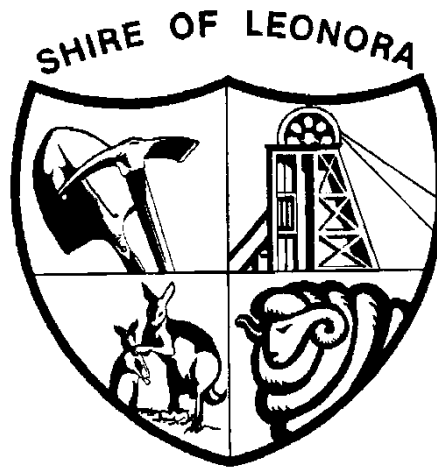


SHIRE OF LEONORA



**MINUTES OF ORDINARY COUNCIL MEETING
HELD IN COUNCIL CHAMBERS, LEONORA
ON TUESDAY 17TH OCTOBER, 2023
COMMENCING AT 9:30AM.**

SHIRE OF LEONORA
ORDER OF BUSINESS FOR MEETING HELD
TUESDAY 17TH OCTOBER, 2023.

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1.0 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

1.1 The Chairperson, Shire President Cr PJ Craig declared the meeting open at 9:26am.

1.2 Visitors or members of the public in attendance

At 9:30am Rayleigh Finlayson and Troy Irvin, Genesis Minerals Ltd.

The Chairperson Shire President, Cr PJ Craig invited Mr Rayleigh Finlayson and Troy Irvin to address Council.

Mr Finlayson thanked Council for seeing him and provided an overview of Genesis Minerals Ltd (Genesis) progress to date including future endeavours such as the re-development of Tower Hill and restoration work to the State Hotel.

He reaffirmed Genesis commitment to working alongside Council and encouraged requests for his attendance at any future formal or informal meetings by Council.

Early next year, currently looking at 11 March 2023, Genesis would like to host a Strategy Day in Gwalia for community stakeholders and Genesis staff and board members. They would like to present their 5 year plan which will provide firm details regarding the discussion points today.

Cr PJ Craig thanked Mr Finlayson and Mr Irvin for their update and, and invited questions from Council.

Some discussion occurred around how the Shire's future plans could tie into what has been discussed, and further clarification on some points was provided.

Shire President, Cr PJ Craig thanked Mr Finlayson and Mr Irvin for the information provided.

Mr Finlayson and Mr Irvin left the meeting at 9:50am

Executive Assistant Mrs Anna Matson left the meeting at 9:51am

Executive Assistant Mrs Anna Matson returned at 9:52am

2.0 DISCLAIMER NOTICE

3.0 COUNCIL MEETING INFORMATION NOTES

4.0 PUBLIC QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4.2 PUBLIC QUESTION TIME

Nil

ORDINARY COUNCIL MEETING MINUTES**5.0 ANNOUNCEMENT FROM THE PRESIDING MEMBER**

Shire President, Cr PJ Craig made the following announcements;

- 5th October, 2023, the GEDC held their board meeting at the Council Chambers.
 - The Shire was invited to speak to the GEDC to provide an update on the area, had a very positive meeting, not many negative points.
 - Discussed Tjiwarl and the state government's commitment there, with emphasis on the Shire of Leonora being involved in future discussions, including any working groups that may result from this endeavour.
 - GEDC were also provided a small tour of the town including the Ageing in Place facility.
- Would like to thank Cr Moore for her contribution over the last two terms. It has been a pleasure having her input into Council over the years.
- Welcomed Anna Matson to the Shire and the Administration team as the Executive Assistant.
- Noted that he and Alex Baxter the Community, Youth and Place Coordinator were going to Adelaide for the National Parks and Leisure Conference as Leonora is a finalist for Playspace less than \$500,000.

Mr Kristjan Ilves from Linkforce entered the meeting at 9:56am

Shire President Cr PJ Craig welcomed Mr Ilves to the meeting and enquired if he had something he would like to ask of Council.

Mr Ilves thanked Council for the opportunity and asked if there was any update on the current occupations included in the Goldfields DAMA. This question was taken on notice.

6.0 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE**6.1 Attendance****President (Chairperson)****PJ Craig****Deputy President****RA Norrie****Councillors****RM Cotterill****F Harris****AE Taylor****LR Petersen****Chief Executive Officer****TD Matson****Deputy Chief Executive Officer****L Trevenen****Executive Assistant****A Matson****Projects Officer****K Lord****Visitors****R Finlayson (9:30am - 9:50am)****T Irvin (9:30am - 9:50am)****K Ilves (from 9:56am)****6.2 Apologies**

Nil

ORDINARY COUNCIL MEETING MINUTES

6.3 Applications for Leave of Absence

Councillor AM Moore requested a leave of absence from the meeting to be held today, 17 October 2023.

COUNCIL DECISION

Moved: Cr RA Norrie

Seconded: Cr F Harris

That Councillor AM Moore be granted a leave of absence from the meeting to be held today, 17 October 2023.

CARRIED (6 VOTES TO 0)

**6.4 Approved Leave of Absence
Councillors**

AM Moore

7.0 DECLARATION OF INTEREST

7.1 Declaration of Financial Interest
Nil

7.2 Declaration of Proximity Interest
Nil

7.3 Declaration of Impartiality Interest
Nil

8.0 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING

COUNCIL DECISION

Moved: Cr RA Norrie

Seconded: Cr LR Petersen

That the minutes of the Ordinary Council Meeting held on 26 September, 2023 be confirmed.

