Local Government Act, calls for public submissions on the Business Plan proposal to lease the Kambalda Airport to Mineral Resources Ltd for a period of 21 years.****In Favour:** Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Kathie Lindup, Rose Mitchell and Corey Matthews**Against:** Cr Daphne Simmons**CARRIED 6/1****OFFICER RECOMMENDATION**

That Council moves out of Closed Council into Open Council.

COUNCIL RESOLUTION #89/2024**Moved:** Cr Kathie Lindup**Seconded:** Cr Sherryl Botting**That Council moves out of Closed Council into Open Council.****In Favour:** Crs Malcolm Cullen, Tracey Rathbone, Sherryl Botting, Kathie Lindup, Rose Mitchell, Daphne Simmons and Corey Matthews

Against: Nil

CARRIED 7/0

The meeting reopened to the public at 4:54pm.

12 CLOSURE OF MEETING

The Meeting closed at 4:55pm.