CARRIED (6 VOTES TO 0)

9.0 PRESENTATIONS

9.1 Petitions
Nil

9.2 Presentations

Nil

9.3 Deputations

Nil

9.4 Delegates Reports

Nil

10.0 REPORTS

10.1 REPORTS OF #SAFERLEONORA COMMITTEE

Nil

10.0 REPORTS

10.2 REPORTS OF AUDIT AND RISK COMMITTEES

Nil

10.0 REPORTS**10.3 CHIEF EXECUTIVE OFFICER REPORTS****10.3.(A) CHANGING METHODS OF VALUATION OF LAND**

SUBMISSION TO:	Ordinary Council Meeting Meeting Date: 17th October 2023
AGENDA REFERENCE:	10.3.(A) OCT 23
SUBJECT:	Changing Methods of Valuation of Land
LOCATION/ADDRESS:	Leinster (M36/24)
NAME OF APPLICANT:	Shire of Leonora
FILE REFERENCE:	14.10
AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT	
NAME:	Ty Matson
OFFICER:	Chief Executive Officer
INTEREST DISCLOSURE:	Nil
DATE:	4th October 2023
SUPPORTING DOCUMENTS:	1. Bellevue Gold Project - Technical Description

BACKGROUND

In the past, Council has agreed to the principle of applying 'spot rating' to accommodation villages of various mining sites.

At the meeting held on 20 June 2023, Council commenced the process for a Change of Method of Valuation and accordingly resolved at Item 10.2.(B)

- *That Council commence formalities for changing the method of valuation for the accommodation village and associated infrastructure located on M 36/24 – Golden Spur Resources Pty Ltd (Bellevue Gold Mine).*

CONSULTATION

As a compliance requirement to the DLGSC Rating Policy – Valuation of Land – Mining, a letter explaining Council's proposal was forwarded to Golden Spur Resources Pty Ltd following the 20 June 2023 Council meeting. The policy stipulates that the holder is to be given at least 28 days after receiving the information to make submissions to the local government on the proposal.

As a final point and to put the matter beyond all doubt for compliance with the Department's guidelines, the consultation advice of the Shire's GRV rating intentions were sent on 27 July 2023 (electronically) to the company mentioned above. As a period of at least 28 days from receipt of the Shire's correspondence is to be allowed for the lodgement of submissions, the closure time was set at 4.30 pm on Friday 1 September 2023.

No submission was received.

ORDINARY COUNCIL MEETING MINUTES

The Bellevue village will be the ninth mining village within the Shire of Leonora to be placed under the GRV rating umbrella and will sit comfortably in second place behind the sizable Agnew operation.

The unfortunate outcome is that rating is a tax and the Shire is bound by those same principles as the Minister's determinations pursuant to section 6.28(1) of the Local Government Act 1995.

Those principles are the key values of:

- Objectivity
- Fairness and Equity
- Consistency
- Transparency and Administrative Efficiency

The Shire's position is that it needs to observe these key values with consistency and it is therefore the local government's desire to implement GRV rating of the Bellevue mining village in the same manner as has been done for the previous eight mining villages within the Shire of Leonora.

COMMENT

The principal details relevant to the change of method of valuation for part of M 36/24, are set out below:

PROPOSED CHANGE OF METHOD OF VALUATION OF LAND:**Golden Spur Resources Pty Ltd****Property Details:**

Assessment 4028	M 36/24
Name	Bellevue Gold Project
Location	Leinster

Improvements:

Accommodation Village	Accommodates up to 332 persons
Mine Life	Bellevue – 7.4 years

Valuation System

Current UV rating for M 36/24 (A.4028)	\$15,089.25 (2022/23 rates for the whole of the tenement area)
Proposed GRV (notional) – village	\$1,100,000
Notional 2022/23 rating (without phase-in)	\$77,600 (full year)
Estimated Effective Date	1 December 2023 (2023/24 rates will be pro-rata)

Similar Properties:

Currently there are seven other mining operations in the Shire that are subject to GRV 'spot rating'. In addition, a further mining camp is located within the Leonora town site.

Phase-in Consideration:

Any proposal for a change of method of valuation should also include consideration as to whether there should be a phase-in of the intended change. As mentioned elsewhere, Schedule 6.1 enables a local government to phase-in the impact of the change over a period of three years.

In practical terms, such a move would ameliorate the financial impact on the Bellevue operation quite considerably. Instead of being faced with the total impact immediately, the extra cost would be borne progressively by one third in Year 1, two thirds in Year 2 and finally, the full impact in Year 3. This would result in the operators saving approximately one year's impact of the new rating impost over the triennium.

From the Shire's point of view, the cost (reduced income) of a phase-in for the Bellevue accommodation village based on 2022/23 notional Year 1 full rating, would be more than \$77,600 over the triennium.

A further dissuasion to the use of the phase-in approach also arises due to the 12-month embargo on capital improvements, as entrenched in the Government's policy. Consequently, the implementation of the phase-in approach would indeed equate to the loss of about one year's impact of the new rating impost, plus of course the loss of at least a further 12 months rates portion imposed because of the embargo. The rating principle pursued by the Shire over several decades with each of the other mining camps (prior to the current policy), has been to consistently apply the full rating capacity from the outset.

Consequently, to allow a further concession on potential rating income would of course add to the issue of equity being applied across the board.

For the reasons stated above, it is considered the phase-in approach should not be used on this occasion.

STATUTORY ENVIRONMENT

Local Government Act 1995

Section 6.28 – Stipulates that the Minister for Local Government is responsible for determining the method of valuation of land to be used by a local government as the basis for a rate.

In determining the method of valuation, the Minister is to have regard to the general principle that the basis for a rate is to be:

- Where the land is used predominately for rural purposes, the UV of the land; and
- Where the land is used predominately for non-rural purposes, the GRV of the land.

Section 6.31 – Enables a local government to phase-in valuations in accordance with the provisions of Schedule 6.1.

Schedule 6.1(2) – Deals with phasing-in of valuations where a determination is made by the Minister under section 6.28 to change the method of valuing land from UV to GRV. A local government may phase-in the impact (cost) of the change over a three-year period.

POLICY IMPLICATIONS

Council has no policies in respect to this matter.

Minister for Local Government – Valuation of Land - Mining

FINANCIAL IMPLICATIONS

Currently the land on which the Bellevue accommodation village is located, is rated on unimproved valuations. This takes no account of the infrastructure sitting on the land. A change to GRV will provide an increase in rate revenue when the infrastructure is brought to account.

Notional values are now to hand and on a rating basis over 2022/23, the following income gain can be calculated:

Bellevue accommodation village (M 36/24), \$1,100,000 @7.06c rate in the dollar (2022/23) = \$77,600.

On the expenditure side, there are some upfront costs. The first of these relates to the indicative GRV which cost \$1,010. The second expenditure item is for the survey of the relevant site to enable a formal description of the rating area in the Government Gazette following the Minister's approval.

Fortunately, the survey cost for the Bellevue village will be markedly different to that experienced in the past for previous applications to the Minister. This arises because Landgate – Property & Valuations, was able to provide this service at a cost of \$500.

Later, there will be a further cost from Landgate – Property & Valuations in respect to the supply of a formal GRV. It is not known what this cost will be.

STRATEGIC IMPLICATIONS

The change in method of valuation for the new mining village will enable the Shire to maintain consistency in its rating approach of similar ventures

RECOMMENDATIONS

That Council in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, prepare an application to the Minister for Local Government, Sporting and Cultural Industries, to change the basis of rating from Unimproved Values to Gross Rental Values, for the following mining operation:

- Golden Spur Resources Pty Ltd
- Bellevue Gold Limited accommodation village – Part of M 36/24 (Ass 4028) – with effect from 1 December 2023, or thereabouts.
- Technical Description:
All that portion of land being part of Reserve 9699 starting from a point at coordinate 257600.0 metres East, 6944100.0 metres North (MGA94 Zone 51) and extending easterly 90 degrees, 0 minutes, 0.0 seconds, 700.0 metres; thence southerly 180 degrees, 0 minutes, 0.0 seconds, 500.0 metres; thence westerly 270 degrees, 0 minutes, 0.0 seconds, 700.0 metres; thence northerly 0 degrees, 0 minutes, 0.0 seconds, 500.0 metres to the starting point.

Approximate Area: 35.0 hectares

VOTING REQUIREMENT

Simple Majority

ORDINARY COUNCIL MEETING MINUTES

COUNCIL DECISION

Moved: Cr AE Taylor

Seconded: Cr LR Petersen

That Council in accordance with the provisions of section 6.28 of the *Local Government Act 1995*, prepare an application to the Minister for Local Government, Sporting and Cultural Industries, to change the basis of rating from Unimproved Values to Gross Rental Values, for the following mining operation:

- Golden Spur Resources Pty Ltd
- Bellevue Gold Limited accommodation village – Part of M 36/24 (Ass 4028) – with effect from 1 December 2023, or thereabouts.
- Technical Description:
All that portion of land being part of Reserve 9699 starting from a point at coordinate 257600.0 metres East, 6944100.0 metres North (MGA94 Zone 51) and extending easterly 90 degrees, 0 minutes, 0.0 seconds, 700.0 metres; thence southerly 180 degrees, 0 minutes, 0.0 seconds, 500.0 metres; thence westerly 270 degrees, 0 minutes, 0.0 seconds, 700.0 metres; thence northerly 0 degrees, 0 minutes, 0.0 seconds, 500.0 metres to the starting point.

Approximate Area: 35.0 hectares

CARRIED (6 VOTES TO 0)

This page is a placeholder for a single page of a PDF attachment. It will be replaced by the actual PDF page when the PDF version of this document is generated.

Report: Changing Methods of Valuation of Land

Attachment: Belleview Gold Project - Technical Description

Page: 1

10.0 REPORTS**10.3 CHIEF EXECUTIVE OFFICER REPORTS****10.3.(B) PROPOSED INSTALLATION OF SELF SERVICE AVGAS AT LEONORA AIRPORT**

SUBMISSION TO: Ordinary Council Meeting
Meeting Date: 17th October 2023

AGENDA REFERENCE: 10.3.(B) OCT 23

SUBJECT: Proposed Installation of Self Service Avgas at Leonora Airport

LOCATION/ADDRESS: Leonora Aerodrome

NAME OF APPLICANT: NA

FILE REFERENCE: 3.2 Traffic and Transport

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: Ty Matson

OFFICER: Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 11th October 2023

SUPPORTING DOCUMENTS: Nil

BACKGROUND

Leonora Airport currently offers both Jet A1 and Avgas to aircraft using the facility. JetA1 is used for jet aircraft and is provided through a self-serve facility owned and operated by Air BP. JetA1 cannot be used by piston aircraft.

Avgas is used by piston aircraft including fixed wing and light helicopters. It is currently sold by the Shire through the sale of 200 litre drums. A purchaser must buy the whole drum as it is not currently possible to accurately decant the drum into lesser amounts. This causes unnecessary cost to the public where they are not able to use all of the fuel within the drum. The airport is the only facility in the Northern Goldfields that provides access to Avgas.

The Leonora Airport is seeing increased usage from light aircraft. The increased use of the airfield is by operators of survey aircraft, clubs and tourists along with existing demand from stations for use in helicopters. . The current requirement for shire staff to facilitate fuel access combined with the cost is seen as a limitation to the increased usage of the airport.

In the recent Work Health and Safety review the handling of 200 litre drums was identified as a area of concern. This is due to both the physical handling of the drums and the potential for fire.

In order to improve the service provided to users of the airport and minimise the risks to staff alternative fuel delivery options were explored. The only viable option is to install a bowser and tank allowing self-service and metered fuel delivery. Payment will be through a card system.

Quotes were sourced from multiple venders however only one response was received. This was from Fuel Equipment. The current supplier of JetA1, Air BP were not interested in providing the

ORDINARY COUNCIL MEETING MINUTES

service however they would be able to provide Avgas if required. Avgas is also available through an alternative supplier.

The Fuel Equipment product is a 5000 litre self-bunded tank. The price included a card reader, hose reel and pump. This will allow users to obtain fuel 24 hours a day without the need for Shire staff.

STATUTORY ENVIRONMENT

The *Local Government Act 1995* states;

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*

POLICY IMPLICATIONS

There are no identified policy implications.

FINANCIAL IMPLICATIONS

The cost of the equipment is \$150,000 and additional transportation and installation costs will be required. The total cost is anticipated to be \$200,000 and has not been budgeted for in the current budget.

It is recommended that \$200,000 be transferred from the Aerodrome Reserve account. The Aerodrome Reserve account currently has a balance of \$996,452.

Should Council resolve to install and operate the equipment then an addition to the Fees and Charges Schedule must be included. It is recommended that Avgas be sold at cost plus 10%. The additional 20% will seek to offset the costs of purchase, maintenance and operation of the equipment.

STRATEGIC IMPLICATIONS

There are no strategic implications resulting from the recommendation of this report.

RECOMMENDATIONS

1. That Council:
 - (a) Approve the purchase of the self-bunded Avgas tank and associated equipment;
 - (b) Approve the transfer of \$200,000 from the Aerodrome Reserve Account to cover the purchase transport and installation costs; and
 - (c) Amend the Fees and Charges schedule to include the sale of Avgas at cost plus 20% of the purchase price.

ORDINARY COUNCIL MEETING MINUTES

VOTING REQUIREMENT

Absolute Majority

COUNCIL DECISION

Moved: Cr LR Petersen

Seconded: Cr RM Cotterill

1. That Council:
 - (a) Approve the purchase of the self-bunded Avgas tank and associated equipment;
 - (b) Approve the transfer of \$200,000 from the Aerodrome Reserve Account to cover the purchase transport and installation costs; and
 - (c) Amend the Fees and Charges schedule to include the sale of Avgas at cost plus 20% of the purchase price.

CARRIED BY ABSOLUTE MAJORITY (6 VOTES TO 0)

10.0 REPORTS**10.3 CHIEF EXECUTIVE OFFICER REPORTS****10.3.(C) PROVISION OF A AGING IN PLACE UNIT TO A CURRENT STAFF MEMBER FOR THE PURPOSE OF A PROVISION OF A CARETAKER.**

SUBMISSION TO:	Ordinary Council Meeting Meeting Date: 17th October 2023
AGENDA REFERENCE:	10.3.(C) OCT 23
SUBJECT:	Provision of a Aging in Place unit to a current staff member for the purpose of a provision of a caretaker.
LOCATION/ADDRESS:	Shire of Leonora Aging In Place Facility
NAME OF APPLICANT:	NA
FILE REFERENCE:	4.9
AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT	
NAME:	Ty Matson
OFFICER:	Chief Executive Officer
INTEREST DISCLOSURE:	Nil
DATE:	11th October 2023
SUPPORTING DOCUMENTS:	Nil

BACKGROUND

The Shire of Leonora is in the final stages of completing the Aging in Place facility. The facility is a complex of 8 two bedroom units and are fully self contained. The accommodation units will provide a age friendly option for residents to support the ongoing independence and health of residents in a supportive age friendly environment.

The Shire is responsible for the allocation and ongoing management of the facility. Council has previously adopted a policy *C.4.7 Ageing in Place Village* (the policy). The policy sets out the following criteria for the provision of housing to applicants:

1. Be an Australian citizen or permanent resident and able to prove your identity.
2. Live in Western Australia and have a connection with the broader Leonora community.
3. Not earn in excess of the income set out under the National Rental Affordability Scheme (as per the Community Housing Income and Asset Limits (CHIAL) Policy 2020).
4. Not hold assets in excess of the amounts set out in the National Rental Affordability Scheme (as per the CHIAL).
5. Not be a the owner or part owner of a property in Leonora that constitutes another viable housing option.
6. At least one applicant must be over the age of 65 or over the age of 55 for people who identify as Aboriginal or Torres Straight Islander.

Administration are currently reviewing options on how to manage the assessment of applications for the units against the policy. It is likely that this may be outsourced to a suitably qualified Real Estate Agent who will also draft up the Residential Tenancy Agreements.

As there are no Real Estate Agents in Leonora it is likely that this service will be provided remotely. This may present difficulties with the day to day management of the facility and communication with residents. Some residents may not be skilled in electronic communication such as emails or comfortable speaking with a person from a different town who they may not know. It is also likely that a substantial weekly fee will be charged per unit. In order to negate this cost and provide a better communication pathway with residents that one unit will be reserved for a caretaker.

The caretaker would be responsible for communicating with the residents on issues they may be experiencing with their accommodation such as maintenance items. The caretaker would also be responsible for reporting to the CEO issues experienced by the tenants such as disruptive tenants or other ongoing external factors that are impacting on liveability.

It is proposed that the CEO be delegated to;

- Appoint or remove a person as the caretaker of the Aging in Place units;
- Allocate a unit to the caretaker at the standard rent charged to Shire if Leonora employees which is currently \$65 per week.
- Allocate a unit to a caretaker who may not otherwise meet all criteria set out in the policy but who as close as policy meets the criteria. This is likely to be a Shire employee who meets the age requirements but due to being in full time employment may exceed the income threshold.

STATUTORY ENVIRONMENT

The *Local Government Act 1995* states:

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under-
 - (a) this Act other than those referred to in section 5.53; or....

2.7. Role of council

- (1) The council —
 - (a) governs the local government's affairs; and
 - (b) is responsible for the performance of the local government's functions.
- (2) Without limiting subsection (1), the council is to —
 - (a) oversee the allocation of the local government's finances and resources; and
 - (b) determine the local government's policies.

A policy sets out how Council would like administration to provide a service or interpret a particular legal provision. The adoption of a policy does create a law or legal provision. The contravention of a policy may however lead to a breach of employment conditions and or a code of conduct unless authorisation is provided by Council.

ORDINARY COUNCIL MEETING MINUTES

POLICY IMPLICATIONS

This item is seeking the provision of delegated authority to the CEO to appoint a caretaker who may or may not meet all criteria as set out in Councils

FINANCIAL IMPLICATIONS

The rent of the units has not yet been determined. Allocation of a single unit at the set rate of \$65 per week may result in a shortfall of what the Shire may otherwise of recouped in rent. However the provision of services as outlined in the Caretaker duties is likely to achieve a overall cost savings for the Shire. The actual costs have not been calculated at this stage.

STRATEGIC IMPLICATIONS

There are no identified strategic implications should Council adopt the recommended resolution.

RECOMMENDATIONS

1. That Council delegate to the CEO the power to appoint a caretaker for the Aging in Place village; and
2. Delegate to the Chief Executive Officer the power to allocate an Aging in Place unit to a care taker who may not meet all of the criteria as outlined in policy C.4.7 Ageing in Place Village

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION

Moved: Cr RA Norrie

Seconded: Cr RM Cotterill

1. That Council delegate to the CEO the power to appoint a caretaker for the Aging in Place village; and
2. Delegate to the Chief Executive Officer the power to allocate an Aging in Place unit to a care taker who may not meet all of the criteria as outlined in policy C.4.7 Ageing in Place Village

CARRIED (6 VOTES TO 0)

ORDINARY COUNCIL MEETING MINUTES**10.0 REPORTS****10.4 DEPUTY CHIEF EXECUTIVE OFFICER REPORTS****10.4.(A) MONTHLY FINANCIAL STATEMENTS - SEPTEMBER, 2023**

SUBMISSION TO:	Ordinary Council Meeting Meeting Date: 17th October 2023
AGENDA REFERENCE:	10.4.(A) OCT 23
SUBJECT:	Monthly Financial Statements - September, 2023
LOCATION/ADDRESS:	Nil
NAME OF APPLICANT:	Nil
FILE REFERENCE:	Nil
AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT	
NAME:	Lee-Anne Trevenen
OFFICER:	Deputy Chief Executive Officer
INTEREST DISCLOSURE:	Nil
DATE:	12th October 2023
SUPPORTING DOCUMENTS:	1. Monthly Financial Statements September 2023

BACKGROUND

In complying with the Local Government *Financial Management Regulations 1996*, a monthly statement of financial activity must be submitted to an Ordinary Council meeting within 2 months after the end of the month to which the statement relates. The statement of financial activity is a complex document but gives a complete overview of the “cash” financial position as at the end of each month. The statement of financial activity for each month must be adopted by Council and form part of the minutes.

It is understood that parts of the statement of financial activity have been submitted to Ordinary Council meetings previously. In reviewing the Regulations the complete statement of financial activity is to be submitted, along with the following reports that are not included in the statement.

Monthly Financial Statements for the month ended 30th September, 2023 consist of:

- (a) Compilation Report
- (b) Statement of Financial Activity – 30th September, 2023
- (c) Material Variances – 30th September, 2023

STATUTORY ENVIRONMENT***Part 4 — Financial reports— s. 6.4***

34. *Financial activity statement report – s. 6.4*

(1A) *In this regulation —*

committed assets means revenue unspent but set aside under the annual budget for a specific purpose.

34. (1) *A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —*
- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c);*
 - (b) budget estimates to the end of the month to which the statement relates;*
 - (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
 - (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
 - (e) the net current assets at the end of the month to which the statement relates.*
34. (2) *Each statement of financial activity is to be accompanied by documents containing —*
- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;*
 - (b) an explanation of each of the material variances referred to in subregulation (1)(d); and*
 - (c) such other supporting information as is considered relevant by the local government.*
34. (3) *The information in a statement of financial activity may be shown —*
- (a) according to nature and type classification; or*
 - (b) by program; or*
 - (c) by business unit.*
34. (4) *A statement of financial activity, and the accompanying documents referred to in subregulation (2), are to be —*
- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
 - (b) recorded in the minutes of the meeting at which it is presented.*
34. (5) *Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.*

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications resulting from the recommendation of this report.

ORDINARY COUNCIL MEETING MINUTES

RECOMMENDATIONS

That Council accept the Monthly Financial Statements for the month ended 30th September, 2023 consisting of:

- (a) Compilation Report
- (b) Statement of Financial Activity – 30th September, 2023
- (c) Material Variances – 30th September, 2023

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION

Moved: Cr RA Norrie

Seconded: Cr AE Taylor

That Council accept the Monthly Financial Statements for the month ended 30th September, 2023 consisting of:

- (a) Compilation Report
- (b) Statement of Financial Activity – 30th September, 2023
- (c) Material Variances – 30th September, 2023

CARRIED (6 VOTES TO 0)

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Report: Monthly Financial Statements - September, 2023

Attachment: Monthly Financial Statements September 2023

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Report: Monthly Financial Statements - September, 2023

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ORDINARY COUNCIL MEETING MINUTES**10.0 REPORTS****10.4 DEPUTY CHIEF EXECUTIVE OFFICER REPORTS****10.4.(B) ACCOUNTS FOR PAYMENT - OCTOBER, 2023**

SUBMISSION TO: Ordinary Council Meeting
Meeting Date: 17th October 2023

AGENDA REFERENCE: 10.4.(B) OCT 23

SUBJECT: Accounts for Payment - October, 2023

LOCATION/ADDRESS: Nil

NAME OF APPLICANT: Nil

FILE REFERENCE: Nil

AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT

NAME: Lee-Anne Trevenen

OFFICER: Deputy Chief Executive Officer

INTEREST DISCLOSURE: Nil

DATE: 12th October 2023

SUPPORTING DOCUMENTS: 1. Accounts for Payment - October, 2023

BACKGROUND

Attached statements consist of accounts paid by Delegated Authority totalling **\$1,385,477.09** since the previous council meeting consisting of:

- (1) Direct Bank Transactions numbered from **2972** to **2998** and totalling **\$58,597.91**;
 - a. Includes Credit Card Payments of **\$24,562.57** for **September, 2023**; and
- (2) Batch Payments **195, & 196**, totalling **\$1,240,886.45**; and
- (3) Payroll Payments from **Pay Periods Ending 18/09/2023, & 03/10/2023** totalling **\$85,992.73**

STATUTORY ENVIRONMENT

Local Government Act 1995 S6.10 & *Financial Management (1996)* Regulation 12 & 13 apply to how the information is to be presented within this report for authorisation by Council.

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications resulting from the recommendation of this report.

ORDINARY COUNCIL MEETING MINUTES

RECOMMENDATIONS

That Council accepts the accounts for payment, as detailed:

- (1) Direct Bank Transactions numbered from **2972** to **2998** and totalling **\$58,597.91**;
 - a. *Includes Credit Card Payments of \$24,562.57 for September, 2023; and*
- (2) Batch Payments **195, & 196**, totalling **\$1,240,886.45**; and
- (3) Payroll Payments from **Pay Periods Ending 18/09/2023, & 03/10/2023** totalling **\$85,992.73**

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION

Moved: Cr RM Cotterill

Seconded: Cr LR Petersen

That Council accepts the accounts for payment, as detailed:

- (1) Direct Bank Transactions numbered from **2972** to **2998** and totalling **\$58,597.91**;
 - a. *Includes Credit Card Payments of \$24,562.57 for September, 2023; and*
- (2) Batch Payments **195, & 196**, totalling **\$1,240,886.45**; and
- (3) Payroll Payments from **Pay Periods Ending 18/09/2023, & 03/10/2023** totalling **\$85,992.73**

CARRIED (6 VOTES TO 0)

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10.0 REPORTS**10.5 ENVIRONMENTAL HEALTH OFFICER REPORTS****10.5.(A) DEVELOPMENT APPLICATION FOR WORKERS ACCOMMODATION IN LIGHT INDUSTRY ZONE**

SUBMISSION TO:	Ordinary Council Meeting Meeting Date: 17th October 2023
AGENDA REFERENCE:	10.5.(A) OCT 23
SUBJECT:	Development Application for Workers Accommodation in Light Industry Zone
LOCATION/ADDRESS:	Lot 13 (No. 64) Kurrajong Street, Leonora
NAME OF APPLICANT:	Sandra Kelly, Neil Kelly, and Adam Kelly
FILE REFERENCE:	21.1.0
AUTHOR, DISCLOSURE OF ANY INTEREST AND DATE OF REPORT	
NAME:	Ty Matson
OFFICER:	Chief Executive Officer
INTEREST DISCLOSURE:	Nil
DATE:	12th October 2023
SUPPORTING DOCUMENTS:	<ol style="list-style-type: none"> Attachment 1 - Development Plans Attachment 2 - Planning Submission

SUMMARY

The Shire has received a development application seeking approval for 'Workers Accommodation' and for the 'Storage of Plant and Equipment' (**proposed development** or **proposal**). The proposal is located at Lot 13 (No. 64) Kurrajong Street, Leonora (**subject site** or **site**) and includes the provision of two (2) sea containers with a dome roof for storage (already on-site) and three (3) modules of transportable buildings: two (2) of these modules are to house the workers and the third is proposed as an office.

Each transportable module consists of a bedroom unit and a separate kitchen, laundry and lounge unit connected via decking and a roof structure.

The balance of the site is proposed to be utilised for the parking of commercial vehicles (service trucks for Goldfields Controlled Waste).

Two (2) 12m leach drains are proposed for on-site effluent disposal. Reticulated water mains exist on the eastern side of the street and the Applicant has advised that they have paid for a water meter connection. No rainwater tanks have been proposed.

The proposed development can be categorised as 'Transport Depot', 'Warehouse/Storage' and 'Workforce Accommodation', all of which are capable of approval.

The proposal seeks variations to the following provisions of the Shire of Leonora Local Planning Scheme No. 2 (**LPS2** or **Scheme**):

- Schedule 2, clause 3(a) – Setback from street alignment; and
- Schedule 2, clause 3(a) – Car parking.

It is noted that retrospective approval will be required for the sea containers that are already existing on site which encroaches on the street setback area.

Nevertheless, the assessment has concluded that the proposed development warrants approval, subject to conditions.

BACKGROUND

The subject site measures 2,616m² and exists within the industrial area located to the south-west of Leonora Townsite. Specifically, the site is situated within a corridor bound by Kurrajong Street to the east and the freight railway line to the west.

The general surrounding locality is of similar industrial use, with the lots to the immediate north and south of the subject site being vacant. Most lots are characterised by outbuildings, commercial vehicle parking, transportable buildings and sea containers.

A locality plan is provided at Figure 1 and the proposed development plans are provided as **Attachment 1**. No internal floor plans have been provided.



Figure 1: Subject Site and Locality (Source: PlanWA 2023)

The proposal is intended to be used as a base for the operations of Goldfields Controlled Waste to service mining and related business. The proposed workers accommodation intends to accommodate fly-in fly-out (FIFO) staff on a fourteen (14)-days on and seven (7)-days off rotation. A transportable dwelling unit is proposed to cater for between three (3) and five (5) general staff, with the second transportable unit dedicated for management staff up to a maximum of three (3)

persons, who will be attending the site periodically. It is noted that the proposal indicates a maximum of five (5) persons to be on site at any one time.

It is noted from aerial imagery that there is existing commercial vehicle parking on site with two (2) sea containers, making part of the application retrospective.

COMMENT

Local Planning Scheme No. 2

The subject site is zoned 'Light Industry' pursuant to LPS2. The objectives of the zone are set out in Clause 16 (2) of the Scheme as follows:

- *To provide for a range of industrial uses and service industries generally compatible with urban areas, that cannot be located in commercial zones.*
- *To ensure that where any development adjoins zoned or developed residential properties, the development is suitably set back, screened or otherwise treated so as not to detract from the residential amenity.*
- *To allow for workforce accommodation where it can be demonstrated that it would support an operational light industrial land use.*

With respect to the above, the objectives at dot points 1 and 3 are relevant to the proposal.

'Warehouse/Storage' is 'P', permitted use in the 'Light Industry' zone meaning that the use is permitted if it complies with the relevant development standards and requirements of the Scheme. These will be discussed separately. The definition of Warehouse/Storage pursuant to Clause 38 of LPS2 is as follows:

"means premises including indoor or outdoor facilities used for —
(a) the storage of goods, equipment, plant or materials; or
(b) the display or sale by wholesale of goods;"

The proposed 'Workforce Accommodation' is a 'D', discretionary use under the 'Light Industry' zone which means that the use is not permitted unless discretion has been exercised by granting approval. The definition of workers accommodation pursuant to Clause 38 of LPS2 is as follows:

"means premises, which may include modular or relocatable buildings, used —
(a) primarily for the accommodation of workers engaged in construction, resource, agricultural or other industries on a temporary basis; and
(b) for any associated catering, sporting and recreation facilities for the occupants and authorised visitors."

The proposal is intended for FIFO workers staying on-site on a rotation basis to support Goldfields Waste's services to mining and related businesses within the Goldfields Region. It is therefore considered that such use is consistent with the objectives of the zone.

It is noted that the 'Commercial Vehicle Parking' use was the land use classification suggested by the Applicant, however, the definition under LPS2 limits 'Commercial Vehicle Parking' to one or 2 commercial vehicles. During the assessment process, the Applicant has clarified that approval is

sought for the parking of four (4) commercial vehicles (trucks) which cannot be captured under the definition. Nevertheless, LPS2 defines 'Transport Depot' as:

“premises used primarily for the parking or garaging of 3 or more commercial vehicles including —

(a) any ancillary maintenance or refuelling of those vehicles; and

(b) (b) any ancillary storage of goods brought to the premises by those vehicles; and

(c) (c) the transfer of goods or persons from one vehicle to another”

(d) 'Transport Depot' is therefore considered the more appropriate land use classification and is a 'P' (permitted) use in the 'Light Industry' zone.

(e) In terms of applicable development standards and requirements, these are prescribed in Schedule 2, clause 3(a) of the Scheme and are assessed below. Clause 34(2) of LPS2 provides the Shire with discretion to approve an application that does not comply with the applicable development standards and requirements.

Clause	Compliance	Comment
(a) Development in the Light Industry and General Industry zone shall be in conformity with the following: Minimum site area 2000sqm; Setback from street alignment 9m;	Complies Variation sought	The proposed storage structure is setback 3m from the street boundary in lieu of 9m. Kurrajong Street has a somewhat unusually wide road reserve of approximately 30m, with the existing road pavement being approximately 14m from the site's front boundary. Accordingly, it is considered that the road reserve provides significant buffer and setback to the streetscape. Consideration has also been given to the immediate locality where there is varying street setbacks for developed 'Light Industry' lots and furthermore, the property is adjoined on two (2) of its boundaries by reserved land. As such, the proposed setback is not considered to adversely impact on the character of the locality or the surrounding users and occupiers, and can be supported.

No. of car parking bays is 1 for each 65sqm NLA.	Variation sought	The total floor area of the Workforce Accommodation units and the Office equates to 198sqm and therefore requires three (3) car parking bays. No formalised car parking bays have been proposed to date however the site has ample space for vehicle parking. It is recommended a condition of approval be provided requiring a dedicated (and consolidated) area for the parking of commercial and private vehicles to be indicated on the plans prior to building approval, and thereafter implemented.
(c) Development of land for workforce accommodation in the Light Industry and General Industry zone is subject to development approval of the local government and any conditions imposed by the local government relating to standards including buildings, facilities, car parking and landscaping, and may include as a condition a time limit on development.	For noting only.	As mentioned, it is considered that the proposed 'Workforce Accommodation' is consistent with the objectives of the 'Light Industry' zone. As above, a condition requiring a consolidated parking area is recommended to ensure adequate parking is provided in an orderly manner. The impact of rail noise is considered below and a condition is also recommended in that respect to ensure suitability of the accommodation in this location.

State Planning Policy 5.4 – Road and Rail Noise (SPP5.4)

The subject site is located within a 'Freight Railway Trigger Distance' as defined by SPP5.4. SPP5.4 is a state policy used to minimise impact of road and rail noise on noise-sensitive land use and development.

Noise sensitive land use is defined within SPP5.4 as:

"Land-uses or development occupied or designed for occupation or use for residential purposes (including dwellings, residential buildings or shortstay accommodation), caravan park, camping ground, educational establishment, child care premises, hospital, nursing home, corrective institution or place of worship."

Whilst it is not clear from the policy whether 'workforce accommodation' falls under the definition of a noise-sensitive land use, the wording 'designed for occupation' suggests workforce accommodation may be considered a sensitive land use.

It is acknowledged that the level of amenity expected for workforce accommodation, particularly within a 'Light Industry' zone will not be the same as a 'residential' development on residential

ORDINARY COUNCIL MEETING MINUTES

zoned land. Consideration has also been given to the frequency of travel of the freight train line (Kalgoorlie Leonora Railway). It is indicated that the railway operations are infrequent and only operates during daylight hours. As such, it can be considered that the railway will likely have a negligible impact on the workforce accommodation. However, a condition is recommended to ensure acceptable internal transport noise levels as per SPP5.4 and the associated Guidelines are met for the accommodation units.

STATUTORY ENVIRONMENT

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Shire of Leonora Local Planning Scheme No. 2

POLICY IMPLICATIONS

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

FINANCIAL IMPLICATIONS

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

STRATEGIC IMPLICATIONS

There are no strategic implications resulting from the recommendation of this report.

RECOMMENDATIONS

That Council Approve the application for 'Commercial Vehicle Parking', 'Warehouse/Storage' and 'Workforce Accommodation' at Lot 13 (No. 64) Kurrajong Street, Leonora, subject to the following conditions:

Conditions:

1. The development hereby approved shall occur in accordance with the plans and specifications submitted with the application and these shall not be altered or modified without the prior written approval of the Shire.
2. The 'Workforce Accommodation' is for a maximum of five (5) persons at any one time.
3. Prior to the issuance of a Building Permit, an acoustic assessment is to be provided ensuring that the accommodation units can achieve acceptable internal noise levels, to the satisfaction of the Shire.
4. The 'Transport Depot' is for the parking or garaging of a maximum of four (4) commercial vehicles at any one time.
5. No servicing or washdown of vehicles is permitted.
6. Prior to the issuance of a Building Permit, a revised site plan is to be provided showing a designated area for vehicle parking to the satisfaction of the Shire. Thereafter, the designated parking area is to be implemented.
7. All stormwater generated by the proposed development shall be managed and disposed of to the specifications and satisfaction of the Shire.

ORDINARY COUNCIL MEETING MINUTES

8. Satisfactory building plans being approved by the Shire.
9. Prior to commencement, the applicant shall obtain an “approval to construct or install an apparatus for the on-site treatment of sewage” from the Shire’s Environmental Health Officer.

Advice Notes:

- a) The applicant is advised that this planning approval does not negate the requirement for the additional approvals which may be required under separate legislation. It is the applicants responsibility to obtain any additional approvals required before the development/use lawfully commences.
- b) Should the applicant be aggrieved by the decision of the Council (in part or whole) there is a right pursuant to the *Planning and Development Act 2005* to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of the decision.

VOTING REQUIREMENT

Simple Majority

COUNCIL DECISION

Moved: Cr LR Petersen
Seconder: Cr RA Norrie

That Council Approve the application for ‘Commercial Vehicle Parking’, ‘Warehouse/Storage’ and ‘Workforce Accommodation’ at Lot 13 (No. 64) Kurrajong Street, Leonora, subject to the following conditions:

Conditions:

1. The development hereby approved shall occur in accordance with the plans and specifications submitted with the application and these shall not be altered or modified without the prior written approval of the Shire.
2. The ‘Workforce Accommodation’ is for a maximum of five (5) persons at any one time.
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6. Prior to the issuance of a Building Permit, a revised site plan is to be provided showing a designated area for vehicle parking to the satisfaction of the Shire. Thereafter, the designated parking area is to be implemented.
7. All stormwater generated by the proposed development shall be managed and disposed of to the specifications and satisfaction of the Shire.

ORDINARY COUNCIL MEETING MINUTES

8. Satisfactory building plans being approved by the Shire.
9. Prior to commencement, the applicant shall obtain an “approval to construct or install an apparatus for the on-site treatment of sewage” from the Shire’s Environmental Health Officer.

Advice Notes:

- a) The applicant is advised that this planning approval does not negate the requirement for the additional approvals which may be required under separate legislation. It is the applicants responsibility to obtain any additional approvals required before the development/use lawfully commences.
- b) Should the applicant be aggrieved by the decision of the Council (in part or whole) there is a right pursuant to the *Planning and Development Act 2005* to have the decision reviewed by the State Administrative Tribunal. Such application must be lodged within 28 days from the date of the decision.

CARRIED (6 VOTES TO 0)

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Report: Development Application for Workers Accommodation in Light Industry Zone

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10.0 REPORTS

10.6 ELECTED MEMBERS REPORTS

Nil

11.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12.0 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

13.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

13.1 ELECTED MEMBERS

Nil

13.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

13.2 OFFICERS

Nil

14.0 MEETING CLOSED TO PUBLIC

14.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

Nil

14.0 MEETING CLOSED TO PUBLIC

14.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

15.0 STATE COUNCIL AGENDA

Nil

16.0 NEXT MEETING

Tuesday 21st November 2023

17.0 CLOSURE OF MEETING

There being no further business, the Chairperson, The Shire President, Cr PJ Craig declared the meeting closed at 10:44am.